

ORDINANCE NO. 113

AN ORDINANCE TO AMENDE AND RE-INACT SECTION III of ORDINANCE NO. 95 AS AMENDED BY ORDINANCE NO. 99 RELATING TO THE LICENSE AND FEES FOR THE SALE AT RETAIL OF BEER AND LIQUOR AND PROCEEDING PENALTIES FOR VIOLATIONS THEREOF:

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WASH-BURN, NORTH DAKOTA:

SECTION 1: Amendment. Section III of Ordinance No. 95 as amended by Ordinance No. 99 is hereby amended and re-enacted to read as follows:

SECTION III - LICENSE AND FEES

follows:

The fees for licenses under this ordinance shall be as

May 5, 1986

- A. Off-Sale Beer Retail----- \$300.00
- B. On-Sale and Off-Sale Beer Retail----- 500.00
- C. Off-Sale Liquor, Retail----- ~~1300.00~~ *1100.00*
- D. On-Sale and Off-Sale Liquor, Retail----- ~~1500.00~~ *1300.00*
- E. On-Sale Wine, Without On-Sale Liquor and Beer--- 50.00
- F. Clubs and Lodges On-Sale Liquor and Beer License 50.00

Subsections A, B, C and D shall not apply to local clubs and lodges.

Subsections A, B, C and D shall not apply to local Clubs and Lodges.

In application for a new license, the fee may be pro-rated in those instances where such license is effective for fractional part of a year. Then an applicant so desires, he may, if the application for license is made between June 30th and December 31st of any year, pay the fee for such license in two (2) installments, the first payment thereof in an amount equal to fifty percent (50%) of the license fee or the pro-rated portion thereof as hereinbefore provided, shall be tendered and paid at the time of the filing of the application for license, either in cash or in the form of a cashiers check drawn upon a solvent bank and the license issued to such applicant shall be revoked on December 31st of the year in which issued unless applicant shall on or before said day tender and pay in like manner the remaining fifty percent (50%) of the license fee, such revocation being exclusive of all other causes and manners of revocation as provided in this ordinance and the license shall, when issued, bear on its face, a stamp or writing to the effect that the fee for such license has been paid only until December 31st of such year and that such license is not effective after December 31st of said year without the payment of the additional amount of such license fee and when such license fee is paid there shall be stamped or written on such license a statement signed by the City Auditor and to the effect that the remainder of such license fee has been paid, and it shall be unlawful for any person holding such license to sell intoxicating liquor until such fees have been paid as aforesaid.

No license shall be issued to any lodge or club where sales of liquor in such lodge or club are made for the profit of any individual and unless such profits made on the sale of such intoxicating liquor by such lodge or club are used only for benevolent purposes.

Licenses issued to clubs and lodges shall be "On-Sale" only; all other licenses may be "On-Sale", "Off-Sale" or "On and Off-Sale".

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be in full force and effect from and after its final passage and adoption.

Section 4. Penalty. Any person found guilty of violating any of the provisions of this ordinance shall be punished by a fine of not more than \$500.00 or by imprisonment for not to exceed 30 days or both such fine and imprisonment in the discretion of the Court.

APPROVED: Robert McGuire
President, City Commission

ATTEST: Walter E. Carr
City Auditor

First Reading May 18, 1981

Second Reading June 1, 1981

Final Passage: June 1, 1981