

LMC language - review for possible deletion

• ~~Chapter 1.12 - DATUM PLANE~~

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• ~~1.12.010 - Datum plane established - Location.~~

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~~There is established a datum plane for the city. Said plane shall be a level plane ninety-five feet below the United States Geological Survey bench mark of the Lynden State Bank building on the northerly side of Front Street between Fourth and Fifth Streets, and all grades and elevations shall be recorded as a definite number of feet or feet and inches above said datum plane.~~

~~(Ord. 56 § 1, 1909).~~

Commented [MM1]: This section is obsolete and no longer needed.

• Chapter 5.04 - ALCOHOLIC BEVERAGES⁽¹⁾

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Sections:

• 5.04.010 - Liquor prohibited during certain days and hours.

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~~No licensee shall sell, deliver, offer for sale, serve or allow to be consumed, upon the licensed premises, any liquor, nor shall he or she permit the removal of any liquor from the licensed premises in any manner whatsoever between the hours of one a.m. and six a.m., except that on New Year's Day, the hours of closing shall be two a.m.~~

~~(Ord. 1145 § A, 2002; Ord. 449 § A(part), 1967).~~

(Ord. No. 1335, § A, 10-20-2008)

- **5.04.020 - Definitions.**

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"Malt liquor," for the purposes of this chapter, means beer, strong beer, ale, stout and porter.

(Ord. 608 § 2, 1979).

- **5.04.030 - Sale of malt liquor.**

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Any person who sells or offers for sale kegs or other containers containing seven gallons or more of malt liquor to consumers who are not licensed under RCW 66.24 shall:

A.

Require the purchaser to sign a receipt for the beverage and provide the following:

1.

Two pieces of identification, one of which is a motor vehicle operator's license or a Washington state identification card;

2.

A sworn statement providing that the purchaser will not allow any person under the age of twenty-one to consume the beverage except as provided in RCW 66.44.270, and that the purchaser will not remove or obliterate the numbered label affixed to the container.

B.

Record the identification of the keg or container in the following manner:

1.

Record the serial number of the keg or container on the receipt;

2.

Identify the keg or container purchased by affixing a numbered label to the keg or container;

3.

Record on the receipt the identification number from the numbered label. The original copy of the receipt shall be mailed to the Lynden police department by the seller within one week of the purchase and shall be retained by the police department for a period of one year. A copy of this receipt shall be provided by the seller to the purchaser at the time of purchase. A third copy may be retained by the seller at his or her option.

(Ord. 608 § 1, 1979).

- **5.04.035 - Dancing prohibited—When.**

Commented [MM2]: This entire section needs to be rewritten to conform with RCW.

5.04.050 - Opening or consuming liquor in a public place—Penalty.

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RCW 66.44.100, as presently constituted or hereinafter amended, is herewith adopted by reference.

(Ord. 1235 § A, 2005).

[5.02.110 - Violation—Penalty.](#)

(Ord. 633 § A(part), 1981).

Commented [MM3]: Just need to make sure this is consistent with current RCW

- **5.32.070 - Condition of permit issuance.**

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No permit issued under this chapter shall be construed to license anyone to violate any other rules, regulations or ordinances of the city. The licensee shall be held responsible for the noise level of any noise of any kind emanating from the premises upon which the dance is being held and shall be responsible for adequate policing and other supervision of the dance premises and adjoining parking area.

(Ord. 633 § A(part), 1981).

Commented [MM5]:

- **5.32.090 - Right of inspection—Minors.**

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All peace officers of the city and of the state shall have free access to any public dances for the purposes of inspection and to enforce compliance with the provisions of this chapter. No minor shall be allowed at any public dance where liquor is available to any persons.

(Ord. 633 § A(part), 1981).

- **5.32.100 - Intoxicated and boisterous persons.**

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No person under the influence of intoxicating liquor shall be permitted to or allowed to remain at any public dance and no boisterous conduct shall be allowed on the part of any person attending any public dance.

(Ord. 633 § A(part), 1981).

Commented [MM6]: I think this goes too, but “drunk and disorderly” still not allowed.