

PUBLIC NOTICES

PIERCE COUNTY REAL ESTATE TAX STATEMENTS

The 2019 Pierce County real estate tax statements were all by mailed December 6, 2019. If you have not received a statement, please contact the Pierce County Auditor/Treasurer's Office at 776-5225. Taxes may be paid in person at the Auditor's Treasurer's Office, located at 240 2nd St SE, Suite 6., or mailed to 240 2nd St SE, Suite 6, Rugby, ND 58368. North Dakota Century Code, Section 57-20-07.1 states, in part, as follows: "Failure of an owner to receive a statement will not relieve that owner of liability, nor extend the discount privilege past the February 15th deadline." Since February 15th falls on a Saturday, the discount will be honored to February 17th. Please Note: County offices will be closed on Tuesday, December 24 and Wednesday, December 25th.

(December 14-21, 2019)

NOTICE

Balta City Council Meeting December 9, 2019

The 7:30 pm meeting was called to order by Mayor Jundt. Present were councilmen Hallof and Rennock. Rennock made a motion to approve the minutes as read. Hallof seconded the motion. Hallof made a motion to approve the treasurers report as read. Rennock seconded the motion. Old Business: No old business pending at this time. New Business: The city received a letter from Circle Sanitation that their rates will be going up next year due to the landfill rates going up. The city will be paying \$551.00 a month. Currently our price is \$530.00 a month. The board also discussed the rates current residents are paying for the sewer in Baltas. Residents pay \$24.00 dollars a year, which is \$2.00 a month. Rennock made a motion to increase the sewer to \$8.00 dollars a month which is \$96.00 dollars a year. Hallof seconded the motion. The board approved paying the bills. Hallof made a motion to approve the Beer and Liquor License for another six months, until the end of June. Rennock seconded the motion. No other business before the board Rennock made a motion to adjourn the meeting. Hallof seconded the motion. Elaine Schaan, City Auditor (December 21, 2019)

NOTICE

City of Rugby Ordinance 418

BE IT ORDAINED by the City Council of the City of Rugby, North Dakota that Rugby Municipal Code Chapter 8.04 Beer Licenses Ordinance be amended as follows:

Table with 3 columns: Section Number, Description, and Definitions. Includes items like 8.04.010 Types of licenses, 8.04.030 Event Permit Authorized Fees, 8.04.033 Term of license, 8.04.035 Application of license, 8.04.036 Licensee to consent to police inspection, 8.04.037 Investigation of applicant, 8.04.040 Eligibility for license, 8.04.041 License not to be granted when real estate taxes delinquent, 8.04.043 Nontransferable - City Council to approve location changes, 8.04.044 One license to a person, 8.04.045 Location of premises, 8.04.046 Disposition of license fees, 8.04.047 Consumption of liquor on premises, 8.04.048 Revocation or Suspension of licenses, 8.04.049 Hours and time of sales, 8.04.051 Selling or dispensing intoxication liquor, 8.04.081 Under twenty-one not to enter upon licensed premises; exceptions, 8.04.220 Licensee to conduct business in orderly manner, 8.04.221 Sanitary requirements, 8.04.230 Number limited - Classes of Beer Licenses, 8.04.232 Sale of Beer in street, 8.04.233 Enforcement, 8.04.240 Effective date.

\*For state law as to the regulation and licensing of alcoholic beverages, see N.D.C.C. 40-05-01(29). See also, N.D.C.C. 5-02.

\*For state law empowering a Home Rule City to adopt and enforce ordinances, please see N.D.C.C. 40-05-1-06, subsections (5), (7), (8), (9), and (11).

8.04.010 Definitions 1."Alcoholic beverages" shall mean any liquid suitable for drinking by human beings, which contains one-half (1/2) of one (1) per cent or more of alcohol by volume

2."Beer" means any malt beverage containing one-half of one percent or more of alcohol by volume.

3."Business Days" shall mean Monday through Friday.

4."Consumption" shall mean the act of consuming alcoholic beverages

5."Intoxicating liquor" and "liquor" whenever used in this chapter, mean and include such alcohol or alcoholic beverages as defined by the Liquor Control Act of North Dakota or any amendments or acts supplementary thereto.

6."Licensed premises" shall mean the premises on which beer, liquor, or alcohol beverages are normally sold or dispensed and must be delineated by diagram or blueprint which must be included with the license application or the license renewal application.

7."Lodge or club" shall mean and include any corporation or association organized for civic, fraternal, social, or business purposes, or for the promotion of sports, which has at least two hundred (200) members at the time a license is applied for pursuant to this chapter, and was in existence at the time of the adoption of the Liquor Control Act for the state. For the purposes of this section, the date of the adoption of the Liquor Control Act of the state shall be November 3, 1936.

8."Music festival" means a musical performance by one or more groups held out of doors with the audience being present primarily for the purpose of listening to music.

