

ORDINANCE NO. 2012-1

AN ORDINANCE PERTAINING TO HOURS AND TIME OF SALE OF ALCOHOLIC BEVERAGES AND PROVIDING SUNDAY ALCOHOLIC BEVERAGE PERMITS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF TURTLE LAKE, NORTH DAKOTA AS FOLLOWS:

SECTION 1. HOURS AND TIME OF SALE.

1. Except as permitted by Sections 5-02-05.1 and 5-02-05.2 of the North Dakota Century Code, and this ordinance, no intoxicating liquor may be sold on the licensed premises after 12:45 a.m. on Sundays; before 8:00 a.m. on Mondays; between the hours of 12:45 a.m. and 8:00 a.m. on all other days of the week; and days when sales are prohibited by state law.
2. Sales of liquor shall cease at 12:45 a.m. and 45 minutes thereafter shall be permitted for customers to consume such liquor as they have purchased before the hour of 12:45 a.m. All customers must leave the premises by the hour of 1:30 a.m.
3. Between the hours of 1:30 a.m. and 8:00 a.m. of each day the doors of the establishment must be locked, provided, however, that the licensee and employees may be permitted to enter upon the premises during such time, but no sales of liquor shall be made and no person other than the licensee and employees may enter during said time.

SECTION 2. SUNDAY ALCOHOLIC BEVERAGE PERMIT.

1. A Sunday alcoholic beverage permit may be issued to a City of Turtle Lake licensed retail liquor establishment. The authority to issue a permit rests solely in the discretion of the Board of City Commissioners. The permit shall be effective for the requested Sundays in a calendar year.
2. A permit may be granted only upon proper application to and approval of the Board of City Commissioners. The application for a Sunday alcoholic beverage permit must be made in writing and accompanied by a fee set by resolution of the City Commission.
3. Under the permit the distribution of alcoholic beverages shall be permitted between the hours of 12:00 noon on the specified Sunday and 12:45am on Monday, unless otherwise prohibited by city ordinance. All customers must leave the premises by the hour of 1:30 a.m. The general public may be permitted to participate in the consumption of alcoholic beverages distributed under the authority and conditions of the permit. The permit applicant shall enforce the requirements of this section and any other conditions established by the Board of City Commissioners under the permit.

Section 3. CONFLICTING ORDINANCES AND RESOLUTIONS.

1. All ordinances and parts of ordinances and resolutions in conflict herewith are hereby repealed in so far as the conflicting portions thereof are concerned.

Section 4. EFFECTIVE DATE.

1. This ordinance shall take effect and will be in full force upon date of passage.

Approved: Richard Britton  
President, City Commission

Attest: Dan Johnson  
City Auditor

First Reading: September 10, 2012

Second Reading: October 8, 2012

Final Passage: October 8, 2012