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MICROFILM NO.

579055

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NEZ PERCE COUNTY ORDINANCE 51b

AN ORDINANCE OF THE COUNTY OF NEZ PERCE, STATE OF IDAHO, PROVIDING FOR THE RETAIL SALE OF BEER, WINE AND LIQUOR AND ESTABLISHING A LICENSE FEE FOR RETAIL LICENSE FOR BEER, WINE AND LIQUOR; REPEALING ORDINANCES 51 and 51a BY COMBINING THEM INTO ONE ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, be it ordained by the Board of Commissioners of Nez Perce County, State of Idaho, as follows:

SECTION:

- 1.0: In General
- 2.0: Authority
- 3.0: Definitions
- 4.0: Exceptions to Regulations
- 5.0: Licenses Required
- 6.0: Application for License
- 7.0: Issuance of Licenses
- 8.0: Reasons for Denial of License
- 9.0: Continuance of Qualifications
- 10.0: Locations Restrictions
- 11.0: Retailers' License Fees
- 12.0: Expiration, Renewal of Licenses
- 13.0: Transfer of License
- 14.0: Operating Hours
- 15.0: Inspections, Access to Premises
- 16.0: Prohibited Acts, Conditions
- 17.0: Suspension, Revocation of License
- 18.0: Penalty

INST. NO. 579055
 FILED FOR RECORD
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 1993 NOV -9 A 8:07
 BETTY J. WILSEY
 RECORDER, NEZ PERCE CO. ID.
 DEPUTY
 NEZ PERCE COUNTY COMMISSIONERS

1.0 IN GENERAL:

This Chapter shall be known and cited as the NEZ PERCE COUNTY ALCOHOLIC BEVERAGE ORDINANCE. The purpose of this Chapter is to provide for the issuance of beer, wine and liquor by the drink licenses and licensing fees; to provide regulations; and to establish procedures for renewal, suspension, revocation or termination of such licenses.

2.0 AUTHORITY:

This Ordinance is adopted pursuant to the authority conferred by Article XII, Section 2, of the Idaho Constitution and by Title 23, Chapters 9, 10 and 13, of the Idaho Code. It is the intent that this Ordinance encompass the whole of these Chapters which are hereby adopted and made a part hereof. Where the Ordinance is not specific, then the statutes shall apply.

3.0 DEFINITIONS:

BEER	Any beverage which, in whole or part, is obtained by the fermentation of barley, malt, or other agricultural products, whether or not other ingredients are added, and which beverage does not contain more than four percent (4%) alcohol by weight.
BOTTLED BEER	Beer sold or disposed of while securely, tightly and adequately sealed in a glass, metal or other container of a capacity not to exceed two (2) gallons.
DRAFT BEER	Beer sold or disposed of while securely, tightly and adequately sealed in a glass, metal or other container of a capacity exceeding two (2) gallons.
LIQUOR	Any alcoholic beverage other than beer or wine.
PERSON	Any individual, firm, partnership, copartnership, association, corporation or any other group or

combination of such entities acting as a unit, and includes the plural as well as the singular unless the intent to give a more limited meaning is disclosed by the context.

PREMISES	The building and contiguous property owned, or leased or used under government permit by a retailer as part of the business establishment for the sale of beer or wine at retail, which property is improved to include decks, docks, boardwalks, lawns, gardens, golf courses, ski resorts, courtyards, patios, poolside areas or similar improved appurtenances in which the sale of beer or wine, at retail, is authorized under the provisions of law.
RETAIL WINE LICENSE	A license issued by the director authorizing a person to sell wine in its original, unopened container, at retail for consumption off the licensed premises.
RETAILER	A person to whom a retail wine license has been issued.
WINE	Any alcoholic beverage containing not more than fourteen percent (14%) alcohol by volume obtained by the fermentation of the natural sugar content of fruits or other agricultural products containing sugar whether or not other ingredients are added.
WINE-BY-THE-DRINK-LICENSE	A license to sell wine by the individual glass or opened bottle at retail, for consumption on the premises only.

