

RESOLUTION NO. 20-06

A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING SPECIAL ALCOHOLIC BEVERAGE LICENSES AND CONSUMPTION ONLY PERMITS

WHEREAS, the City seeks to adopt rules and regulations regarding special alcoholic beverage licenses and consumption only permits.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOX ELDER, which the following rules and regulations will apply to the application for and issuance of special alcoholic beverage licenses and consumption only permits:

Special alcoholic beverage license procedures. (SDCL 35-4-124)

- A. Special event alcoholic beverage licenses may be issued by the City Council in conjunction with special events held within the City. Any license issued pursuant to this section may be issued for a period of time established by the City Council, not to exceed fifteen consecutive days. The issuance of this license is not a matter of right and is at the sole discretion of the City Council.
- B. The applicant shall make application sufficiently in advance of the event so that it may be acted on by the City Council at a regularly scheduled meeting. Each license application shall be accompanied by the required fee at the time of submission to the city finance office. Licenses are subject to same public hearing requirement as new licenses. No public hearing is required for the issuance of a special event license if the person applying for the special event license holds an eligible permanent license and the special event license is to be used on publicly-owned property.
- C. The organization receiving the license shall be responsible for security and safety of the participants for meeting all rules, regulations, laws and requirements of state and local government.
- D. No person or entity may be issued more than twenty 24 special licenses per calendar year.
- E. The special alcoholic beverage licenses available are as follows:
 - 1. Special event malt beverage retailer. Special event malt beverage retailer's licenses are available to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to SDCL 35-4-2(4), (6), or (16).
 - 2. Special event on-sale wine retailer. Special event on-sale wine retailer's licenses are available to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to SDCL 35-4-2(4), (6), or (16) or Chapter 35-12.
 - 3. Special event on-sale dealer. Special event on-sale dealer's licenses are available to any civic, charitable, educational, fraternal, or veterans organization or any

- licensee licensed pursuant to SDCL 35-4-2(4), or (6).
4. Special event on-off sale package wine dealers. Special event on-off sale package wine dealer licenses are available to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to SDCL 35-4-2(3), (5), (12), (17A) or (19) or Chapter 35-12.
 5. Special event off-sale package malt dealers. Special event off-sale package malt dealer licenses are available to any civic, charitable, educational, fraternal, or veterans organization pursuant to SDCL 35-4-124(6).
 6. Special event off-sale package dealers. Special event off sale package dealers licenses are available to any civic, charitable, educational, fraternal, or veterans organization pursuant to SDCL 35-4-124(7)

Consumption Only Permits. The City Council may permit, subject to conditions or restrictions that it may deem appropriate, the consumption but not the sale of any alcoholic beverage on city-owned property or nonprofit corporation owned property within its jurisdiction. (SDCL 35-1-5.5)

- A. This permit allows the applicant to provide alcoholic beverages free of charge while on city-owned property identified in the permit.
- B. The hours of authorized consumption may not exceed those permitted for on-sale licenses.
- C. The applicant must be at least twenty-one (21) years of age and provide an acceptable form of identification.
- D. The permit period may not exceed twenty-four hours.

Fees. (SDCL 35-4-125).

- A. The fee for any special alcoholic beverage license applied for under this Resolution shall be Twenty-Five Dollars and No Cents \$25.00 per day.
- B. The fee for any consumption only permit applied for under this Resolution shall be Thirty Dollars and No Cents \$30.00.

Dated this 5th day of February, 2020.

Mayor

ATTEST:

Finance Officer