

ORDINANCE NO. 87-8

AN ORDINANCE OF ELMORE COUNTY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO; ALLOWING BUSINESSES LICENSED WITHIN ELMORE COUNTY TO SELL BEER AND WINE TO BEGIN DOING SO AT SIX (6) O'CLOCK A.M. (6:00 A.M.) RATHER THAN SEVEN (7) O'CLOCK A.M. (7:00 A.M.); EXTENDING TO TWO (2) O'CLOCK A.M. (2:00 A.M.) THE HOURS DURING WHICH BEER AND WINE MAY BE SOLD; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL PROVISIONS IN CONFLICT WITH THIS ENACTMENT.

STATEMENT OF PURPOSE

WHEREAS, The 1987 Idaho Legislature did amend Idaho Code Section 23-1012 to allow businesses licensed to sell beer and wine to begin doing so at six (6) o'clock a.m. (6:00 a.m.) rather than seven (7) o'clock a.m. (7:00 a.m.), and

WHEREAS, The 1987 Idaho Legislature did amend Idaho Code Section 23-1012 to permit counties to extend the hours when beer and wine may be sold to two (2) o'clock a.m. (2:00 a.m.), and

WHEREAS, The Elmore County Board of Commissioners does find after consideration of the issues presented by such authorization that the public interest would be served by adopting the authorization granted by the legislature in its Amendments of Idaho Code Section 23-1012;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO:

Section 1: PERMITTING SALE OF BEER AND WINE TO BEGIN AT 6:00 o'clock A.M.

That from the effective date of this Ordinance, in accordance with the provisions of Idaho Code Section 23-1012, the time at which beer and wine may begin to be sold in Elmore County,

Idaho, is hereby established to be 6:00 o'clock a.m., prevailing local time.

Section 2: PERMITTING SALE OF BEER AND WINE UNTIL 2:00 O'CLOCK A.M.

That from the effective date of this Ordinance, in accordance with the provisions of Idaho Code Section 23-1012, the hours when beer and wine may be sold in Elmore County, Idaho, are hereby extended to 2:00 o'clock a.m., prevailing local time.

Section 3: EFFECTIVE DATE

That the provisions of this Ordinance shall be effective from and after 12:01 o'clock a.m., July 1, 1987, following its passage and publication in the Mountain Home News.

Section 4: SEVERABILITY

This Ordinance is declared to be severable, and should any part of this Ordinance be declared invalid, for any reason whatsoever, the remaining portions thereof shall remain in full force and effect.

Section 5: REPEAL OF CONFLICTING ORDINANCE PROVISIONS

Should any ordinance of Elmore County, Idaho, conflict in any way with the provisions of this Ordinance any such preexisting and conflicting Ordinance is hereby repealed to the extent of any such conflict.

PASSED By the Elmore County Commissioners in session this
22 day of June, 1987.

Maurice A. "Bud" Riddle
MAURICE A. (BUD) RIDDLE, Chairman

JOHN W. SHRUM, SENIOR COMMISSIONER
John Hiler
JOHN HILER, JUNIOR COMMISSIONER

ATTEST:

Ramona E. Yrazabal
Ramona E. Yrazabal, Clerk
Elmore County Board of Commissioners

1 Publication