All other words and phrases used in this Chapter, the definitions of which are not herein given, shall be given their ordinary, commonly understood and accepted meanings.

4.0 EXCEPTIONS TO REGULATIONS:

Nothing contained in this Chapter shall prohibit the State Liquor Dispensary from acting pursuant to the Idaho Liquor Act, Title 23, Idaho Code.

5.0 LICENSES REQUIRED:

It shall be unlawful for any person to sell beer, wine or liquor at retail for consumption on or off the premises within the boundary of Nez Perce County until a license is granted by the Board of County Commissioners as provided by this Chapter. Licenses issued pursuant to this Chapter by the director, county or city shall at all times be prominently displayed in the place of business of the licensee.

6.0 APPLICATION FOR LICENSE:

A. Prior to the issuance of a license, the applicant shall file with the County Clerk an application, in writing, signed by the applicant and containing information and statements relative to the applicant and the premises (in existence or to be constructed in accordance with plans and specifications approved by the County) where the beer, wine or liquor is to be sold. The application shall be verified by the affidavit of the applicant before a person authorized to administer oaths. In addition to setting forth the qualifications required by other provisions of this Chapter, the applicant must show:

1. A detailed description of the premises for which a license is desired, its location and street address, if practicable, or by such other description as definitely locates the premises, and the name of the owner of the premises for which license is sought.

2. The names and addresses of all persons who will have any financial interest in any business to be carried on in or upon the licensed premises, whether such interest results from open loans, mortgages, conditional sales contracts, trusts or any other basis other than open trade accounts incurred in the ordinary course of business, and the amounts of such interest.
 3. If the premises to be licensed are not owned by the applicant, then a certified copy of the lease by which he will occupy the premises showing that the owner consents to the sale of beer, wine or liquor on such premises.
 4. The name and address of the applicant, which shall include all members of a partnership or association and the officers, members of the governing board and ten (10) principal stockholders of a corporation.
 5. A copy of the articles of incorporation and bylaws of any corporation, the articles of association and the bylaws of any association, or the articles of partnership of any partnership.
- B. If, during the period of any license issued hereunder, any change shall take place in any of the requirements of this Section, the licensee shall forthwith make a verified report of such change to the County Clerk.

- C. Applications for liquor by the drink shall be accompanied with the license issued by the Director of the Department of Law Enforcement of the State for the premises and for the time for which the application is made, which license shall be returned to the applicant after examination by the Board of County Commissioners.
- D. Each application shall be accompanied by the required license fee which shall be returned to the applicant if the Board of County Commissioners refuses to issue the license.

7.0 ISSUANCE OF LICENSES:

The Board of County Commissioners shall duly consider and evaluate all new applications and renewal applications for a license to sell or dispense beer, wine or liquor at retail, and after so evaluating shall determine to grant or deny each application in accordance with the provisions of this Chapter. Prior to said determination, new applications shall be submitted to the Sheriff of Nez Perce County for review, and his assessment of each application shall be considered by the Board of County Commissioners prior to its decision. If the Board of County Commissioners so order, the County Clerk shall issue a license to the applicant, which license or licenses shall at all

times be prominently displayed in the place of business of the licensee and shall be issued only for the particular premises therein described. Separate beer, retail wine, wine by the drink and liquor by the drink licenses shall be required for each premises, except that retailers holding valid licenses for the retail sale of liquor by the drink may sell wine for consumption on or off the licensed premises.

8.0 REASONS FOR DENIAL OF LICENSE:

- A. No license shall be issued to an applicant who at the time of making application:
1. Is not twenty one (21) years of age or older, if the applicant is an individual.
 2. Is not the bona fide owner of such business.
 3. Has not been a bona fide resident of the State of Idaho for at least one (1) month next preceding the date of the application for a license; provided, that if the applicant is:
 - a. A partnership, all members thereof have been residents of the State of Idaho for at least one (1) month next preceding the granting of such license.

