

ORDINANCE NO. 769

AN ORDINANCE AMENDING SECTIONS 5-5-10, 5-5-10a, AND 5-5-10b OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO, TO PROVIDE THAT THE CLERK MAY ISSUE A BARTENDERS PERMIT TO PERSONS WHO MEET THE QUALIFICATIONS SET FORTH IN CHAPTER 5 OF TITLE 5 OF THE MUNICIPAL CODE, TO PROVIDE THAT THE COUNCIL MAY REVOKE A BARTENDERS PERMIT IF THE PERSON FAILS TO MEET THE QUALIFICATIONS SET FORTH IN CHAPTER 5 OF TITLE 5 OF THE MUNICIPAL CODE, TO PROVIDE FOR THE REPEAL OF SECTIONS 5-5-10a AND 5-5-10b WHICH SECTIONS NOW CONTAIN PROVISIONS FOR THE ISSUANCE OF TEMPORARY BARTENDERS PERMITS AND COCKTAIL WAITRESS LICENSES.

Be it ordained by the Mayor and Council of the City of Payette, Idaho, that Section 5-5-10 of the Municipal Code of the City of Payette, Idaho, shall be amended as follows, and that Sections 5-5-10a and 5-5-10b shall be and hereby are repealed:

Section 5-5-10: BARTENDERS: It shall be unlawful for any person to act as a bartender in any premises licensed under the provisions of this Chapter unless such person shall hold a permit therefor issued by the Council Clerk. Applications for permits shall be made on forms furnished by the Clerk and shall be accompanied by a permit fee of two <sup>dollars</sup> (\$2.00). No person shall receive a permit as a bartender unless he shall establish to the satisfaction of the Council Clerk and the Chief of Police that he or she:

- (A) Is a person over the age of twenty-one (21) years and of good moral character, except as hereafter provided.
- (B) Has not been convicted of any violation of the laws of the United States, the State of Idaho, or any other State of the United States, relating to the importation, transportation, manufacture or sale of liquor or has paid any fine or completed any sentence of imprisonment for any felony within five (5) years prior to the date of making application for a permit.
- (C) Has not had a license issued under the provisions of this Chapter revoked, or who has been an officer, member of the governing board of one of the ten (10) principal stockholders of a corporation licensed hereunder and whose license has been revoked, such revocation in any instance to be within five (5) years of the application for permit as a bartender.

~~Provided, however, that such license may be issued to a licensee even though a female person, or to the wife of a licensee, as determined by the provisions of Chapter 3, Title 32, Idaho Code, provided that such person meets all other requirements of this Section, and, provided further, that such permit shall be restricted for use on the licensed premises of said licensee or the husband of said licensee and not elsewhere.~~

A permit for a bartender shall expire on the 31st day of December each year. Any bartender convicted of any violation of the provisions of Chapter 9, Title 23, Idaho Code, or of this Chapter, or any bartender failing to meet the qualifications of this Chapter, shall have his permit as bartender immediately revoked by the Council, ~~upon receipt of a certified copy of the judgment of conviction of such permit holder.~~

It shall be unlawful for any licensee to employ, or permit the employment of, or the performance of services on his premises by any bartender not having in force a permit as bartender. (Ord. 694; 8-1-66)

~~Section 5-5-10a: TEMPORARY BARTENDERS PERMIT: A temporary bartenders permit may be issued to any applicant who has filed an application and paid the fee as provided in the foregoing section and who meets the require-~~

1 ~~ments set forth in the foregoing section upon the approval of the Mayor and~~  
2 ~~the Chief of Police. Such temporary permit shall be effective only until the~~  
3 ~~next following regular meeting of the City Council, the date of which shall~~  
4 ~~appear on the face of such temporary permit. The fee for such temporary permit~~  
5 ~~shall be one dollar (\$1.00).~~

6 ~~Section 5-5-10b:--COCKTAIL-WAITRESSES:--A license may be issued to any female~~  
7 ~~person over the age of twenty-one (21) years who meets all~~  
8 ~~the requirements of 5-5-10, except that of being a male person, as a waitress~~  
9 ~~for the purpose of serving and collecting for, but not pouring or mixing,~~  
10 ~~liquors on licensed premises.~~

11 ~~Application shall be made and fees paid as provided in 5-5-10.~~

12 This ordinance shall take effect and be in force from and after its  
13 publication in the Independent Enterprise, a newspaper of general circulation  
14 in the City of Payette, Idaho.

15 PASSED and APPROVED by the Mayor and Council this 1st day of

16 November, 1971.

17 Harley O. Roehr  
18 Mayor of the City of Payette, Idaho

19 ATTEST:

20 Barbara A. Milard  
21 Clerk of the City of Payette, Idaho