

ORDINANCE NO. 2024-02

AMEND REVISED MUNICIPAL ORDINANCE TITLE IX– LICENSES/BUSINESS OPERATIONS CHAPTER 2: LIQUOR LICENSES/ALCOHOLIC BEVERAGES

AN ORDINANCE OF THE CITY OF ONIDA, SD, AMENDING REVISED MUNICIPAL ORDINANCES OF THE CITY OF ONIDA, SD, BY AMENDING Section IX.2.5 to Chapter 2 of TITLE IX – LICENSES/BUSINESS OPERATIONS.

BE IT ORDAINED BY THE CITY OF ONIDA, SD:

That Section IX.2.5 of Chapter 2 of Title IX – Hours of Business shall be amended to the Revised Municipal Ordinance of Onida, SD and shall read as follows:

Section IX.2.5

- A. Every “On-sale” dealer of any type of alcoholic beverage, distilled spirits, wines, and malt beverages shall flash the lights of his place of business at 1:45 a.m. each day as a warning that within 15 minutes the licensed premises will be closed. By 2:00 a.m., every public facility “On-sale” dealer shall clear his premises of all persons except employees and shall lock all doors to the premises and shall turn out all light thereon, except a night light. Such night light shall burn from 2:00 a.m. until daylight of the following day. Each public facility on-sale dealer shall leave the place of business or premises by 3:00 a.m. It shall be unlawful for such dealer to open to the public again for business until 7:00 a.m.; however the “On-sale” dealer and his employers may enter upon the premises at 6:00 a.m. for the purposes of maintenance, cleaning and preparing for the days business.
- B. No “On-sale” licensee may sell, serve, or allow to be consumed on the premises covered by the license, alcoholic beverages of any type between the hours of 2:00 a.m. and 7:00 a.m. or on Memorial Day after 2:00 a.m., or at any time on Christmas Day. (SDCL 35-4-81)
- C. No “Off-sale” licensee may sell, or allow to be sold, alcoholic beverages between the hours of 12:00 midnight and 7:00 a.m. of the following day, or sell or allow to be sold distilled spirits or wine on Memorial Day or Christmas Day. “Off-sale” licenses may sell, or allow to be sold, alcoholic beverages on Sunday in compliance with South Dakota State law. (SDCL 35-4-81.1)
- D. All “on-sale” and “off-sale” malt beverage or wine sales are intended to remain consistent with South Dakota State Law. If not otherwise specified herein, State law shall control said sales and distribution.
- E. Any of the public facility “On-sale” dealers having on their licensed premises a duly licensed restaurant pursuant to SDCL 34-18 and who comply with all ordinances

applicable thereto and which restaurant is operated in a room separate and apart from the room wherein intoxicating liquor is or can be dispensed may, notwithstanding anything to the contrary set forth in this section, continue to operate exclusively as a restaurant, provided all intoxicating liquor and the facilities for dispensing it are isolated and contained in a separate room devoted principally to the use of dispensing and consuming of alcoholic beverages and which room with its alcoholic contents is vacated, closed and located as provided in this section.

Dated this 3rd day of June 2024.

LaJena R. Gruis, Mayor

(SEAL)

ATTEST:

Rondha Hiller, Finance Officer

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