

**BELTRAMI COUNTY ORDINANCE FOR THE LICENSING
AND REGULATION OF THE SALE OF ALCOHOLIC BEVERAGES
(Ordinance #44)**

THE COUNTY OF BELTRAMI DOES ORDAIN:

Section I. PROVISIONS OF STATE LAW ADOPTED

The provisions of Minnesota Statutes, Chapter 340A, relating to the definition of terms, licensing, consumption, sales, conditions of bonds of licensees, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of off-sale intoxicating liquor are adopted and made a part of this Ordinance as if fully set out in this Ordinance.

Section II. DEFINITIONS

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. **Alcoholic beverage** means any beverage containing more than one-half of one percent alcohol by volume.
2. **Applicant** means any person making an application for a license under this Ordinance.
3. **Application** means a form with blanks or spaces thereon, to be filled in and completed by the applicant as a request for a license, furnished by the County and uniformly required as a prerequisite to the consideration of the issuance of a license under this Ordinance.
4. **Beer.** See *3.2 percent malt liquor*.
5. **Church** means a building that is principally used as a place where persons of the same faith regularly assemble for public worship.
6. **Club** means any corporation duly organized under the laws of this state for civic, fraternal, social, or business purposes or for intellectual improvement or for the promotion of sports, or a congressionally chartered veterans' organization, which shall have more than 30 members, and shall, for more than a year, have owned, hired, or leased a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable accommodation of its members, and whose affairs and management are conducted by a board of directors, executive committee, or other similar body chosen by the members at a meeting held for that purpose, none of whose members, officers, agents, or employees are paid directly or indirectly any compensation by way of profit for the distribution or sale of beverages to the members of the club, or to its guests, beyond the amount of such reasonable salary or wages as may be fixed and voted each year by the members or other governing body.

7. **Fraternal club** means a club which serves only members and their guests and which uses any profits derived from liquor sales principally for sponsoring activities beneficial to the community and not for the profit of any individual and which has been in existence for 15 years or more or to a congressionally chartered veterans' organization which has been in existence for five years. Such club, either of which in order to be eligible, must be incorporated to come within this definition.

8. **Hotel** means an establishment where food and lodging are regularly furnished to transients and which has:

(1) At least 10 guest rooms in the following minimum numbers; and

(2) A dining room serving the general public at tables and having facilities for seating at least 30 guests at one time.

9. **Intoxicating liquor and liquor** mean ethyl alcohol and distilled, fermented, spirituous, vinous and malt beverages containing in excess of 3.2 percent of alcohol by weight.

10. **License** means a document, issued by the County, to an applicant permitting the applicant to carry on and transact the business stated therein.

11. **License fee** means the money paid to the County pursuant to an application and prior to issuance of a license to transact and carry on the business stated therein.

12. **Licensee** means an applicant who, pursuant to an approved application, holds a valid, current, unexpired license, which has neither been revoked nor suspended, during the period of such suspension, from the County for carrying on the business stated therein.

13. **Manufacturer** means every person, except an on-sale licensee under this Ordinance, who, by any process of manufacture, fermenting, brewing, distilling, refining, rectifying, blending, or by the combination of different materials, prepares or produces liquors, wine or beer for sale.

14. **Off-sale** means the retail sale of beer or liquor in original packages for consumption off or away from the premises where sold.

15. **On-sale** means the retail sale of alcoholic beverages for consumption on the premises where sold only.

16. **Package and original package** mean any container or receptacle holding liquor, wine or beer, which container or receptacle is corked, capped or sealed by a manufacturer or wholesaler.

17. **Restaurant** means an establishment, other than a hotel, under the control of a single proprietor or manager, having appropriate facilities for the serving of meals, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, which employs an adequate staff to provide the usual and

suitable service to its guests, which shall have seating facilities for seating not less than 30 guests at one time.

18. **Sale, sell and sold** mean all barters and all manner or means of furnishing beer, wine or liquor to persons, including such furnishing in violation or evasion of law. Sale does not include the furnishing of wine under the terms of Minnesota Stat. § 340A.4011 by a Bed and Breakfast Facility.

20. **3.2 percent malt liquor**, also referred to as "beer," means malt liquor containing not less than one-half of one percent alcohol by volume nor more than 3.2 percent of alcohol by weight.

21. **Wholesaler** means any person engaged in the business of selling liquor, wine or beer to retail dealers.

22. **Wine** means as defined in Minn. Stat. § 340A, Subd. 29.

Section III. JURISDICTION

The provisions of this Ordinance apply to all premises licensed to under Minnesota Statutes Chapter 340A located outside the boundaries of any statutory or home-rule city.

