

**Ordinance No. 2008- 12**

**AN ORDINANCE AMENDING AND REPLACING TITLE 5, CHAPTER 5.08, SECTION 140 OF THE SAINT ANTHONY CITY CODE; REGULATING LIQUOR WITHIN THE CITY OF ST. ANTHONY TO PERMIT THE SALE OF LIQUOR BY THE DRINK ON PRIMARY AND GENERAL ELECTION DAYS**

WHEREAS, the City Code currently forbids the sale of liquor by the drink on the days of primary and general elections; and

WHEREAS, the City Council finds that this limitation is inconsistent with the Idaho State law that permits the sale of liquor by the drink on primary and general election days; and

WHEREAS, such inconsistency unfairly restricts businesses in St. Anthony from doing business as permitted by state law;

NOW THEREFORE:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO THAT THE SECTION 5.08.140 OF THE ST. ANTHONY CITY CODE BE AMENDED BY STRIKING OUT THE WORDS “ON ANY DAY OF GENERAL OR PRIMARY ELECTION UNTIL AFTER THE TIME WHEN THE POLLS ARE CLOSED;” AS FOLLOWS:

5.08.140 HOURS OF SALE: No liquor either by the drink or packaged sales not for consumption on the premises shall be sold, offered for sale or given away upon any licensed premises during the following hours:

A. Memorial Day, Thanksgiving Day and Christmas Day and from one a.m. to ten a.m. the following day;

B. ~~On any day of general or primary election until after the time when the polls are closed;~~

~~———C. On any day between one a.m. and ten a.m. (Ord. 07-2 § 1, 2007: Prior code §5-9-12).~~

2. That except as amended hereby, Section 5.08.140 shall continue in full force and effect, unmodified

3. This Ordinance shall be in full force and effect 30 days after its passage and publication, all as provided by law.

PASSED this 10th day of December, 2008.

CITY OF ST. ANTHONY, IDAHO

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GARTH ROSE, ACTING MAYOR

ATTEST:

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PATTY UNRUH PARKINSON, CITY CLERK