- b. A corporation or association, must be organized under the laws of the State of Idaho or qualified under the laws of the State of Idaho to do business in this State, and unless the principal officers and the members of the governing board are residents of the State of Idaho for at least one (1) month next preceding the granting of such license, except the officers and members of a railroad or airline or a nonprofit corporation managed by members pursuant to the Idaho nonprofit corporation act, chapter 3, title 30, Idaho Code, need not be residents of the State of Idaho.
4. Any person or any one (1) of its members, officers or governing board who has, within three (3) years prior to the date of making the application, been convicted of any violation of the laws of the United States, the State of Idaho, or any other state of the United States, or of the resolutions or ordinances of any county or city of this state, relating to the importation, transportation, manufacture or sale of alcoholic liquor or beer; or who has been convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgement or completed any sentence of confinement for any felony within five (5) years prior to the date of making application for any license.

579055

Card 2 of 3

5. Has engaged in the operation, or has interest in, or any of its employees, officers or members of its governing board or body have been so engaged in the operation, or have interest in, any house or place for the purpose of prostitution or who has been convicted of any crime or misdemeanor opposed to decency and morality.
6. A person whose license issued under this act has been revoked; an individual who was a member of a partnership or association which was a licensee under this act and whose license has been revoked; an individual who was an officer, member of the governing board or one (1) of the ten (10) principal stockholders of a corporation which was a licensee under this act and whose license has been revoked; a partnership or association one (1) of whose members was a licensee under this act and whose license was revoked; a corporation one (1) of whose officers, member of the governing board or ten (10) principal stockholders was a licensee under the provisions of this act and whose license has been revoked; an association or partnership, one (1) of whose members was a member of a partnership or association licensed under the provisions of this act and whose license has been revoked; a partnership or association, one (1) of whose members was an officer, a member of the governing board, or one (1) of the ten (10) principal

stockholders of a corporation licensed under the provisions of this act and whose license has been revoked; a corporation, one (1) of whose officers, member of the governing board, or ten (10) principal stockholders was a member of a partnership or association licensed under the provisions of the act and whose license was revoked; a corporation, one (1) of whose officers, member of the governing board, or ten (10) principal stockholders was an officer, member of the governing board, or one (1) of the ten (10) principal stockholders of a corporation licensed under the provisions of this act and whose license was revoked.

7. Any officer, agent, or employee of any distillery, winery, brewery, or any wholesaler, or jobber, of liquor or malt beverage.
8. A person who does not hold a retail beer license issued under the laws of the State of Idaho.
9. A person licensed under this act as a bartender and whose permit as bartender has been revoked.
10. Does not possess a current beer license under this Chapter, in the case of any application for a retail wine or a wine by the drink license.

B. The affirmative showing required with respect to qualifications of an applicant shall be required to be made with respect to each partner of a partnership applicant and to each incumbent officer, director or member of the

governing board of a corporation or association applicant, and to each person then employed by an applicant whose duties include the serving or dispensing of beer, wine or liquor by the drink.

9.0 CONTINUANCE OF QUALIFICATIONS:

A retail licensee must continue throughout the license period to have all of the qualifications and none of the disqualifications provided for in this Chapter.

10.0 LOCATION RESTRICTIONS:

- A. A license to sell beer, wine and liquor for consumption upon the premises of an establishment located within an unincorporated area of Nez Perce County shall not be granted unless the applicant shall first obtain the written consent of at least seventy-five percent (75%) of the resident owners of the property, or if not occupied or inhabited by a resident owner, the occupant of such property, within a radius of one thousand feet (1000') of any part of the premises upon which beer, wine or liquor is to be sold for consumption. At the time the application is submitted to the County Clerk, no signature may be over ninety (90) days old. The written consent shall be filed with the application for a license; provided, however, that the consent of owners or occupants of property shall not be required to renew or to transfer such licenses, except in the circumstances outlined in subsection C of this Section.