9."Off sale" means the sale of intoxicating liquor in original packages for consumption off or away from the premises where sold, and a license permitting off sales shall authorize the person or persons named therein to make such off sales at the place designated in such license and not elsewhere.

10."On-sale" shall mean and include the sale of alcoholic beverages for

consumption on the licensed premises where sold.

11."Package" and "Original package" mean and include any container or receptacle holding liquor, which container or receptacle is corked or sealed by the manufacturer thereof and which cork or seal has not been removed or broken prior to the sale of such package to the purchaser.

12."Person" shall mean and include persons, partnerships, unincorporated associations, and bodies corporate.

13."Public concert" means a musical performance by one or more groups held indoors where the audience is seated by reserve or general admission with the audience being present primarily for the purpose of listening to music and the location of such musical performance having a seating capacity of at least one thousand people

14."Public dance" means any dance where the public may participate and is present primarily for the sole purpose of dancing and where the location of the dance has a capacity of at least one hundred people.

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 person 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" for the purposes of this chapter, 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. 398, 2015; Rev. Ord. 418, 2019)

8.04.020 Types of licenses. Licenses granted under the provisions of this chapter shall be: Retail License. Licenses for the sale of beer at retail, as provided in this chapter, shall permit both off-sale and on-sale, or on-sale, or off-sale of beer.(Ord.398, 2015)

8.04.030 License required. It is unlawful for any person, firm or corporation to engage in the sale of beer as defined herein within the city without first obtaining a license so to do as provided in this chapter.

8.04.031 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 licensee's 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

(3) 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.

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

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

(6) 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

(7) Any person who dispenses, sells, or permits the consumption of alcoholic beverages in violation of this section or the condition 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. (Ord. 398, 2015, Ord. 418, 2019)

8.04.033 Fees. 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 beer license fees shall be two-hundred dollars (\$200.00) per year

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

(3) Class C: Retail Beer for on-sale and off-sale beer license fees shall be two-hundred fifty dollars (\$250.00) per year.

(4) Class D: Hotels or Motels for on-sale and off-sale beer license fees shall be two-hundred fifty dollars (\$250.00) per year.

(5) Class E: Restaurants Retail Beer for on-sale beer license fees shall be two hundred dollars (\$200.00) per year. (Ord. 418, 2019)

8.04.034 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.

8.04.035 Application of license. Any person desiring a license to sell intoxicating liquor at retail or wholesale as described in Section 8.04.033 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 8.04.033. 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 must be a legal resident of the United States and of good moral character; (2) The general partners and limited partners: (a) If individuals, must be legal residents of the United States and of good moral character; and (b) If 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.

d.A general partnership, then: (1) The manager of the licensed premises must be a legal resident of the United States and of good moral character; (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. (3) The applicant must first be properly registered with the secretary of state.

(1) The licensee violates the state law as to the regulation and licensing of alcoholic beverages or any other 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. The 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 legal 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

shop 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 418)

8.04.041 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 such person or persons. (2019 Ord 418)

8.04.043 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. (2019 Ord 418)

8.04.044 One license to a person. No licensee shall be permitted to hold more than one (1) license under this article per premises (2019 Ord 418)

8.04.045 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. (2019 Ord. 418)

8.04.046 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. (2019 Ord 418)

8.04.047 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. (2019 Ord. 418)

8.04.048 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 other 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. The 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 legal 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 8.04.049, 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. 418, 2019).

8.04.049 Hours and time of sales. 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 provide off sale after two a.m. 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. 418)

8.04.051 Selling or dispensing intoxication 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 whether such person is single or married, to enter or be in or upon such licensed premises, or any part or portion thereof, nor shall such 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. Whoever 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)

8.04.081 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 8.04.031. (Ord. 398, 2015)

8.04.220 Licensee to conduct business in orderly manner. A licensee under this chapter shall at all times conduct and maintain his place of business in a clean, orderly, and respectable manner.

8.04.230 Number limited - Classes of Beer Licenses. (a) Class A: Clubs To any club or lodge, as defined, an on-sale beer license.

(b) Class B: Package Store Unlimited off-sale beer licenses in the city. (c) Class C: Retail Beer Unlimited on-sale and off-sale beer licenses

(d) Class D: Hotels and Motels Each hotel or motel providing guest rooms with dining facilities, exclusive of the liquor facility, as a part of such motel or hotel operation, shall be entitled to Class D license(s) as follows:

(1) An on-sale and off-sale beer license, to any one person, firm or corporation; or

(2) A separate on-sale beer license and a separate off-sale beer license may be issued to separate entities so long as both entities do business within the motel or hotel complex;

(3) A motel or hotel complex having only one license under this provision may have an on-sale and off-sale beer license.

(e) Class E: Restaurants or Eating Establishments Retail Beer Unlimited On-sale beer license to each restaurant or eating establishment provided such restaurant or eating establishment is constructed so that minors not accompanied by adults are seated in an area separated from the area where beer is served. (Ord. 398, 2015; Ord. 404, 2017; Ord 418, 2019)

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