

Joy continued from Page 1

"You can come on Tuesday for the gift distribution, and this is your number."

Harstad said gift bags for each Project Joy family or individual were assembled by Rugby High School students in Julie Sjol's and Paola Trotter's eighth period classes.

"Then we did the distribution," Harstad said.

As of Tuesday evening, Harstad and fellow Lions

Club member Craig Wollenburg had only five gift bags left to distribute.

"We started with 45 families, and they came in here to pick up their things," Harstad said. "There are 144 individuals (receiving gift bags) because there are typically more than two per household. We try to fulfill as much as we can from their wish list."

Harstad said gift recipients are "anywhere from young, single parent families with a couple of kids to senior citizens, foster families,

people who are just moving into the community and getting a start."

"It's a fulfilling project," she added.

Harstad said working with Project Joy brings "times when you can put a face to these bags. They're not just numbers."

Wollenburg told of an experience he had with Project Joy a few years ago.

"I was collecting for the Rugby Lions Club golf tournament and it was one of those days when you don't know if you're making a dif-

ference with all the activities you do and you just don't know what good it's doing," Wollenburg recalled.

Wollenburg said he walked into an office to fax information for the charity.

"And the lady that was in the front office looked at me and said, 'Oh, you're from the Lions Club.' I said, 'yes.' She said, 'You guys are great people. Two years ago, if it hadn't been for the Lions Club, my children wouldn't have had Christmas.'"

"And right then, I just said to myself, 'I can keep going,'

wanted to go home but I can keep doing this, I can keep working," Wollenburg said after a pause.

"We really do make a difference. I'll carry that (memory) for the next several years," he added.

PUBLIC NOTICES Public and Legal Notices are also available for viewing on our website: www.thepiercecountytribune.com Just look for our "Public Notices" tab. They can also be found and read on any device at: www.ndpublicnotices.newzgroup.com

PUBLIC NOTICES

15. "Public dancing place" means a room, place, or space, which has a capacity of at least one hundred people, open to public patronage where dancing in which the public may participate is carried on and where the public is present primarily for the sole purpose of dancing.

16. "Restaurant" or "Eating establishment" means a restaurant or other commercial establishment that is licensed to engage in the sale of alcoholic beverages at retail pursuant to state and local law, and which derives fifty percent or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.

17. "Sale" shall mean and include any transfer, exchange, or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal proprietor, agent, servant, employee or corporation

18. "Sell at retail or sale at retail" shall mean a sale to a consumer for use or consumption and not for the purpose of resale in any form.

19. "Serving" shall mean participating in the dispensing, sale or service of alcoholic beverages for on-premises consumption at a retail licensed premises to a consumer in the places as defined by the ordinances of the city.

20. "Sparkling wine" shall mean wine made effervescent with carbon dioxide.

21. "Twenty-one years of age" shall mean it is after 8:00 a.m. on the date twenty-one (21) years after a person's date of birth.

22. "Wholesaler" means and includes any person engaged in the sale and distribution of liquor to persons holding a retail license for the sale and distribution of intoxicating liquor in interstate commerce and which wholesaler has been duly licensed under the provisions of the Liquor Control Act of North Dakota.

23. "Wine" means the alcoholic beverage obtained by fermentation of agricultural products containing natural or added sugar or such beverage fortified with brandy and containing not more than twenty-four percent alcohol by volume. (Ord. 7 (part), 1945; Ord. 2 (part), 1942; 1942 Rev. Ords. 5-201, 2015 Ord. 399, 2019 Ord. 419)

8.08.020 License required. It is unlawful for any person, firm or corporation to engage in the sale of liquor as defined herein within the city without first obtaining a license so to do as provided in this chapter. (Rev. Ord 419, 2019)

8.08.030 Types of licenses. Licenses granted under the provisions of this chapter shall be of two kinds:

(1) Wholesale license. (2) Retail License. Licenses for the sale of intoxicating liquor at retail, as provided in this chapter, shall permit both off-sale and on-sale, or on-sale, or off-sale of intoxicating liquor.