- B. If the establishment is not within an incorporated city, the establishment must comply with the County zoning laws and a Certificate of Zoning issued by the Nez Perce County Zoning Department must be obtained prior to a license being granted. The zoning certificate shall be filed with the application for a license; provided, however, that the zoning certificate shall not be required to renew license, unless a zoning certificate was not obtained when the license was originally issued, in which case a zoning certificate is required prior to issuance of the license.
- C. No retailer's license shall be issued to any person to sell beer, wine or liquor by the drink for consumption on the premises where any part of the room, or other place, for such sale or consumption is:
1. Within a radius of three hundred feet (300') of any part of a public school, nor
 2. Within a radius of three hundred feet (300') of any room within which the regular religious or Sunday school services of a duly organized and established religious sect are, or within which a hospital or nursing home is conducted and were or was so conducted prior to issuance of such license.
- D. This limitation shall not apply to any duly licensed premises that at the time of licensing did not come within the restricted area, but subsequent to licensing, came therein.

11.0 RETAILERS' LICENSE FEES:

License fees, to be collected by the County Clerk, shall be as follows:

Beer:

- Retail sale of bottled or canned beer not consumed on the premises - per annum.....\$ 25.00
- Retail sale of bottled or canned beer consumed on the premises - per annum..... 75.00
- Retail sale of draught beer and bottled or canned beer - per annum..... 100.00

Liquor-by-the-Drink:

For liquor-by-the-drink in an incorporated city, the fee shall be twenty-five percent (25%) of the amount of the license fee collected by the Director of the Department of Law Enforcement of the State of Idaho, pursuant to the provisions of Idaho Code, chapter 9, title 23.

For liquor by the drink at retail in any licensed premises not situated within the incorporated limits of any city, the fee shall be seventy-five percent (75%) of the director's fee as set out in Idaho Code Sections 23-904 and 23-916.

Wine:

For a retail wine license only, where wine is sold in closed containers, with no consumption on the premises - per annum.....\$100.00

For a wine by the drink license only, where wine is sold, by the individual glass or open bottle at retail for consumption on the premises only - per annum..... 100.00

In no event shall the license fee for sale of wine by the drink, sale of wine at retail, exceed a total of..... 100.00

If a license is issued prior to July 1 of the year in which issued, the applicant shall pay the full annual license fee. If a license is issued on or after July 1 of the year in which issued, the applicant shall pay one-half (1/2) the annual license fee.

12.0 EXPIRATION, RENEWAL OF LICENSES:

All licenses issued pursuant to the provision of this Chapter shall expire at one o'clock (1:00) A.M. on January 1 of the year following the year in which the license is issued. Renewal of the license shall be on forms prescribed and furnished by the County Clerk. Renewal forms shall be submitted together with the required license fee and an affidavit verifying that the information contained in the original application is unchanged, or if there are material changes, indicating such changes. Renewal applications must be received by the Board of County Commissioners no sooner than October 1 and not later than January 1 of the following year; provided, however, any licensee holding a valid license who fails to file an application for renewal of his current license on or before January 1 shall have a grace period of an additional thirty-one (31) days in which to file an application for renewal of his license and during which time he shall not be permitted to sell or dispense beer, wine or liquor by the drink.

13.0 TRANSFER OF LICENSE:

- A. No license may be transferred to another person, including an executor, administrator, or trustee in bankruptcy of the estate of the licensee, unless the transferee shall first have obtained the approval of the Board of County Commissioners to such transfer upon application containing substantially the same information required of an applicant for a license. If the transferee possesses all of the

qualifications and none of the disqualifications for such a license, the Board shall approve the transfer, which approval shall be attached and made a part of the license. Prior to a decision on a denial or approval of said transfer by the Board of County Commissioners, the Sheriff of Nez Perce County shall review the transfer application and his assessment shall be considered by the Board of County Commissioners before they make their determination. The fee for each transfer of a retail wine, wine by the drink, beer, liquor, and liquor by the drink license shall be twenty dollars (\$20.00) -- five dollars (\$5.00) of which is for the transfer fee and fifteen dollars (\$15.00) of which is for the processing and application fee. This fee shall accompany the application for a transfer.

