

AN ORDINANCE PROVIDING FOR THE LICENSING,  
REGULATION AND SALE OF BEER CONTAINING NOT  
MORE THAN 3.2 PER CENTUM OF ALCOHOL BY  
WEIGHT AND PROVIDING PENALTIES FOR THE  
VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DAGGETT  
COUNTY, UTAH:

SECTION 1. It shall be unlawful for any person to engage in the  
business of a wholesaler or retailer of beer within the boundary of  
Daggett County without first making application for and obtaining a  
license from the County, for such business. Such application shall  
be in writing and shall show the following:

- a. The name and address of the person desiring a license.  
If the applicant is a co-partnership, the name and  
address of the partners, and if a corporation, the  
names and addresses of all the officers and directors.
- b. The Class of license desired.
- c. The place and location where such business is to be  
carried on.
- d. Such other facts and information as may be required by  
ordinance, the statutes of the State of Utah or the  
County commission.

Each application for a license shall be accompanied by the license  
fee required to be paid for the issuance of the license for the Class  
of license applied for.

SECTION 2. The word "beer" as used in this ordinance, means any  
beverage obtained by alcoholic fermentation of an infusion or  
decoction of barley, malt, hops and other ingredients in drinkable  
water and containing in excess of one-half of one per centum of  
alcohol by volume and not more that 3.2 per centum of alcohol by  
weight.

SECTION 3. Licenses issued hereunder shall be of the following  
kinds and shall have the following privileges:

Class "A" retail license entitles the licensee to sell beer in  
the original bottles or cans having the label of the maker thereon  
for consumption off the premises.

Class "B" retail license entitles the licensee to sell beer on  
draft and in original bottles or cans for consumption on or off the  
premises and to all the privileges granted to holders of a Class "A"  
retail license.

Class "C" retail license entitles the licensee to sell beer at special events held within Daggett County and shall be granted only upon application by the organization sponsoring such special event.

Wholesale license entitles the licensee to sell both bottled and keg beer to licensed retailers for resale, but shall not entitle the licensee to any of the other privileges of Class "A", Class "B" or Class "C" retail license.

SECTION 4. Applicant for a license and those licensed to engage in the business of a retailer or wholesaler of beer within Daggett County, shall comply with all State laws and the regulations of the Liquor Control Commission of Utah.

SECTION 5. No license shall be issued to any person except a citizen of the United States of good moral character, over the age of twenty-one (21) years, who has not been convicted of any felony and who has not been convicted of any violation of any state law or county ordinance of Daggett County prohibiting or regulating the traffic in intoxicating liquor or beer, provided that a license may be issued to a partnership or corporation if the members of said partnership or the officers and directors of such corporation, as the case may be, are of good moral character and none of them have been convicted of any violation of any law of the State of Utah or county ordinance of Daggett County prohibiting or regulating the traffic in intoxicating liquors or beer.

SECTION 6. Before a license is issued for the consumption of beer on the premises, the applicant must first show that the premises are in a sanitary condition and that he has complied with all regulations of the State Board of Health relating to the dispensing of beer.

SECTION 7. Any license issued pursuant to this ordinance shall be available only to the person, co-partnership or corporation specified therein and only for the premises described in said license, and shall not be transferable to any other person, co-partnership or corporation or any other premises.

SECTION 8. The license fees for the retailing or wholesaling of beer shall be as follows:

For Class "A" retail license, for one year or any part thereof, \$125.00.

For Class "B" retail license, for one year or any part thereof, \$125.00.

For Class "C" retail license for special events the fee shall be fixed at the time such license is granted by the Daggett County Commissioners.

For Wholesale license, for one year or any part thereof, \$10.00.

SECTION 9. No person shall sell, dispense, furnish or give beer to any person who appears to be intoxicated or under the influence of intoxicating liquor.

SECTION 10. It shall be unlawful to sell beer to any person under the age of twenty-one (21) years.

SECTION 11. It shall be unlawful for any person under the age of twenty-one (21) years to buy, consume, accept, or have in his or her possession any beer, liquor, or alcoholic beverage.

SECTION 12. All licensed premises shall be subject to inspection by any Peace Officer of Daggett County, by any member of the Board of County Commissioners of Daggett County, by any Peace Officer of the State of Utah, or the Daggett County Health Officer or State Board of Health, during the hours when the said premises are open for the transaction of business.

Each license shall be displayed in a conspicuous place on the premises at all times.

SECTION 13. It shall be unlawful for any person holding a Class "B" license, under the provisions of this Ordinance, or the agent, manger or representative of such licensee to permit or allow any person under the age of twenty-one (21) years to enter, visit, frequent or remain in any room where beer is the main product being sold or dispensed under the provisions of this Ordinance.

SECTION 14. No Licensee holding a Class "B" license hereunder and operating an establishment where beer is the main product being sold shall knowingly employ, in connection with his business in any capacity whatever, any person under the age of twenty-one (21) years, or any person who has been convicted of a felony or who, since January 2, 1934, has been found guilty of the violation of any Law of the State of Utah or any ordinance relating to the traffic in intoxicating liquor.

SECTION 15. No person shall sell, dispense, furnish or give beer to any person between the hours of 1:00 o'clock a.m. and 5:00 o'clock a.m. of any day.

SECTION 16. The Board of County Commissioners may, with, or without hearing, at its discretion, refuse to grant any beer license applied for and may revoke any beer license issued at any time if any applicant or licensee shall not possess or shall cease to possess all of the qualifications required by the Liquor Control Act of Utah or fails to comply with the Ordinances of Daggett County, or if, in the opinion of the Commission, such revocation is necessary for the protection of public health, peace or morals, and in no such case, need any cause be given. It shall be unlawful for any person to engage in the sell of beer after revocation of his license until he may again qualify as provided herein, to engage in the sale thereof.

SECTION 17. Any person who shall engage in the business of a wholesaler or retailer of beer within the boundaries of Daggett County without having appropriate license therefor from the Liquor Control Commission of Utah, or whose license, issued by the said Commission or by this County Commission, has been revoked, suspended or cancelled, shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding Two Hundred Ninety-nine and no/100 (\$299.00) Dollars or by imprisonment in the County Jail for a term not exceeding six (6) months or by both such fine and imprisonment.

SECTION 18. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Two Hundred Ninety-nine and no/100 (\$299.00) Dollars, or by imprisonment in the County Jail for a term not exceeding six (6) months or by both such fine and imprisonment.

SECTION 19: In the opinion of the Board of Commissioners of Daggett County, it is necessary to the peace, health and safety of the inhabitants of Daggett County that this Ordinance become effective immediately.

This Ordinance shall take effect immediately after the expiration of fifteen (15) days after the date of its passage.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF DAGGETT COUNTY  
THE 3rd DAY OF AUGUST, 1977.

BOARD OF COUNTY COMMISSIONERS:

/s/ Carl S. Collett

/s/ Laray Sadlier

/s/ Albert H. Neff

ATTEST:

Gene Briggs  
County Clerk