8.08.031 Event permit authorized. The City Council may by permit authorize a qualified beverage licensee licensed under this chapter to engage in the sale of beer and/or liquor at events designated by this permit. A fee for the local permit may be set by ordinance or resolution at not more than twenty-five dollars. The City Council may establish rules to regulate and restrict the operation of an event permit. A permit issued pursuant to Section 5-02-01.1, N.D.C.C., to allow a licensee to operate at premises other than the licensed premises to which the license relates, shall be issued administratively by the city clerk upon the following terms and conditions:

(1) The payment by the applicant of a fee of twenty-five dollars (\$25.00). (2) The submission by the applicant, as part of the application required by the city clerk, of a brief narrative explaining:

a. The nature of the occasion for the permit (e.g., wedding dance, trade show or promotion, etc.); and b. The steps which will be undertaken by the permittee to restrict the sale to, and consumption of, alcoholic beverages by minors at such occasion.

(3) Persons under twenty-one years of age may remain in the area of the event, or a portion thereof, where beer, wine, or sparkling wine may be sold pursuant to the permit. However, this authorization must be subject to the following minimum conditions: a. The area where persons under twenty-one years of age may remain must be specifically set forth in the permit; b. Only employees of the qualified alcoholic beverage licensee who are at least twenty-one years of age may deliver and sell the beer, wine, or sparkling wine; and c. No person under twenty-one years of age within the area described in the permit may consume, possess, or receive alcoholic beverages

(4) The licensee accepts all responsibilities and liabilities for enforcement of City Rugby and North Dakota State Liquor Laws regarding dispensing of alcoholic beverages at events designated by this permit.

(5) A permit issued pursuant to this subsection may not be used for the off-sale of alcoholic beverages.

(6) The written approval by the chief of police of the issuance of the permit. The Chief of police may police the event.

(7) Officer of law to be in attendance at any public dance, music festival, or public concert. The Chief of police may police the dance, music festival, or public concert held within the limits of the city. The Chief of police may determine the number, if any, of police officers or licensed private security officers needed to maintain law and order. See NDCC 53-02

(8) Any person who dispenses, sells, or permits the consumption of alcoholic beverages in violation of this section or the conditions of a permit is guilty of a class B misdemeanor. Each month the chief of police shall submit a report to the city council concerning the permits allowed and the permits denied under this subsection subsequent to the last prior such report. Applications, whether granted or not, shall be retained by the city clerk for no less than three (3) years. (2015 Ord. 399, 2019 Ord. 419)

8.08.040 Fees. (a) Retail Licenses. The license fees for retail licenses shall be fixed and payable in advance at the time of making the application for the designated classes of licenses pertaining to the sale of alcoholic beverages as set forth in this chapter:

(1) Class A: Clubs or Lodges for

on-sale liquor license fees shall be two-hundred dollars (\$200.00) per year

(2) Class B: Package Stores for off-sale liquor license fees shall be two-hundred fifty-dollars (\$250.00) per year.

(3) Class C: Retail Liquor for on-sale and off-sale liquor license fees shall be one thousand one hundred dollars (\$1,100.00) per year.

(4) Class D: Hotels or Motels for on-sale and off-sale liquor license fees shall be one thousand one hundred dollars (\$1,100.00) per year.

(5) Class E: Restaurants - Retail Wine for on-sale wine and/or sparkling wine license fees shall be two hundred dollars (\$200.00) per year.

(6) Class F: Restaurants - Retail Liquor for on-sale liquor license fees shall be four hundred dollars (\$400.00) per year.

(b) Wholesale Licenses. The license fee for a whole-sale license is fixed in the sum of one thousand two hundred fifty dollars per year, payable in advance and at the time of making the application for such license as provided in Section 8.08.060 of this chapter. (2015 Ord. 399)

8.08.050 Term of license. All licenses hereunder shall be issued for one year, and not less than one year, and shall expire on December 31st in each year after the granting of such license and no rebate of any portion of the license fee shall be made. Provided, however, that the city council may in its discretion, refund to the licensee or those claiming under him a portion of the unused license fee equal to one-twelfth of the license fee paid for each full month remaining of the unexpired term of said license, when such licensee shall cease business at the licensed premises by reason of his death or the destruction by fire or otherwise of his place of business, or for such other reason as the council may in its sole discretion deem to be without culpability on his part.

