

ORDINANCE #144

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, TO PROHIBIT THE MANUFACTURE, SALE, BARTER, EXCHANGE, DISPOSITION, GIFT, TRANSPORTATION AND THE POSSESSION OF ALCOHOLIC OR OTHER INTOXICATING LIQUORS OR BEVERAGES AND TO PROHIBIT THE OWNING OR POSSESSING OF ANY DISTILLING APPARATUS SET UP WITH INTENT TO MANUFACTURE CERTAIN LIQUORS.....

BE IT ORDAINED By the City Council of the City of Miami Beach, Florida,

Section 1: That it shall be unlawful for any person, association of persons, corporation, or any agent or employee of any person, association of persons, corporation or club, to manufacture, sell, barter, exchange or dispose of to any other person in any way, or cause to be manufactured, sold, bartered, exchanged or disposed of to any other person in any way, or to transport, cause to be transported or in any wise be concerned in the transportation into, in or from the territorial limits of Miami Beach, Florida, or to have in possession, any alcoholic or intoxicating liquors or beverages, whether spirituous, vinous, or malt, within the City of Miami Beach, Florida.

Section 2: That it shall be unlawful for any person, association of persons, or corporation, or any agent or employee of any person, association of persons or corporation, to own or to have in his, her, their or its possession, custody or control in the City of Miami Beach, Florida, any still or distilling apparatus with intent to manufacture or distill alcoholic or intoxicating liquors or beverages, whether spirituous, vinous or malt.

Section 3: Anything herein contained shall prohibit any person, other than a corporation, over the age of twenty-one years possessing, having in custody or control in such person's bona fide residence for the personal use of himself or herself and family and not to be disposed of to any other person in any way, not exceeding four quarts of distilled, alcoholic or intoxicating liquors or beverages and twenty quarts of malt or fermented alcoholic or intoxicating liquors or beverages, either or both, provided that

DISTRIBUTION OF LIQUOR TO BE PROHIBITED BY THE CITY OF MIAMI BEACH, FLORIDA
BY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA

such person obtained and had in his possession said liquors before this Ordinance became a law, but this shall not be construed to permit any such person to possess, have in custody or control, more than the minimum quantity of the particular class of liquors herein mentioned.

Section 4: That in all indictments, warrants, affidavits or charges made or filed by any person by said City, or for any policemen of said City charging the violation of any of the provisions of this ordinance, it shall not be necessary in pleading or by evidence to negative the existence in point of fact any of the exceptions contained in Section 3 of this Ordinance, but the existence of any such exceptions in point of fact shall be defensive made in any such prosecution or other proceedings.

Section 5: That any person upon conviction of a violation of this Ordinance shall be fined not exceeding \$200.00, or imprisoned not exceeding 90 days, or by both such fine and imprisonment in the discretion of the court.

Section 6: All Ordinances in conflict herewith are hereby repealed.

Section 7: This Ordinance shall become effective immediately upon its adoption, approval by the Mayor and posting in accord with law.

Passed this 19th day January, A.D. 1921
CITY COUNCIL OF MIAMI BEACH, FLORIDA,

By W. E. Brown
President

Attest: C. W. Tomlinson
City Clerk

Approved: this 19th day January, A. D. 1921

J. E. James
Mayor

Posted Jan. 20/21

ORDINANCE #144

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA TO PROHIBIT THE MANUFACTURE GIFT SALE BARTER EXCHANGE DISPOSITION TRANSPORTATION AND THE POSSESSION OF ALCOHOLIC OR OTHER INTOXICATING BEVERAGES AND TO PROHIBIT THE OWNING OF POSSESSING OF ANY DISTILLING APPARATUS SET UP WITH INTENT TO MANUFACTURE CERTAIN LIQUORS.....

Adopted Jan 19/21

OFFICES OF
MCCASKILL & MCCASKILL
ATTORNEYS AT LAW
MIAMI, FLORIDA