Section IV. LICENSE REQUIRED

No person, except a wholesaler or manufacturer to the extent authorized under state license, shall directly or indirectly deal in, sell or keep for sale in Beltrami County any alcoholic beverage without a license to do so as provided by state law and this Ordinance.

Consumption and Display (Set Up) Permits are subject to the provisions of Minn. Stat. 340A.414.

Section V. LICENSING PROCESS

(a) *Generally.* All applications for licenses required under this Ordinance shall be made at the office of the County Auditor upon forms prescribed by the County, together with such additional information as the County may require. Information required may vary with the type of business organization making application. All questions asked or information required by the application forms shall be answered fully and completely by the applicant.

(b) Information Required. Every application for a license shall be in writing to Beltrami County (County) upon such forms as the County may from time to time require and as may be required by the State of Minnesota. The application shall be filed with the Beltrami County Auditor and shall set forth, in addition to other information as may from time to time be required by the County, the following information:

1. If the applicant is an individual, the name, date, place of birth, and place of residence of the applicant.

2. If the applicant is a corporation, the name, state of incorporation, and date of incorporation of the corporation. The name, age, date and place of birth, and place of residence of all members of the Board of Directors, the stockholders and officers of the corporation.

3. If the applicant is a partnership, the name of such partnership, the address of its principal office, and the name, age, date and place of birth, and place of residence of all partners, whether they are general partners or limited partners.

4. The name, age, date and place of birth, and place of residence of the manager, principal operator, or other person who will be conducting and/or managing the premises for which the application for the license is sought.

5. The name, age, date and place of birth, and place of residence of any person having any financial interest in the business other than as an owner, stockholder, director, partner or resident manager.

6. A map showing the exact location of the property upon which the building structure shall be located and a complete and detailed site plan including the dimensions of the lot, location of the building on the lot, the location and dimensions of all parking facilities, proposed lighting for the parking area, details of the entrance and exits to the site from existing roadways, entrances and exits from the building to the parking lot areas, and size and location of all signs, and a complete and detailed floor plan of the building.

7. Whether the applicant has ever engaged in a similar business and, if so, the location thereof and the date when so engaged.

8. A complete and detailed descriptions of the nature of the business operation to be conducted on the premises, if a license is granted.

9. A complete listing of any and all convictions relating to any violations of state law or ordinances of any jurisdiction for the use or consumption of intoxicating liquor or non-intoxicating malt liquor and a complete listing of any and all gross misdemeanor and/or felony convictions, whether alcohol related or not.

10. The applicant, the resident manager, and any other person required by the County during the course of the County's investigation of the application shall, if requested by the County, furnish as a part of the application fingerprints for

the aid and assistance of the County in conducting its investigation.

11. *Corporate applicants and licensees.* A corporate applicant, at the time of application, shall furnish the County with a list of all persons who have an interest in such corporation and the extent of such interest. The list shall name all shareholders and shall show the number of shares held by each, either individually or beneficially for others. It is the duty of each corporate licensee to notify the County of any change in legal ownership or beneficial interest in such corporation or in such shares. Any change in the ownership or beneficial interest in the shares entitled to be voted at a meeting of the shareholders of a corporate licensee, which results in the change of voting control of the corporation by the persons owning the shares therein, shall be deemed equivalent to a transfer of the license issued to the corporation, and any such license shall be revoked 30 days after any such change in ownership or beneficial interest of shares unless the County has been notified of the change in writing and has approved it by appropriate action. The County, or any officer of the County designated by it, may at any reasonable time examine the stock transfer records and minute books of the corporate licensee in order to verify and identify the shareholders, and the County or its designated officer may examine the business records of any other licensee to the extent necessary to disclose the interest which persons other than the licensee have in the licensed business. The County may revoke any license issued upon its determination that a change of ownership of shares in a corporate licensee or any change of ownership of any interest in the business of any other licensee has actually resulted in the change of control of the licensed business so as materially to affect the integrity and character of its management and its operation, but no such action shall be taken until after a hearing by the County on notice to the licensee.

(c) *False statements in application.* It is unlawful for any applicant for a license required under this Ordinance to intentionally make a false statement or omission upon any application form. Any false statement in such application or any willful omission to state any information called for on such application form shall, upon discovery of such falsehood, work an automatic refusal of the license or, if already issued, shall render any license issued pursuant thereto void and of no effect.

