

An Ordinance to ~~Strike~~, amend, and insert different sections of Chapter 3 of the Ordinances of the Town of Chapmanville, WV. Be it ordained by the Town of Chapmanville, that upon passage this will be considered the entirety of Chapter 3 of the ordinances of the Town of Chapmanville

## Chapter 3

# Alcoholic Beverages

### ~~Article 1. In General~~

#### ~~Sec. 1 -Tax on purchase at retail of intoxicating liquors:~~

~~In accordance with, and as authorized and permitted by section 497(1), Michie's West Virginia Code, 1961, there is hereby levied upon, and shall be collected from, the purchaser on all purchases of any and all intoxicating liquors purchased at retail within the city, a tax at the rate of three percent of the purchase price or charge thereof, except that the sum of one cent shall be collected on any fractional part of fifty cents. This tax shall be added to and collected with the price of purchase, as provided by such section of Michie's West Virginia Code, 1961.~~

### Article 1. Alcoholic Liquors.

#### Sec. 1 -Definitions.

For the purpose of this article, any word or term used in this article shall have the same meaning as given to such word

term under the definitions contained in WV State Code ~~§60, Michie's West Virginia Code, 1961~~ known as the Liquor Control Act.

#### Sec. 2--Intoxication or drinking in public.

A person shall not:

- a. Appear in a public place in an intoxicated condition;
- b. Drink alcoholic liquor in a public place;
- c. Drink alcoholic liquor in a motor vehicle upon any street, open space or in a public garage;
- d. Tender a drink of alcoholic liquor to another person in a public place or any place mentioned in subsection (c) of this section.
- e. Sec. 2. shall not be interpreted to interfere with legally licensed private clubs, or licensed retail establishments.

Sec. 3--Purchase, possession, manufacture, sale, adulteration, refilling containers; violation of orders, etc., of state liquor control commissioner.

A person shall not:



- a. Buy alcoholic liquor from any person whom he knows should know to be unauthorized by the laws of the state to sell alcoholic liquor.
- b. Possess alcoholic liquor which he knows or should know was acquired in violation of the laws of this state.
- c. Unlawfully own, operate or maintain a plant for the manufacture of distilled spirits or aid or abet in the operation or maintenance of such plant, other than as permitted by law

- d. Transport alcoholic liquors for the purpose of sale except as permitted by the law of the state; transportation of alcoholic liquor in a quantity in excess of one gallon except under authority of law, shall be prima facie evidence of the transportation for the purpose of sale, unless for a privately licensed club or prior to the transportation of a greater quantity, a permit shall be procured from the department of public safety of the state.
- e. Violate any order, rule or regulation of the state liquor control commissioner made under authority of law.
- f. Manufacture or sell, without a state license, any alcoholic liquor except as permitted by law.
- g. Aid or abet in the manufacture or sale of alcoholic liquor, except as permitted by law.
- h. Sell, without a license, any alcoholic liquor other than as permitted by law.
- i. Adulterate any alcoholic liquor by the addition of any drug, methyl alcohol, crude, unrectified or impure form of ethyl alcohol or other foreign or deleterious substance or liquid.
- j. Refill with alcoholic liquor any bottle or other container in which alcoholic liquor has been sold at retail.
- k. Sell any alcoholic liquor when forbidden by law.
- l. Sell, possess for sale, transport or distribute alcoholic liquors in the city except as permitted by law.

First Reading:10/08/24




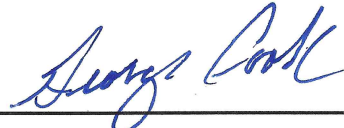
Second Reading:02/18/25

Third Reading:04/08/25

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Mayor Joel McNeely

Recorder Phillip Williamson II

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Council