

ORDINANCE NO 5, 1923
BEING AN EMERGENCY ORDINANCE RELATING TO INTOXICATING LIQUORS PURSUANT
TO THE PROVISIONS OF CHAPTER 98 OF THE SESSION LAWS OF THE STATE OF
COLORADO OF 1915, AND ALL OF THE AMENDMENTS THERETO

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS

Section 1 Pursuant to the authority contained in Chapter 98 of the Session Laws of 1915 it shall be unlawful for any person, association, or corporation within the corporate limits of the City of Fort Collins to manufacture for sale or gift any intoxicating liquors or to import into the City of Fort Collins any intoxicating liquors for sale or gift or for any person, association or corporation within the corporate limits of the City of Fort Collins to sell or keep ^{for sale} or offer any intoxicating liquors for sale, bar or trade or for any person, association or corporation to keep or have in his or its possession for personal use or otherwise any intoxicating liquors or permit another to have or keep or use intoxicating liquors on any premises owned or controlled by him or to give away or furnish any intoxicating liquors to another within the corporate limits of the City of Fort Collins

Section 2 Any police officer of the city or state officer or any other officer having knowledge or reasonable information that intoxicating liquors are being kept in violation of this ordinance or the laws of the State of Colorado in any place except a home as provided in Chapter 141 of the Session Laws of the State of Colorado of 1919 shall search such suspected place without a warrant and without any affidavit being filed, and if such officer finds upon the premises intoxicating liquors he shall seize the same together with the vessels in which they are contained and shall take such person or persons with the liquors, vessels, contrivance, thing or device so seized forthwith as soon as convenient, before the Judge of the Municipal Court of the City of Fort Collins, having jurisdiction as herein provided to try cases for violation of this ordinance, and such officer shall without fail make and file a complaint for such violation of this ordinance as the evidence justifies. It shall be lawful for officers in executing the duties imposed by this section to break open doors or enclosures for the

purpose of obtaining possession of such intoxicating liquors

Section 3 There shall be no property rights of any kind whatsoever in any liquors, vessels, appliances, contrivance or other thing or device used in or kept for the purpose of violating any of the provisions of this ordinance

Section 4 In all prosecutions under this ordinance, the possession of intoxicating liquors by any person, association or corporation except as provided in Chapter 141 of the Session Laws of Colorado of 1919, shall be deemed a violation of this ordinance

Section 5 The Municipal Court as created by Article XI of the City Charter of the City of Fort Collins, as amended April 6, 1920, is hereby vested with exclusive original jurisdiction of all causes arising under the violations of this ordinance

Section 6 Any person, association or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars together with costs of suit or by imprisonment in the county jail not less than thirty days nor more than ninety days, in the discretion of the municipal judge

Section 7 All ordinances and parts of ordinances in conflict ^{here} with are hereby repealed save and except any causes of action which accrued in favor of the city prior to the taking effect of this repeal may be prosecuted by the city as though no repeal had been made of such ordinances or parts of ordinances

Section 8 In the opinion of the City Council an emergency exists for the preservation of the public health, peace and safety and this ordinance shall take effect upon its [✓] passage and publication under and by virtue of the authority contained in Sections 6 and 7 of Article IV of the City Charter

