

ORDINANCE NO. 391

AN ORDINANCE WITH RESPECT TO SPECIAL ALCOHOL EVENT PERMITS WITHIN THE CITY LIMITS OF THE CITY OF BEULAH, MERCER COUNTY, NORTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEULAH, MERCER COUNTY, NORTH DAKOTA, AS FOLLOWS:

II

SPECIAL ALCOHOL EVENT PERMITS

That all prior ordinances, with respect to special alcohol event permits are hereby amended and re-enacted as follows, to-wit:

1. Event Permit

The City Council may by permit authorize a qualified alcoholic beverage licensee to engage in the sale of alcoholic beverages at events designated by the permit. For purposes by this Ordinance, "qualified alcoholic beverage licensee" shall be a licensee holding a valid license to dispense and sell alcoholic beverages. The fee for the local permit shall be Twenty-Five Dollars (\$25.00). The permit shall not be valid for a period greater than fourteen (14) days, and may include Sundays.

2. Application for Event Permit.

An alcoholic beverage licensee desiring to conduct an event, public dance, music festival, wherein alcoholic beverages will be sold, or to sell alcoholic beverages at an event, public dance or music festival conducted by any other person who has been granted a permit to do so by the City Council, shall make an application for a permit to do so to the City Council. The following shall be included in the application:

- a. Name of licensee;
- b. Name of business;
- c. Mailing address;
- d. State Alcoholic Beverage License Number;
- e. Name of local licensor;
- f. Local license number;
- g. Dates of the event; and
- h. A description in full of the special event.

3. Refusal and Revocation of Permit For Cause.

The City Council shall refuse to issue such permit, and shall revoke a permit already issued, where it appears that:

- a. The permitted site is or is likely to become a public nuisance or detrimental to public morals;
- b. Alcoholic beverages or controlled substances are being sold or given away except as provided by such permit;
- c. Any of the ordinances of the City or the laws of the State of North Dakota are being violated; or
- d. In the sole judgment of the governing body, protests to the issuing of such permit are made, either orally or in writing, of the site for which application for such permit is made to warrant refusal or revocation of such permit as being in the public interest.

4. **Penalty.**

Any person who dispenses, sells, or permits the consumption of alcoholic beverages is in violation of this section shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), or imprisonment for not more than thirty days (30), or both such fine and imprisonment.

5. **SEVERABILITY**

All Ordinances or parts of ordinances in conflict herewith, are hereby rescinded and repealed.

6. **EFFECTIVE DATE**

This Ordinance shall be in full force and effect on its final passage, and publication of its title and penalty provision.

7. **SAVINGS CLAUSE**

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

DATED this 19th day of July, 2010.


DARRELL BJERKE, Mayor

ATTEST:


LINDA A. WIEDRICH, City Auditor

Introduction and First Reading: July 6, 2010

Second Reading: July 19, 2010

Final Passage: July 19, 2010

Publication Date: July 29, 2010