

AN ORDINANCE

To preserve the peace, morals and public health of the Borough of Koppel, Beaver County, Pennsylvania; defining intoxicating liquors and prohibiting their use as beverages in the said Borough and declaring all intoxicating liquors, the places where and the instruments by which they are manufactured, kept, procured, transported or disposed of to be a common nuisance.

WHEREAS, by the Eighteenth Amendment to the Constitution of the United States, all traffic in Intoxicating liquors is unlawful, and

WHEREAS by the Woner Bill passed by the Legislature of the Commonwealth of Pennsylvania of 1921 the same is further regulated, and

WHEREAS, it is reported that many persons are manufacturing, transporting, selling and otherwise disposing of intoxicating liquors in the Borough of Koppel, Beaver County, Pennsylvania, in violation of law and against the peace, morals and good order of the said Borough and with danger to the public health, and

WHEREAS, much of the said intoxicating liquor is reported to be impure, adulterated, poisonous, dangerous to life and deliterious to the Public Health, therefore:

SECTION 1. Be it ordained and enacted by the Town Council of the Borough of Koppel, Beaver County, Pennsylvania, That the phrase "intoxicating liquor" as used in this ordinance

shall be construed as defined in Title II, Section 1 of the "National Prohibition Act", commonly known as the Volstead Act; and the word "person" shall mean and include natural persons, associations, co-partnerships and corporations of the first and second class.

SECTION 2. That it shall be unlawful after the final passage of this ordinance for any person to manufacture, sell, barter, transport, import, export, deliver, furnish or possess any intoxicating liquor within the Borough of Koppel, Beaver County, Pennsylvania, except as authorized by the "National Prohibition Act", or said Woner Bill, and all of the provisions of this ordinance shall be liberally construed to the end that the use of intoxicating liquor as a beverage in the said Borough may be prevented.

SECTION 3. That any house, room, building, boat, vehicle, structure or place where intoxicating liquor is manufactured, sold, kept or bartered in violation of this ordinance, and all intoxicating liquor and property kept and used in maintaining the same, is hereby declared to be a common nuisance, and any person who maintains such a common nuisance shall be subject to the penalties of this ordinance; and the police officers of the said Borough are authorized and required to abate the same and to deliver all such liquors and the instruments used in the manufacture, transporting or keeping of the same into the hands of the Burgess and Chief of Police, who shall destroy all of the said liquors, the materials from which the same might be made and the utensils and instruments used in the manufacture thereof, and shall deliver back to the owners thereof

any other property so taken upon the payment of the fine imposed under this ordinance for the violation thereof.

~~SECTION 4. That any person who shall, with intent~~  
to effect a sale of liquor, by himself, his employee, servant or agent, for himself or any other person, keep or carry around on his person, or in a vehicle or other conveyance whatever, or leave in a place for another to secure, any liquor or who shall travel to solicit, or solicit or take, or accept orders for the sale, shipment or delivery of liquor in violation of this ordinance, shall be guilty of maintaining a common nuisance, and shall be subject to the penalties of this ordinance, and it shall be the duty of the police officers of the said Borough to abate the said nuisance and to seize the said liquors and to turn them over to the Burgess and Chief of Police to be destroyed.

SECTION 5. After the passage of this ordinance, the possession of intoxicating liquors by any person not legally permitted under the "National Prohibition Act" to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of this ordinance; Provided however, that the presumption shall not extend to liquors in ones private dwelling while the same is occupied and used by him as a dwelling only, provided such liquors are for use only for the personal consumption of the owner thereof, and his family residing in such dwelling and of his bona fide guests when entertained by him therein.

SECTION 6. That if any provision of this ordinance shall be held invalid it shall not be construed to invalidate other provisions of the ordinance, but the same shall stand

in full force and virtue.

SECTION 7. That any person who shall violate any of the provisions of this ordinance shall be subject to arrest on view by any police officer of said Borough, or upon information made before the Burgess of said Borough or any Justice of the Peace of the County of Beaver, by any police officer or citizen, upon a warrant issued by said Burgess or Justice of the Peace, and upon conviction shall be liable to a fine of not more than One Hundred Dollars, or upon default of payment of the fine and costs to imprisonment in the Borough lockup for a period not exceeding five days and in the County jail for a period not exceeding thirty days; but the imposition of such sentence of imprisonment shall not deprive the Borough or its right to proceed by execution process, or otherwise, as is provided by law for said fine or penalty.

Enacted into an Ordinance this 5<sup>th</sup> day of August, 1921.

Chas G Meyer  
President of Council

Attest:

William C. Rickett  
Secretary of Council.

Examined and approved by me this 5<sup>th</sup> day of August, 1921.

John Cleary  
Burgess of Koppel