8.08.060 Application for license. Any person desiring a license to sell intoxicating liquor at retail or wholesale as described in Section 8.08.040 shall make and file with the city council, through the city auditor, and application for such license accompanied by the fee as herein provided in Section 8.08.040.

No license shall be issued to any person, nor shall any such previously issued license be renewed or retained unless the applicant files a sworn application, accompanied by the required annual fee, showing the following qualifications and providing the following information:

1. The type of license being applied for. 2. The street address and legal description of the premises sought to be licensed accompanied by a clear and understandable floor plan of the premises to be licensed.

3. The applicant, other than an organization, must be a legal resident of the United States and be a person of good moral character.

4. If the applicant is: a. A corporation, then: (1) The manager of the licensed premises and the officers and directors must be legal residents of the United States and persons of good moral character; and (2) The shareholders: i. (a) Who are individuals, must be legal residents of the United States and of good moral character; and ii. (b) Which are organizations, must meet the requirements of this section for applicants which are organizations. Corporate applicants must first be properly registered with the secretary of state.

b. A limited liability company, then: i. (1) The manager of the licensed premises and the managers and governors must be legal residents of the United States and of good moral character. (2) The members: (a) Who are individuals, must be legal residents of the United States and of good moral character; and (b) Which are organizations, must meet the requirements of this section for applicants that are organizations. (3) The applicant must first be properly registered with the secretary of state.

c. A limited partnership, then: (1) The manager of the licensed premises and the partners: (a) Who are individuals, must be legal residents of the United States and of good moral character; and (b) Which are organizations, must meet the requirements of this section for applicants that are organizations.

e. A limited liability partnership, then: (1) The manager of the licensed premises must be a legal resident of the United States and of good moral character; and (2) The partners: (a) Who are individuals, must be legal residents of the United States and of good moral character; and (b) Which are organizations, must meet the requirements of this section for applicants that are organizations.

5. The applicant or manager must not have been convicted of an offense determined by the Attorney General to have a direct bearing upon an applicant's or manager's ability to serve the public as an alcoholic beverage retailer, or, following conviction of any offense, is determined not to be sufficiently rehabilitated under NDCC section 12.1-33-02.1.

6. The building in which business is to be conducted must meet local and state requirements regarding the sanitation and safety.

7. The applicant may not have any financial interest in any wholesale alcoholic beverage business.

8. If the applicant is a corporation, the names and addresses of the corporate officers, directors, and stockholders must be provided on the sworn application.

9. Any agreements or understandings to obtain an alcoholic beverage license for any other person, partnership, or corporation must be indicated on the sworn application.

10. Any lease agreements to any other person, partnership, or corporation for the sale of alcoholic

beverages must be so indicated on the sworn application.

11. Any other interest that the applicant may have, either directly or indirectly, in any other liquor establishment in or out of this state must be indicated upon the sworn application.

12. The applicant, including an individual and manager, or, in the case of a corporation, the officers, directors, and managers, is required to submit a personal information form at the time the initial application is made or when there is a change of corporate officers, directors, and managers.

8.08.070 Licensee consent to police inspection. The licensed premises of the licensee shall be available to the police department for inspection whenever the licensed premises are open for public patronage, or while the public is in the licensed premises (2019 419).

8.08.080 Investigation of applicant. The chief of police or such other person or officer as may be designated by the city council shall, upon application being filed, investigate the facts as stated in the application and the truthfulness of the representations of fact made in the application submitted. The chief of police may require the applicant subject to a background check to execute a written consent if needed by the attorney general to obtain background or criminal history information. (1942 Rev. Ords. 5-208; 2019 419)

8.08.090 Eligibility for license. Any individual being a citizen of United States, firm, corporation or Limited Liability Company (L.L.C.), partnership or association, club or lodge, as hereinafter defined, having a bona fide residence in and engaged in any legitimate and lawful business, may engage in the retail sale of liquor as defined in previous sections of this code in the city under the restrictions herein provided: "Club or lodge" means and includes any corporation or association organized for civic, fraternal, social or business purposes, or for the promotion of sports. (2019 Ord 419)

8.08.100 License not to be granted when real estate taxes delinquent. No license shall be granted to any person for the sale of intoxicating liquor, as defined in this chapter, where the real estate taxes on the property to be used in such business for which license is sought are delinquent or where the individual seeking the license or any person a member of a co-partnership or financially interested in such business or any corporation has delinquent real estate taxes on any property owned by the individual or persons.

