ORDINANCE NO. 104

AN ORDINANCE PROHIBITING THE SALE, MANUFACTURE, TRANSPORTATION, POSSESSION, GIVING AWAY OF INTOXICATING LIQUORS OR THE DRINKING, DISPLAYING, OR POSSESSION ON ONE'S PERSON OR IN ANY VEHICLE OF INTOXICATING LIQUORS OR THE POSSESSION OF UNTAXED LIQUOR IN ANY QUANTITY IN THE CITY OF MULBERRY, ARKANSAS; PROVIDING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, Crawford County, Arkansas, did vote prohibiting the sale or possession of intoxicating liquors here in said county on the 27th day of June, 1944, which issue was re-submitted to the people and again by a large majority of the county, the sale or possession of intoxicating liquors was prohibited on the 9th day of April, 1948, and the City of Mulberry, in order to more effectually enforce said prohibitory laws,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

SECTION 1: It shall be unlawful for any person, firm, or corporation to manufacture, sell, transport, possess or give away any intoxicating liquors within the city limits of the City of Mulberry, Arkansas.

Any liquor or beverage containing more than one-half of one per cent alcohol by weight is deemed intoxicating liquors within the means of this ordinance.

SECTION 2: Any person who knowingly furnishes a house or room, therein, or any vehicle from which intoxicating liquors are sold or given away shall be deemed guilty of a violation of this ordinance, as principal and to the same extent as one using said house, room or vehicle in violation of this ordinance.

SECTION 3: Any person who shall keep or carry around on his person or in any building, room or vehicle, or leave in any place for another to secure any intoxicating liquors to sell the same in violation of this ordinance, or any person who shall directly or indirectly solicit or take any order for the purchase, sell, shipment, or delivery of intoxicating liquors shall be deemed a violator of this ordinance.

SECTION 4: It shall be unlawful for any person to drink intoxicating liquors, display, have ih their possession, or in any automobile or vehicle of watever kind, intoxicating liquors upon which the seal has been broken in any public place within the city of Mulberry.

SECTION 5: Any person driving an automobile or other vehicle in which intoxicating liquors are being kept or transported by himself or his agent within the limits of the City of Mulberry shall be guilty of a violation of this ordinance as a principal.

SECTION 6: The possession of any quantity of untaxed liquor by any person in the City of Mulberry, Arkansas, is hereby declared

to be a separate violation of this ordinance and the punishment thereof shall be in addition to that provided by the other sections herein.

SECTION 7: Any person, firm or corporation violating any of the provisions of this ordinance upon conviction shall be punished by a fine of not less than $5.00 nor more than $100.00, or by imprisonment for a period of not more than ninety days, or by both.

SECTION 8: In order to better enforce the liquor laws within the City of Mulberry, and for the reason that the hiring of additional officers is impossible for the lack of funds, it is ordained that the Mayor of the City of Mulberry, may within his descretion, pay a reward or reimburse persons for services rendered in securing evidence and convictions of violators of the provisions of this ordinance, providing that the reward or reimbursement given to any one or more persons shall in no event exceed 50 per cent of the total fine assessed and collected.

It is further ordained that the Mayor have the exclusive right to determine who may or may not be entitled to reward or reimbursement for their services and his decision shall be final.

SECTION 9: Should any clause, sentence, paragraph, section, or part of this ordinance be adjudged to be invalid by any court of competent jurisdiction, for any reason, such judgment shall not effect, impair, nor invalidate the remainder of this ordinance, but shall be confirmed in its operation to the particular clause, sentence, paragraph, section or part of this ordinance directly adjudged to be invalid, and all of the remainder of this ordinance shall continue in full force and effect.

SECTION 10: This ordinance being necessary for the immediate preservation of the public health, peace and safety, it shall take effect and be in full force from and after its passage, approval and publication.

APPROVED: _____
Herbert Moses - Mayor

PASSED: MARCH, 1, 1949

ATTEST: _____
T. J. House - City Clerk

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