

ORDINANCE NO. 74

Ordinance amending Ordinance No. 36 of the Village, now City, of Glyndon, Minnesota, and relating to the licensing and regulating of the sale and consumption of intoxicating liquor.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLYNDON
AS FOLLOWS:

Section 1. All ordinances enacted prior hereto establishing a municipal liquor dispensary for and in the Village, now City, of Glyndon, Minnesota, and all other ordinances enacted hereto concerning the subject matter of this ordinance are herewith repealed.

Section 2. The provisions of Minnesota Statutes, Chapter 340, with reference to the definition of terms, application for license, sales, conditions of bonds of licenses, restrictions on consumption, provisions on sales, conditions on bonds of licensees, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor are hereby adopted and made a part of this ordinance as is fully set out herein.

Section 3. No person, except wholesalers or manufacturers, to the extent authorized under State license, shall directly or indirectly deal in, sell, or keep for sale any intoxicating liquor without first having received a license to do so as provided in this ordinance. Licenses shall be of two kinds; namely, "on sale" and "off sale". Not more than four "on sale" licenses and four "off sale" licenses shall be granted by the City of Glyndon at any one time. An "off sale" license may be issued to a holder of an "on sale" license.

Section 4. Every application for a license to sell liquor shall be verified and filed with the City Clerk. It shall state the name of the applicant, his or her age, representations as to character where such references may be required, his citizenship, whether the application is for an "on sale" or for an "off sale" license, the business in connection with which the proposed license will operate, its location, whether the applicant is the owner and operator, how long he has been in that business at that place, and such other information as the City Council may require from time to time. In addition to containing such information, each application for a license shall be in a form prescribed by the Liquor Control Commissioner. Any false statements made in the application for license shall be grounds for the denial of the same.

Section 5. Each application for a license shall be accompanied by a surety bond as provided in Minnesota Statutes, Chapter 340. The surety bond for an "off sale" license shall be in a sum of \$1,000.00 and the surety bond for an "on sale" license shall be in the sum of \$3,000.00. Such surety offered under this ordinance shall be approved by the City Council, and in the case of an applicant for an "off sale" license shall be approved by the State Liquor Control Commissioner. Any operation of either an "off sale" or an "on sale" liquor business, without having on file at all times with the City Council an effective bond as herein provided, shall be grounds for immediate revocation of the license.

Section 6. Each application for a license shall be accompanied by a receipt from the City Clerk in the sum of \$2,000.00 for an "on sale" license and by a receipt in the sum of \$100.00 for an "off sale" license.

Section 7. No license shall be granted to or held by any person made ineligible for such a license by State law. No license shall be issued to an individual who is a non-resident of the City of Glyndon. No license shall be issued for any place or for any business ineligible for such a license under State law. No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the City are delinquent and unpaid.

Section 8. Every licensee shall be responsible for the conduct of his place of business and the conditions of sobriety and order in it. No sale of liquor shall be made to anyone on credit. Any peace officer, health officer, or other properly designated officer or employee of the City shall have the unqualified right to enter, inspect, and search the premises of the licensee during business hours without a warrant.

Section 9. No minor shall misrepresent his age for the purpose of obtaining intoxicating liquor. No person shall induce a minor to purchase or procure liquor. No person shall mix or prepare liquor for consumption in any public place or places of business not licensed to sell liquor "on sale", and no person shall consume liquor in any such place. No liquor shall be sold or consumed on a public highway or in an automobile.

Section 10. The City Council may suspend or revoke any liquor licensee for violation of any provision or condition of this ordinance or any State law regulating the sale of intoxicating liquor and shall revoke such license if the licensee willfully violates any provisions of Minnesota Statutes, Chapter 340. Except in the case of a suspension pending a hearing on revocation, revocation or suspension by the City Council shall be preceded by written notice to the grantee with right to a public hearing. The notice shall give at least eight (8) days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The City Council may, without any advance notice, suspend any license pending a hearing on revocation for a period not exceeding thirty (30) days.

Section 11. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500.00 or imprisonment in the City or County jail for not more than 90 days, or both, plus the costs of the prosecution in either case.

Section 12. Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

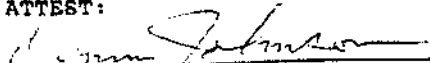
Section 13. This ordinance shall be in full force and effect from and after May 1, 1980, and its publication according to law.

Enacted by the City Council of the City of Glyndon, Minnesota,

this 17 day of September, 1979.


Dennis Wahl, Mayor

ATTEST:


Dennis Johnson, City Clerk