8.08.110 Nontransferable - City council to approve location changes. No license issued hereunder shall be transferable except as provided by the Liquor Control Act and no change of location shall be permitted without first making application and receiving the approval of the city council therefore.

8.08.120 One license to a person. No licensee shall be permitted to hold more than one (1) license under this article per premises (2019 Ord 419)

8.08.140 Location of premises. No license shall be issued for any building, room, or place, within two hundred feet of any church, public or parochial school, or synagogue, and in determining such distance, the distance shall be measured by the ordinary route of travel from the nearest point upon the grounds upon which such church, public or parochial school, or synagogue, is located to the entrance of the premises for which license is sought. This chapter shall apply to all territory within the city and to such outlying contiguous territory within the corporate limits within which the city may exercise police jurisdiction as defined by law and is hereby designated as the zone in which a license for retail sale of intoxicating liquor may be granted. (2015 Ord 399, 2019 Ord. 419)

8.08.150 Disposition of license Fees. All license fees collected by the city shall be paid over to the office of the city auditor and credited to the general fund of the city.

8.08.160 Consumption of liquor on premises. No person holding an off-sale license hereunder shall permit the consumption of any intoxicating liquor upon the licensed premises or the opening of the contents of the original package in which sale is made on the premises where sold. A licensed off-sale retailer may permit the sampling of wine upon the licensed premises where sold. (Ord. 2 (part), 1942; 1942 Rev. Ords. 5-216, 2015 Ord. 399)

8.08.170 Revocation or suspension of licenses. (a) The city council shall have the power to revoke or suspend any license issued under the authority of this chapter for any of the following reasons:

(1) The licensee violates the state law as to the regulation and licensing of alcoholic beverages or any of the provisions of this chapter; (2) The death of the licensee; (3) When the licensee ceases business at the location licensed and a permit for a change of location has been denied;

(4) When the licensee be adjudged bankrupt; (5) When the licensee has been convicted of an offense that is determined by the attorney general to have a direct bearing upon a person's ability to serve the public as an alcoholic beverage retailer, or, following conviction of any offense, is determined not to be sufficiently rehabilitated under NDCC section 12.1-33-02.1;

(6) When the licensee ceases to be a legal bona fide resident and citizen of the United States; or its manager or both no longer meet the requirements of section 8.04.040 for the eligibility of the licensee; (7) When the license or permit of the licensee from the State of North Dakota or the United States Government to sell intoxicating liquor has been terminated or revoked;

(8) When the business of the licensee at the location licensed shall be conducted in violation of the health or sanitary regulations or other ordinances of the city; (9) When the licensee has willfully made a false statement in his application for license;

(10) The licensee does not conduct the activity for which the license was issued at the licensed premises for a period of twelve (12) consecutive months.

b) Written notice of any alleged violation to be delivered to the licensed premises. The chief of police or

designee shall provide the licensee of the licensed premises with written notification of any alleged violation within five (5) business days. (c) No license shall be revoked or suspended without providing the licensee with notice and an opportunity for hearing before the city council with regard to the suspension or revocation of the license. The city clerk shall provide the licensee with written notice of the date, time, and place of the hearing. A notice shall inform the licensee that its license may be revoked or suspended and it shall set forth the factual allegations which form the basis for doing so under this section. The city clerk may provide notice by mailing a copy thereof to the licensee's last known address as indicated in the licensee's most recent application filed with the clerk under this chapter. The notice must be mailed at least five (5) days prior to the hearing, exclusive of the date of mailing and date of the hearing.

(d) If the licensee does not appear at the hearing provided for in subsection (b), or if he does not dispute them, the factual allegations in the complaint shall be deemed to be admitted. Otherwise the city shall have the burden of going forward with the evidence and the burden of persuasion as to any disputed issues of fact.

