

ORDINANCE NO. 9

AN ORDINANCE REGULATING THE TRANSACTION OF BUSINESS IN ALCOHOLIC BEVERAGES OTHER THAN LOW POINT BEER; ESTABLISHING THE NUMBER OF ON & OFF-SALE LICENSES TO BE ISSUED; AND PROVIDING THE FEES TO BE CHARGED FOR EACH LICENSE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES, TOWN OF CROOKS, SOUTH DAKOTA:

"ALCOHOLIC BEVERAGES

Section 1. Definitions.

As used herein, the words 'alcoholic beverage', 'intoxicating liquor' and other such words used in connection with the sale, use or consumption of alcoholic beverages shall be construed to have the same meanings as provided in SDCL Title 35, as amended.

Section 2. Transactions prohibited.

No person, corporation or other entity of any kind whatsoever shall produce, manufacture, store, transport, sell, give, receive or consume any alcoholic beverage with the town or within one (1) mile of its territorial limits except as authorized by SDCL Title 35, as amended.

Section 3. License required.

No person, corporation or other entity of any kind whatsoever, shall transact or engage in any business involving alcoholic beverages as allowed or authorized by SDCL Title 35, as amended, in the town or within one (1) mile of its territorial limits unless that person, corporation or other entity first obtains a license to so do, according to the procedures herein and as required by said Title 35.

Section 4. Place of Licensee's business.

A Licensee's place of business shall be only within the premises described in his license which premises shall conform to all requirements of the town and of the state.

Section 5. License classifications and fees.

The following classifications and fees are hereby established for retail dealers in alcoholic beverages other than low point beer:

- a) On-sale dealer--any person who sells, or keeps for sale, any alcoholic beverage other than low point beer for consumption on the premises where sold.....\$900.00
- b) Off-sale dealer--any person who sells, or keeps for sale, any alcoholic beverage other than low point beer for consumption off the premises where sold.....\$300.00

Section 6. Limitation of Off-sale Licenses.

There shall be issued not to exceed two (2) off-sale licenses for use and operation within the town.

Section 7. Limitation of On-sale Licenses.

There shall be issued not to exceed three (3) on-sale licenses for use and operation within the town.

Section 8. Duration and expiration of licenses.

The period covered by licenses under this Ordinance shall be as prescribed in SDCL 35-4-41. A full fee as specified in Section 5 above shall be charged for any license for a portion of such period.

Section 9. Prohibitions on licensed premises.

No Licensee shall allow any athletic contest, game of skill, game of chance, or dice or card game or slot machine in or about the licensed premises.

Section 10. Prohibited sales.

- a) No licensee of any class shall sell or give for use as a beverage any alcoholic beverage, except low point beer, to any person under the age of twenty-one (21) years.
- b) No on-sale Licensee shall sell any alcoholic beverage in a package whether sealed or unsealed or whether full or partially full.

Section 11. Times when on-sale service prohibited.

No on-sale licensee shall sell, serve or allow to be consumed on the premises covered by the license, alcoholic beverages between the hours of 2:00 o'clock A. M. and 7:00 o'clock A. M. or on Sunday after 2:00 o'clock A. M. or on Memorial Day after 1:00 o'clock A. M., or at any time on Christmas Day.

Section 12. Times when off-sale service prohibited.

No off-sale Licensee shall sell or allow to be sold alcoholic beverages between the hours of 12:00 midnight and 7:00 o'clock A. M., or on Sunday, Memorial Day or Christmas Day."

First Reading:	May 7, 1979
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Passage and Adoption:	May 29, 1979
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Adopted this 29th day of May, 1979.

*Donald J. Stoltz*  
Donald J. Stoltz  
President

ATTEST:

Janet E. Anderson  
Municipal Finance Officer

*Janet E. Anderson*  
(SEAL)