

AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE TRANSACTION OF BUSINESS IN ALCOHOLIC BEVERAGES FOR LICENSEES WHO PURCHASE THE SAME FROM THE MUNICIPAL LIQUOR STORE AND REPEALING ORDINANCE NO. 52."

BE IT ORDAINED BY THE CITY OF COLOME:

Section 1. PURPOSE: The purpose of this Ordinance is to implement the provisions of Title 35 of the South Dakota Codified Laws and to provide for the mark up to be charged by the City of Colome to licensees possessing licenses issued pursuant to S.D.C.L. 35-4-13.1 that are required to purchase alcoholic beverages from the municipal off-sale establishment in the City of Colome and to establish the mark up to be charged to the licensees possessing licenses issued pursuant to Subdivision (18) of S.D.C.L. 35-4-2, who are required to purchase the malt beverages sold by the licensee from the municipal off-sale establishment in the City of Colome.

Section 2. CLASSIFICATION AND FEES: The following classification and fees are established for retail dealers in alcoholic beverages:

- (a) On-sale Dealer: Any person, firm, or corporation who sells or keeps for sale any alcoholic beverages for consumption upon the premises where sold\$450.00
- (b) Off-sale Dealer: Any person, firm, or corporation who sells or keeps for sale alcoholic beverages for consumption other than on the premises where sold.....\$250.00
- (c) Malt Beverage Retailers: Any person, firm, or corporation who sells malt beverages for consumption either on or off-sale.....\$250.00
- (d) Malt Beverage Package Dealers: Any person, firm, or corporation who sells or keeps for sale malt beverages for consumption other than on the premises where sold.....\$150.00

Section 3. PURCHASE OF ALCOHOLIC BEVERAGES FROM THE MUNICIPALITY:

(a) Each licensee who is classified under Section 2 of this Ordinance who had been issued a license under former law as being a "club" license shall buy its alcoholic beverages from the municipal off-sale establishment and shall be subject to all provisions of S.D.C.L. Title 35 relating to the operation of an on-sale license. All alcoholic beverages, other than malt beverages, to be sold by such licensee shall be purchased by such licensee from the municipal off-sale establishment at fifteen

percent (15%) over and above the municipality's actual costs, including cost of transportation. Malt beverages to be sold by such licensee shall be purchased by such licensee from the municipality's off-sale establishment at ten percent (10%) over and above the municipality's actual costs, including costs of transportation.

(b) Each licensee classified in Section 2 of this Ordinance who, under prior law, was known as a "low point" beer licensee and who is licensed pursuant to S.D.C.L. 35-4-60.2 shall buy all malt beverages to be sold by such licensee from the municipality's off-sale liquor establishment and shall be subject to all provisions of S.D.C.L. Title 35 relating to the operation of a malt beverage license. Malt beverages to be sold by such licensee will be purchased by such licenses from the municipal off-sale establishment at a mark up of five percent (5%) over and above the municipality's actual costs, including costs of transportation.

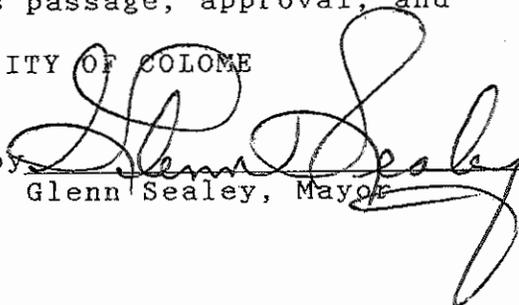
Section 4. DELIVERY OF ALCOHOLIC BEVERAGES: Each licensee who is required to purchase alcoholic beverages from the municipal off-sale establishment may accept delivery either directly from the municipal off-sale establishment or accept delivery of the order directly from the wholesaler, but in either event, the licensee shall furnish the City of Colome with a copy of the invoice.

Section 5. NUMBER OF LICENSES: The number of on-sale licenses as defined in Section 2 of this Ordinance which shall be permitted to operate in the City of Colome shall be restricted and limited to two such licenses and the number of off-sale licenses as defined in Section 2 which shall be permitted to operate in the City of Colome shall be restricted and limited to one such license.

Section 6. REPEAL OF INCONSISTENT ORDINANCES: Ordinance No. 52 of the City of Colome and all other Ordinances in conflict herewith are hereby repealed.

Section 7. EFFECTIVE DATE: This Ordinance shall be in full force and effect 20 days after its passage, approval, and publication.

CITY OF COLOME

by 
Glenn Sealey, Mayor

ATTEST:


Clarence Aden, Finance Officer

First Reading: May 10, 1988
Second Reading: May 19, 1988
Passed and Approved: May 19, 1988
Publication: May 25, 1988