(e) If the licensee requests that the originally scheduled hearing date be continued the city council shall grant a continuance to a time mutually convenient to the licensee and the city council, but the city council shall have the discretion to suspend the license from the date for which the hearing was originally scheduled to the date of the continued hearing.

(f) The decision of the city council shall be final for purposes of the exhaustion doctrine which requires the exhaustion of administrative remedies as a prerequisite for judicial review.

(g) The Rugby Police Department will be responsible for conducting compliance checks to determine whether the licensees are in compliance with the provisions of subsection (a)(1). If (1) the licensee admits a violation occurred, (2) fails to appear at the scheduled hearing relating to the alleged violation, or (3) the city council determines a violation under subsection (a)(1) occurred after a hearing, the licensee is subject to the following penalties, in addition to any other civil or criminal penalties a licensee may be subject to for violation of any provision of state or local law:

First violation: Letter of warning Second violation: Business closed for three (3) consecutive days Third violation: Business closed for seven (7) consecutive days Fourth violation: Business closed for thirty (30) consecutive days Fifth violation: Business liquor license recommended to be revoked

The penalties described above shall be for violations that occur within a period of twenty-four (24) months, except for violations of 8.08.180, shall be limited to a twelve month period. The twenty-four-month time period commences to run and is calculated from the first violation by the licensee.

(h) The Rugby Police Department will be responsible for monitoring compliance with the provisions of subsections (a)(2)-(10). If (1) the licensee admits a violation occurred, (2) fails to appear at the scheduled hearing relating to the alleged violation, or (3) the city council determines a violation under subsections (a)(2)-(10) occurred after a hearing, the licensee is subject to suspension or revocation, as determined by the city council, in addition to any other civil or criminal penalties a licensee may be subject to for a violation of subsections (a)(2)-(10).

(i) When a license issued pursuant to this article is terminated or revoked for cause, the licensee or those claiming under him, shall not be entitled to any return of any portion of the license fee previously paid to the city.

(j) A license for any premises licensed pursuant to this article has been revoked, no license shall thereafter be issued to the licensee for a period of five (5) years after revocation.

When any license is revoked or suspended no portion of the license fee previously paid shall be returned to the licensee or to any one claiming under or through him; provided, however, that if the law under which any license as herein provided is granted shall be repealed such portion of the license paid shall be refunded to the licensee, as the time such license has left to run shall bear to the total time for which issued. (Ord. 13 (part), 1946; 1942 Rev. Ords. 5-218; Rev. Ord. 419, 2019).

8.08.180 Hours and time of sale. A person may not dispense or permit the consumption of alcoholic beverages on a licensed premises between two a.m. and eleven a.m. on Sundays, between the hours of two a.m. and eight a.m. on all other days of the week, or on Christmas Day or after six p.m. on Christmas Eve. In addition, a person may not operate the restaurant and bar on Thanksgiving Day or between two a.m. and noon on Sundays. A person that violates this section is guilty of a class A misdemeanor. (2019 Ord. 419)

8.08.190 Selling or dispensing intoxicating liquor. No licensee, his agent or employee, shall sell, deliver, or dispense any intoxicating liquor or beer to any person under twenty-one years of age, and no licensee, his agent or employee, shall permit any person under the age of twenty-one years, whether such person is single or married, to be furnished with any intoxicating liquor or beer on the premises, or any part or portion thereof, for which any license has been issued pursuant to this chapter, and no licensee, his agent or employee, shall permit any person under the age of twenty-one years married, to enter or be in or upon such licensed premises, or any part or portion thereof nor shall licensee, his agent or employee, permit such person under twenty-one years of age to enter or be in any room which is a part of such licensed premises; and no person under the age of twenty-one years, whether single or married, shall be employed in or upon such licensed premises, or any part or portion thereof; and no such person under twenty-one years of age shall purchase, attempt to purchase, receive, or drink any intoxicating liquor

or beer in any public place, licensed under this chapter, or on any street or alley within the limits of the city. Whosoever shall in any way procure or furnish liquor for the use of any person heretofore named in this section shall be deemed to have sold to such person and to have violated the terms and conditions of this chapter. (2019 Ord. 419)

