

LAWRENCE COUNTY RESOLUTION #2021-__

A RESOLUTION SETTING THE NUMBER AND FEE FOR PACKAGE OFF-SALE LIQUOR
LICENSES PURSUANT TO SDCL 35-4-11.1

WHEREAS, the Legislature of the State of South Dakota has provided for the approval package off-sale liquor by the boards of county commissioners of the counties of said State pursuant to SDCL Title 35 as amended; and

WHEREAS, SDCL 35-4-11.1, as amended, provides that the board of county commissioners shall on or before the first of September in each year determine by ordinance or continuing resolution the number of package off-sale liquor licenses (other than malt beverage) it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses; and

WHEREAS, the maximum number of package off-sale licenses issued outside municipalities are based upon the population of the county outside incorporated municipalities and improvement districts. However, the maximum allowable licenses need not be the number which the county commissioners need authorize; and

WHEREAS, Lawrence County now qualifies for six (6) package off-sale liquor licenses, making four (4) additional licenses available for issuance July 1, 2021; and

WHEREAS, the Lawrence County Board of County Commissioners wishes to make the licenses available to qualified applicants on a first-come, first-served basis.

NOW, THEREFORE, BE IT RESOLVED, that the Lawrence County Board of County Commissioners hereby shall approve a maximum of six (6) package off-sale liquor licenses outside municipalities; and

BE IT FURTHER RESOLVED, that the fee for issuance of a new package off-sale liquor license shall be \$ _____; and

BE IT FURTHER RESOLVED, that the following rules are applicable to the issuance of new package off-sale liquor licenses:

1. Applicants may apply for the package off-sale liquor license starting on July 1, 2021.
2. An application packet shall include the following:

A. Uniform Alcoholic Beverage Application. Such application shall be fully completed according to its instructions and bear the necessary original signatures.

B. License Purchase Fee. License purchase fee in the amount of \$ _____ shall be presented at the time of application.

C. Law Enforcement Background Check. Applicant shall pass a background check performed by the Lawrence County's Sheriff's Office and the South Dakota DCI.

3. An applicant shall meet the requirements for issuance of a license found in SDCL Ch. 35-2.
4. The new package off-sale liquor licenses shall be offered on a first-come, first-served basis. In the event a first-come, first-served applicant is not able to meet the licensing requirements found in SDCL Ch. 35-2 and/or is otherwise disqualified, the next first-come, first-served applicant who submits a complete application and who is otherwise qualified consistent with the rules provided herein, shall be next considered.

BE IT FURTHER RESOLVED, that this resolution shall become effective July 1, 2021 and continue in effect until repealed.

Dated this _____ day of June, 2021.

ATTEST:

FOR THE BOARD:

Brenda McGruder, AUDITOR

Richard Sleep, CHAIRMAN