

8-8-1917

ORDINANCE NO. 7123

AN ORDINANCE REGULATING TRAFFIC IN INTOXICATING
LIQUORS.

BE IT ORDAINED By the Common Council of ~~the~~ City of San Diego, as follows:

Section 1. The term "intoxicating liquors" as used in this ordinance includes any and every substance or compound containing more than one-half of one per cent by volume of alcohol, which is intended to be, may be, or is used as a beverage or for the purposes of producing intoxication.

Section 2. It shall be unlawful for the owner, proprietor, manager, person in charge, or any employee of any place where intoxicating liquors are manufactured, sold, served, given away, drunk or permitted to be drunk, to permit dancing by guests, patrons, visitors, or any other person except only paid entertainers, or for any person except only such paid entertainers to dance in any room where such liquors are sold, served, kept or drunk, or in any balcony, alcove, booth, hall, stage or room in or connected therewith; provided that the proprietor of a bona fide eating house may provide entertainment for his guests which may include music and dancing by paid entertainers; but all such entertainments must be only upon a stage or platform separated by a barrier, or ^{raising} ~~aisle~~ from any part of the room used by patrons or customers of the place. Such stage or platform must be so situated that entertainers in going to or from the same will not pass through any part of the dining room used by patrons or customers; and the patrons or customers shall at all times be excluded from said stage or platform; and the entertainers shall during all hours of their employment be excluded from any portion of the dining room used by patrons or customers, or from mingling with the patrons or customers.

Section 3. It shall be unlawful for the owner, proprietor,

agent, manager, person in charge, or any employee of any place where dancing is conducted or permitted, except as provided in the preceding section, or for any inmate or visitor therein, whether holding a license or not, to sell, offer for sale, give away, deliver, serve, drink, permit to be drunk, any intoxicating liquors, or to have any such liquors in his possession in or about said place or in any room or place adjoining or connected therewith by any passageway.

Section 4. The two preceding sections are not intended to prevent a hotel having at least one hundred (100) rooms furnished and ready for the entertainment of guests from having and using in such hotel a ballroom; provided the same is so managed and conducted as in no wise to contravene or violate the spirit and intent of said sections.

Section 5. It shall be unlawful for the owner, proprietor, manager, person in charge or any employee of any place where intoxicating liquors are sold or served, to harbor, admit, receive or to permit to be or remain in or about the place where such liquors are sold or served, any lewd or dissolute female, any common prostitute, or any common drunkard, or any drunken or boisterous person, or to conduct or engage in or permit any one else to conduct or engage in any game of percentage, skill or chance for money or anything of value, or representing value, excepting drinks and cigars within the place where such liquors are sold or served.

Section 6. The Common Council shall not authorize nor permit, nor shall the City Auditor issue or renew any license for the sale or serving of intoxicating liquors to any person, firm or corporation who shall procure, employ, or permit any female to solicit, sell, serve, give away or distribute any intoxicating liquors.

Section 7. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine

of not less than twenty-five dollars (\$25.00), nor more than three hundred dollars (\$300.00), or by imprisonment in the City Jail of said City for a period not exceeding one hundred and fifty (150) days, or by both such fine and imprisonment, and in the event that the fine imposed hereunder is not paid, then by imprisonment in the City Jail of said City at the rate of one day for every two dollars of the fine so imposed; and when any person shall be convicted of violating any provisions of this ordinance, the license of such person so convicted shall be immediately forfeited, and no further license shall be granted or issued to the person so convicted.

Section 8. This is an ordinance for the immediate preservation of the public peace, health and safety, and one of urgency, and shall take effect and be in force from and after its passage and approval.

In the opinion of the Common Council the evils prohibited by the terms of this ordinance are of such a character as tend to affect the public morals of the community, and in order to remedy existing conditions having such tendency, this ordinance is declared one of urgency.

I Hereby Certify that the above and foregoing is a full, true and correct copy of Ordinance No. 7123, of the ordinances of the City of San Diego, California, as adopted by the Common Council of said city Aug. 8th, 1917 and approved by the Mayor of said City on Aug 20th, 1917

ALLEN H. WRIGHT

City Clerk of the City of San Diego, California.

W. E. BARTLETT

By.....Deputy.