8.08.191 Under twenty-one not to enter upon licensed premises; exceptions. No person in charge of a licensed premises shall permit any person under the age of twenty-one (21) to enter upon or to remain upon licensed premises within his control, subject to the following exceptions and any other exception provided in state law:

1. A person under the age of twenty-one (21) years of age may remain in a restaurant if the restaurant is separated from the room in which alcoholic beverages are opened or mixed and if gross sales of food are at least equal to gross sales of alcoholic beverages which are consumed in the dining area;

2. A person under the age of twenty-one (21) years of age may remain in a restaurant if the person is employed by the restaurant as a food waiter, food waitress, busboy or busgirl, and is under the supervision of someone twenty-one (21) years of age or older, and does not engage in the sale, dispensing, delivery, or consumption of alcoholic beverages;

3. A person who is nineteen (19) years of age or older but under the age of twenty-one (21) when employed by a restaurant licensed to sell alcoholic beverages to serve and collect money for alcoholic beverages, if the person is under the direct supervision of a person twenty-one (21) or more years of age, but such person may not be engaged in mixing, dispensing, or consuming alcoholic beverages;

4. A person who is under twenty-one (21) years of age may enter and remain on the licensed premises if the individual is an independent contractor or the independent contractor's employee engaged in contract work and is not engaged in selling, dispensing, delivering, or consuming alcoholic beverages;

5. A person who is under twenty-one (21) years of age may enter and remain on the licensed premises if the individual is a law enforcement officer or other public official who enters the premises in the performance of official duty;

6. Notwithstanding any other ordinance or state statute to the contrary, a person under the age of twenty-one (21) cooperating with and under control of a law enforcement officer may enter a licensed premises for the purposes of a compliance check on whether the licensee is complying with the laws prohibiting the sale of alcoholic beverages to a minor; and

7. A person who is under twenty-one (21) years of age may enter and remain in an area of a site where beer, wine, or sparkling wine is sold in accordance with the conditions of an event permit issued pursuant to section 8.08.31.

8.08.250 Sanitary requirements. All premises licensed pursuant to this chapter must provide adequate and sufficient lavatories and toilets as may be prescribed by health officials.

8.08.260 Number limited - Classes of liquor licenses. (a) Class A: Clubs or Lodges To any club or lodge as defined, an on-sale liquor license. (b) Class B: Package Stores Unlimited off-sale liquor licenses in the city. (c) Class C: Retail Liquor Unlimited on-sale and off-sale liquor licenses (d) Class D: Hotels or Motels One on-sale and off-sale liquor license to each hotel or motel providing guest rooms with dining facilities, exclusive of the liquor facility, as a part of such motel or hotel operation.

(e) Class E: Restaurants - Retail Wine Unlimited On-sale wine and/or sparkling wine license to each restaurant provided such restaurant is constructed so that minors not accompanied by adults are seated in an area separated from the area where wine is served. (f) Class F: Restaurants - Retail Liquor Unlimited On-sale liquor license to each restaurant provided that the following restrictions are met:

1. A restaurant licensee shall derive, on an annual basis, more income from the sale of food consumed on its business premises than it does from the sale of alcoholic beverages consumed on its business premises;

2. A restaurant licensee shall not sell or deliver alcoholic beverages for consumption off the licensed premises, except as allowed pursuant to Section 5-02-13, N.D.C.C. and section 8.08.031 by way of a temporary permit;

3. A restaurant licensee shall not create or maintain a distinctive portion of the licensed premises where for the most part only alcoholic beverages and snack items are served to and consumed by the patrons of the restaurant; and

4. A restaurant licensee shall discontinue the sale and consumption of alcoholic beverages on the licensed premises within one (1) hour of the time the full kitchen is not in operation. During all other hours of the restaurant, the full kitchen shall remain in operation for continuous food service.