- B. Application to transfer a license from one location to another shall be made to the Board of County Commissioners on forms prescribed and furnished by the County Clerk. Such a transfer shall not be approved unless the application procedure for a new license has been complied with. In addition, before an existing license may be transferred to a new location, the applicant must satisfy all requirements of the Nez Perce county Zoning Ordinance.

14.0 OPERATING HOURS:

A. Beer and Wine:

- 1. No beer or wine shall be sold, dispensed or given away on the licensed premises between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M.

579055

Card 3 of 3

2. Any patron present on the licensed premises after the sale of beer or wine has stopped as provided for in paragraph 1 of this subsection, shall have reasonable time, not to exceed thirty (30) minutes, to consume any beverage already served.

B. Liquor:

1. It shall be unlawful to sell, offer for sale, give away or consume or permit or allow to be consumed, any liquor upon any licensed premises as follows:
 - a. On Christmas, from two o'clock (2:00) A.M. until ten o'clock (10:00) A.M. the following day;
 - b. On any other day, between the hours of two o'clock (2:00) A.M. and ten o'clock (10:00) A.M.;
 - c. On any day of a general or primary election until after the time when the polls are closed. There is no prohibition against the sale of liquor by the drink during city election unless the city has enacted an ordinance prohibiting such sales.
2. Any patron present on the licensed premises after the sale of liquor has stopped as provided in paragraph 1 of this subsection, shall have a reasonable time, not to exceed thirty (30) minutes, to consume any beverage already served.

15.0 INSPECTIONS, ACCESS TO PREMISES:

The Sheriff and all Deputy Sheriffs of the County of Nez Perce have the right at any time to enter in and upon such licensed premises, and it shall be unlawful to refuse any Deputy Sheriff admittance to or access to such premises for the purpose of police patrol, regulation and inspection of such premises.

16.0 PROHIBITED ACTS, CONDITIONS:

A. Prohibited Sales: It shall be unlawful and punishable as a misdemeanor for any person to sell, deliver or give away, or cause or permit to be sold, delivered or given away, any beer, wine or liquor to:

1. Any person under the age of twenty-one (21) years of age, proof of which shall be a valid driver's license or an identification issued by the Department of Law Enforcement of this State.
2. Any person apparently or obviously intoxicated.
3. An interdicted person as defined by the laws of the State.

B. Minors:

1. Any person who shall procure beer, wine or liquor for any person under twenty-one (21) years of age, who shall purchase, attempt to purchase, or otherwise procure, consume or possess beer, wine or liquor shall be guilty of a misdemeanor.

2. Any person under the age of twenty-one (21) years of age, who shall by any means represent to any person licensed to sell beer, wine or liquor at retail, or to any agent or employee of such retail licensee, that he or she is twenty-one (21) years or more of age, for the purpose of inducing such retail licensee, his agent or employee to sell, serve or dispense to him or her shall be guilty of a misdemeanor.
3. Any person who shall by any means represent to any person licensed to sell beer, wine or liquor at retail, or to his agent or employee, that any other person is twenty-one (21) years or more of age, when in fact such other person is under the age of twenty-one (21) years, for the purpose of inducing such retail licensee, his agent or employee, to sell, serve or dispense beer, wine or liquor to such other person shall be guilty of a misdemeanor.
4. Whenever any person licensed to sell beer, wine, or liquor, or his agent or employee, shall have reasonable cause to doubt that any person who attempts to purchase or otherwise procure beer, wine or liquor from or through such retail licensee, his agent or employee, is twenty-one (21) or more years of age, such retail licensee, his agent or employee, shall require such person to execute a certificate that he is twenty-one (21) or more years of age, and to exhibit acceptable

proof of age and identity. The form of such certificate, the manner in which it shall be executed, the record to be kept thereof, shall be the responsibility of the retail licensee, his agent or employee, with respect to the execution of said certificate and a determination of what shall constitute acceptable proof of the age and identity shall be in accordance with the provisions of Idaho Code, chapter 10, title 23.

