

Chapter 3 ALCOHOLIC BEVERAGES*

*Cross reference(s)--Alcoholic beverages prohibited in cemeteries, §
7-128.

State law reference(s)--Liquors, M.R.S.A. Title 28.

- Art. I. In General, §§ 3-1--3-15**
Art. II. Bottle Clubs, §§ 3-16--3-30
Div. 1. Generally, §§ 3-16--3-25
Div. 2. License, §§ 3-26--3-30

ARTICLE I. IN GENERAL

- Sec. 3-1. Reserved.
Sec. 3-2. Reserved.
Sec. 3-3. Reserved.
Sec. 3-4. Reserved.
Sec. 3-5. Reserved.
Sec. 3-6. Reserved.
Sec. 3-7. Reserved.
Sec. 3-8. Reserved.
Sec. 3-9. Reserved.
Sec. 3-10. Reserved.
Sec. 3-11. Reserved.
Sec. 3-12. Reserved.
Sec. 3-13. Reserved.
Sec. 3-14. Reserved.
Sec. 3-15. Reserved.

ARTICLE II. BOTTLE CLUBS

DIVISION 1. GENERALLY

Sec. 3-16. Hours.

The licensee, its principal officers and employees shall not permit the consumption of alcoholic beverages on the

premises between the hours of 1:15 a.m. and 6:00 a.m. on any day, except on January first when liquor may be consumed until 2:15 a.m., and during such hours, the premises shall be closed.
(Code 1968, § 906.5A; Ord. No. 231-80, 12-22-80; Ord. No. 335-81, 12-21-81; Ord. No. 170-92, 12-7-92)

Sec. 3-17. Minors not permitted on premises.

No person under the age of twenty (20) years shall be permitted in or to remain within a bottle club.
(Code 1968, § 906.5; Ord. No. 231-80, 12-22-80)

Sec. 3-18. Sale of alcoholic beverages; illegal activities.

The licensee, its principal officers, and employees shall not allow any alcoholic beverages to be sold on the premises of a bottle club, nor shall they knowingly permit any illegal activities to take place therein.
(Code 1968, § 906.6; Ord. No. 231-80, 12-22-80)

Sec. 3-19. Right of entry.

Any law enforcement officer of the city or member of the fire department shall be permitted to enter any licensed premises during business hours or during the hours during which operation of a bottle club is prohibited for the purpose of making inspection or maintaining order. It shall be the duty of every licensee and the principal officer thereof to afford free access to every part of such establishment and to render all aid and assistance necessary to enable the persons to make a full, thorough, and complete examination thereof to determine compliance with this Code and the laws of the state.
(Code 1968, § 906.6A; Ord. No. 231-80, 12-22-80)

- Sec. 3-20. Reserved.**
- Sec. 3-21. Reserved.**
- Sec. 3-22. Reserved.**
- Sec. 3-23. Reserved.**
- Sec. 3-24. Reserved.**
- Sec. 3-25. Reserved.**

DIVISION 2. LICENSE*

*Cross reference(s)--Licenses and permits generally, Ch. 15.

Sec. 3-26. Required.

No person, other than a bona fide nonprofit organization, shall keep, maintain, operate, lease, or otherwise furnish, either to its members and guests or to the general public, any premises for use as a bottle club without a bottle club license from the city as provided in this division.

(Code 1968, § 906.1; Ord. No. 231-80, 12-22-80)

Sec. 3-27. Application.

Application for a bottle club license shall be filed in accordance with chapter 15. In addition to the requirements of that chapter, an applicant for a bottle club shall furnish the clerk with the following:

- (a) An affidavit which identifies all principal officers, their places of residence at the present time, and for the immediately preceding three (3) years;
- (b) A description of the premises for which a license is desired which shall set forth such other material information, description, or plan of that part of the premises where it is proposed to consume or keep liquor as the clerk or the city council may require.

(Code 1968, § 906.2; Ord. No. 231-80, 12-22-80)

Sec. 3-28. Standards for denial, suspension or revocation.

In addition to the standards set forth in chapter 15, a license may be denied, suspended or revoked upon a determination that:

- (a) Any principal officer or employee has not attained the age of eighteen (18) years;

- (b) Any principal officer has been convicted of violating any of the laws of this state or the United States with respect to manufacture, transportation, importation, possession or sale of intoxicating liquor within a period of five (5) years from the date of hearing, or otherwise has a disqualifying criminal conviction;
- (c) Any principal officer is a law enforcement official;
- (d) The premises where applicant or licensee is to operate is situated within three hundred (300) feet of a public or private school, school dormitory, church, chapel or parish house, in existence as such at the time such license is applied for, except such premises as were in use as bottle clubs on January 21, 1981. The three hundred (300) foot distance shall be measured from the principal entrance of the school, dormitory, church, chapel or parish house to the principal entrance of the licensed premises by the ordinary course of travel;
- (e) Failure to possess a food service establishment license; and,
- (f) Any violation of this article.

(Code 1968, § 906.3; Ord. No. 231-80, 12-22-80)

Sec. 3-29. Hearings.

Hearings and notices of hearings for both original applications and renewals under this division shall be conducted by the city council in accordance with the applicable procedures for issuance of licenses by the state to sell intoxicating liquors to be consumed on the premises, and in no case, shall an original license be issued without a notice of public hearing to abutters and notice by publication.

(Code 1968, § 906.4; Ord. No. 231-80, 12-22-80)

Sec. 3-30. General provisions to apply.

Except to the extent that this division contains a contrary provision, all provisions of chapter 15 shall be additional to the provisions of this article.

(Code 1968, § 906.7; Ord. No. 231-80, 12-22-80)