5. A person under the age of twenty-one (21) years of age may remain in a restaurant if the restaurant is separated from the room in which alcoholic beverages are opened or mixed and if gross sales of food are at least equal to gross sales of alcoholic beverages which are consumed in the dining area;

6. A person under the age of twenty-one (21) years of age may remain in a restaurant if the person is employed by the restaurant as a food waiter, food waitress, busboy or busgirl, and is under the supervision of someone twenty-one (21) years of age or older, and does not engage in the sale, dispensing, delivery, or consumption of alcoholic beverages;

7. A person who is nineteen (19) years of age or older but under the age of twenty-one (21) when employed by a restaurant licensed to sell alcoholic beverages to serve and collect money for alcoholic beverages, if the person is under the direct supervision of a person twenty-one (21) or more years of age, but such person may not be engaged in mixing, dispensing, or con-

suming alcoholic beverages. (2015 Ord 399)

8.08.261 Sale of intoxicating liquor or liquor in street. Except as permitted by Section 8.08.031 of this chapter, the sale or serving or consumption of intoxicating liquor or liquor, as defined in this chapter, upon or any street, alley, or public way, or public property is prohibited. Section 8.08.263. Retail license required: exception.

No license shall be required for a domestic winery owner or operator having a license from the state tax commissioner allowing the production of wine and only being present within the city to utilize special event permits issued by the state tax commissioner under N.D.C.C. 5-01-17 provided that the owner or operator presents the state tax commissioner permit to the city clerk and obtains a permit for each event from the city clerk in accordance with the procedure set forth in Section 8.08 of the Rugby City Ordinances.

8.08.265 Enforcement. Removal Prohibited: Allowing the removal of an on-sale beverage from the Premises or the failure to make reasonable efforts to prohibit the removal of the beverage from the Premises shall be a violation of this chapter. The penalty for a violation of this section shall be a fine of fifty dollars (\$50.00).

8.08.266 Repeal. All ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance as of the date of this Ordinance, are repealed to the extent of that conflict. (2019 Ord. 419)

8.08.270 Effective Date. This ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

First Reading: December 2, 2019 Second Reading: December 16, 2019 Effective: December 21, 2019

Susan Steinke, Mayor Attest: Jennifer Stewart, City Auditor (December 21, 2019)

NOTICE OF PUBLIC HEARING

In accordance with Ordinance No. 304, Chapter 19.42, of the Municipal Code, City of Rugby, ND, the City of Rugby Planning and Zoning Committee will hold a Public Hearing concerning the request of Rugby Spray Foam LLC/Brad Wagner & Derick Walk, for a Re-Plat of the location in the following lots or tracts:

Sveum Subdivision - Lots 3, 7, and 8 - Block 1 lying in Section 1, Township 156 N, Range 73 W to the City of Rugby, Pierce County, North Dakota

The Plat is available for public inspection and copying at the office of the City Auditor, City Hall Building, 223 South Main Avenue, during normal business hours. The public is invited to attend in person or prepare written comments to attention of the City Auditor's Office, City Hall Building, 223 South Main Avenue, Rugby, ND, 58368. Said hearing to be held in the City Hall Building Chamber Meeting Room, Rugby, ND, on Monday January 13, 2020 at 7:30pm

Dated: December 9, 2019 Jennifer Stewart City Auditor (December 21-28, 2019)

NOTICE TO BIDDERS For Rental of City Owned land

The Rugby City Council will receive sealed bids at City Hall until 1:00pm, on January 3, 2020, for the rental of land located in Rugby. The following property will be available for rental for the 2020 season:

A portion of parcel 9518000 described as: From the 4th St SW/Hwy 3 right of way, travel south approximately 195' to a point of beginning, then travel south approximately 300', towards 6th St SW, from the curb along Hwy 3 travel west approximately 93', then travel north approximately 300', then east approximately 85', to a point of beginning, of the SE1/4NE1/4 less deeded tracts Section 2-156-73, more or less.

Terms and conditions are set forth in the bid specifications available at the City Auditor's office at City Hall. The bid envelope shall be plainly marked "Land Rental Bid" and shall contain the parcel number of the property being bid on. The City Council of the City of Rugby reserves the right to reject any or all bids and to award contracts as it deems to be in the best interest of the City