- C. Consumption in Motor Vehicle: No person shall, while operating or riding in or upon a motor vehicle upon a public highway of this State, consume beer, wine or liquor or have in his possession any beer, wine or liquor in an open or unsealed container of any kind.

17.0 SUSPENSION, REVOCATION OF LICENSE:

If the Board of County Commissioners shall find that a licensee has made any false material statement in the application for a license, or did not have, or has not retained, the qualifications for a retailer, or has acquired a disqualification for a retailer, or is in violation of any of the prohibitions of title 23, chapter 10, Idaho Code, the Board of County Commissioners shall suspend, revoke or refuse to renew such retailer's license.

- A. No pleading shall be necessary, and any hearing before the Board of County Commissioners shall be informal.

- B. The procedure for notice, hearing, contest and appeal shall be as provided by title 23, chapter 10, Idaho Code.
- C. In addition, the Board of County Commissioners shall consider a petition for revocation of a valid existing license submitted by at least seventy-five percent (75%) of the resident owners of property, or if not occupied and inhabited by a resident owner, the occupant of such property, within a radius of one thousand feet (1000') of any part of the premises upon which beer, wine or liquor is sold for consumption.
- D. If, after review of said petition for revocation of license, the Board of county Commissioners determines that the allegations in said petition are true and correct, the Board may take the appropriate action to revoke that existing license. The criteria to be used by the Board of County Commissioners to revoke pursuant to such a petition shall be the same as provided in this Section.

18.0 PENALTY:

Any person violating any provision of this Chapter shall be guilty of a misdemeanor and upon conviction thereof and shall be imprisoned for not less than thirty (30) days nor more than six (6) months in the county jail or fined by not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) or both fine and imprisonment.

Regularly passed, approved and adopted by the Board of Commissioners of the County of Nez Perce, State of Idaho, on this 24 day of November, 1993.

BOARD OF COUNTY COMMISSIONERS
Nez Perce County, Idaho

BY: Ervin W. Hill
ERVIN W. HILL, Chairman
Nez Perce County Commissioner

Earl J. Ferguson
EARL J. FERGUSON, Member
Nez Perce County Commissioner

Larry R. Vincent
LARRY R. VINCENT, Member
Nez Perce County Commissioner



ATTEST:

Betty J. Walsey Deputy
BETTY J. WALSEY
Nez Perce County, Idaho



NEZ PERCE COUNTY

BOARD OF COUNTY COMMISSIONERS

1225 Idaho Street
P.O. Box 896
Lewiston, Idaho 83501-0896
(208) 799-3090
FAX (208) 799-3149

November 8, 1993

SUMMARY FOR PUBLICATION, NEZ PERCE COUNTY ORDINANCE 51b

Pursuant to Idaho Code Section 31-715A (3) I swear the attached Summary of Nez Perce County Ordinance 51b to be true and complete in it's statement. This Ordinance is to remain in full force and effect unless subsequently modified or repealed, perpetually thereafter. This Ordinance, adopted by the Board of County Commissioners November 8, 1993, shall take effect and be in force from and after it's publication November 12, 1993.


BETTY J. WILSEY, Clerk
Nez Perce County, Idaho

Ervin W. Hill
First District

Earl J. Ferguson
Second District

Larry R. Vincent
Third District

Betty J. Wilsey
Clerk

MICROFILM NO.

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NEZ PERCE COUNTY ORDINANCE NO. 51b(1)

AN ORDINANCE OF THE COUNTY OF NEZ PERCE, STATE OF IDAHO, AMENDING SECTION 12.0 OF THE NEZ PERCE COUNTY BEER, WINE AND LIQUOR ORDINANCE, ORDINANCE NO. 51b (MICOFILM NO. 579055) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the legislature granted authority to the Idaho State Police, Alcohol Beverage Control Bureau, to stagger the renewal of licenses to sell alcohol; and

WHEREAS, pursuant to said authority, it is necessary to amend the language in Section 12.0, Expiration, Renewal of Licenses, to be consistent with the newly assigned renewal dates for licenses in Nez Perce County, State of Idaho.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NEZ PERCE COUNTY, STATE OF IDAHO AS FOLLOWS:

12.0 EXPIRATION, RENEWAL OF LICENSES:

All licenses issues pursuant to the provision of this Chapter shall expire at one o'clock (1:00) A.M. on February 1 of the year following the year in which the license is issued. Renewal of the license shall be on forms prescribed and furnished by the County Clerk. Renewal forms shall be submitted together with the required license fee and an affidavit verifying that the information contained in the original application is unchanged, or if there are material changes, indicating such changes. Renewal applications must be received by the Board of County Commissioners no sooner than November 1 and not later than February 1 of the following year; provided, however, any licensee holding a valid license on or before February 1 shall have a grace period of an additional thirty-one (31) days in which to file an application for renewal of his/her license and during which time he/she shall not be permitted to sell or dispense beer, wine or liquor by the drink.

This ordinance shall take effect and be in force from and after its passage, approval, adoption and publication as required by law.

Regularly passed, approved and adopted by the Board of Commissioners of the County of Nez Perce, State of Idaho, on this 19th day of November 2001.

BOARD OF COUNTY COMMISSIONERS
Nez Perce County, Idaho

BY: [Signature]
J.R. VAN TASSEL, Chairman

[Signature]
IRWIN H. CAUFIELD, Member

[Signature]
LARRY VINCENT, Member

[Signature]
PATTY O. WEEKS, Clerk
Nez Perce County, Idaho

INST. NO. 6669363
FILED FOR RECORD
REC. BY [Signature]
2001 NOV 26 P 2:55
PATTY O. WEEKS
RECORDER, NEZ PERCE CO ID
BY [Signature] DEPUTY
NEZ PERCE COUNTY COMMISSIONERS

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NEZ PERCE COUNTY ORDINANCE NO. 51b(2)

AN ORDINANCE OF THE COUNTY OF NEZ PERCE, STATE OF IDAHO, AMENDING NEZ PERCE COUNTY ORDINANCE 51b (MICROFILM NO. 579055), WHICH PROVIDES FOR THE RETAIL SALE OF BEER, WINE AND LIQUOR, AND ESTABLISHES A LICENSE FEE FOR THE RETAIL LICENSE OF BEER, WINE AND LIQUOR, AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, it is the desire of the Nez Perce County Board of Commissioners to amend certain provisions of Nez Perce County Ordinance 51b, which provides for the retail sale of beer, wine and liquor, and establishes a license fee for the retail license of beer, wine and liquor, such amended provisions extending certain dates provided for in Section 11.0 of the Ordinance from July 1 to August 1.

NOW THEREFORE, be it and it is hereby ordained by the Board of Commissioners of Nez Perce County, State of Idaho, as follows:

Section 1: The last paragraph of Section 11.0 of Ordinance of 51b is amended to provide as follows:

If a license is issued prior to August 1 of the year in which issued, the applicant shall pay the full annual license fee. If a license is issued on or after August 1 of the year in which issued, the applicant shall pay one-half (1/2) the annual license fee.

Section 2: This ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

Regularly passed, approved and adopted by the Board of Commissioners of the County of Nez Perce, State of Idaho, on this 6th day of December, 2004.

INST. NO. 712471
FILED FOR RECORD
REG. BY N/C NEZ PERCE COUNTY COMMISSIONERS BY:
2004 DEC 15 A 8:55
2004 PATTY O. WEEKS
RECORDER, NEZ PERCE CO ID
BY B Lewis DEPUTY

BOARD OF COUNTY COMMISSIONERS
Nez Perce County, Idaho

Larry Vincent
LARRY VINCENT, Chairman

J. R. Van Tassel
J. R. VAN TASSEL, Commissioner

Ronald J. Wittman
RONALD J. WITTMAN, Commissioner

ATTEST

Patty O. Weeks
Patty O. Weeks, Clerk/Recorder
Nez Perce County, Idaho

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