(d) Investigation Expense. The applicant for an initial license shall be responsible for the cost of investigation conducted in connection with the processing of the application for a license. The County shall be empowered, and the applicant shall be obligated to pay for, employment by the County of any private investigative firm to accomplish the required investigation. Upon completion of said investigation, a written statement of time and expenses shall be prepared. The cost of an in-state investigation of an application shall not exceed Five Hundred Dollars (\$500.00) and the cost of an out-state investigation of an application shall not exceed Five Thousand Dollars (\$5,000.00). In connection with an application for a license, a minimum investigation fee of One Hundred Dollars (\$100.00) shall be charged to the applicant. All investigation fees shall be paid by the applicant prior to the issuance of a license if the applicant is approved by the County. If the license is denied, all investigation fees shall be deducted from the

amount deposited with the County Auditor upon filing of the application. The balance of said amount shall then be returned to the unsuccessful applicant.

(e) *Action on application.*

(1) The County shall investigate, to the extent it deems necessary, all facts set out in the application. Licenses shall be approved at a regular meeting of the County Board, and shall be designated on the agenda for that regular meeting in the same manner as is other official business of the County and shall be published in the same fashion as are all other agenda items not requiring special notice, and at the time of said meeting opportunity shall be given to any person to be heard for or against the granting of a license. After the investigation and hearing, the County shall, in its discretion, grant or refuse any application. The County shall not be required to provide any reasons for the denial of any application. No license shall become effective until it has been issued by the Commissioner of Public Safety.

(2) Prior to the approval of an initial application for an off-sale intoxicating liquor license, the County Board shall hold a public hearing in accordance with the provisions of Minn. Stat. § 340A.405 Subd. 2(d).

(3) No off-sale intoxicating liquor license shall be approved without the County receiving a resolution of support for the license from the township in which the licensed premises are located.

(4) *Issuance.* If an application is approved, the County shall forthwith approve a license pursuant thereto in the form prescribed by the County or the proper department of the state, as the case may be, and upon payment of the license fee. All licenses shall be on a calendar-year basis unless otherwise specified in this Ordinance or state law. Licenses shall be valid only at one location and on the premises therein described.

(5) *Transfer.* A license may be transferable between persons only upon the consent of the County and payment of the investigation fee and a duplicate license fee. No license shall be transferable to a different location without prior consent of the County. It is unlawful to make any transfer in violation of this subsection. The term "transfer," as used in this subsection, excludes change in the type of business organization where there is no change in the beneficial interest in the license.

(6) *License Extension; Death of Licensee.* In the case of the death of a licensee, the personal representative is authorized to continue operation of the business for not more than 90 days after the death of the licensee, pursuant to Minn. Stat. § 340A.410, Subd. 3.

(7) *Refusal and termination.* The County may, in its sole discretion and for any reasonable cause, refuse to grant any application. No license shall be granted to a person of questionable moral character or business reputation. Licenses shall terminate only by expiration or revocation.

(8) *Opening of business.* For an establishment which is not open for business at the time of the approval of the license by the County, the establishment shall open for business within 30 days of the opening date specified in the license application. If the establishment does not open within the prescribed time and the County does not extend the time, the approval previously granted shall be deemed rescinded, and reapplication shall be required. The application fee will be refunded, but the investigation fee will be retained by the County.

(f) *Duplicates.* Duplicates of all original licenses issued under this Ordinance may be issued by the County without action by the County, upon the licensee's affidavit that the original has been lost and upon payment of the currently required fee for issuance of the duplicate. All duplicate licenses shall be clearly marked "duplicate."

(g) *Posting.* All licensees under this Ordinance shall conspicuously post their licenses in their places of business.

(h) *Resident manager or agent.* Before a license is approved under this Ordinance for an individual who is a nonresident of the county, to more than one individual whether or not they are residents of the county, or to a corporation, partnership, or association, the applicant shall appoint in writing a natural person who is a resident of the county as manager or agent. Such resident manager or agent shall, by the terms of his written consent, (i) take full responsibility for the conduct of the licensed premises, and (ii) serve as agent for service of notices and other process relating to the license. Such manager or agent must be a person who, by reason of age, character, reputation, and other attributes, could qualify individually as a licensee. If such manager or agent ceases to be a resident of the county or ceases to act in such capacity for the licensee without appointment of a qualified successor, the license issued pursuant to such appointment shall be subject to revocation or suspension.

(i) *Persons disqualified.* In addition to any other provision of law, no person shall qualify for a license required under this Ordinance who has been convicted within the past five years of violating any law relating to the manufacture, sale or distribution of beer, liquor or wine or whose license therefore has been revoked within such period of time. No person shall qualify as a licensee who has not attained the age of 21 years or who is not a citizen of the United States or a lawful resident alien.

(j) *Renewal.* Applications for renewal of all licenses issued under this Ordinance shall be made at least 30 days prior to the date of expiration of the license and shall contain such information as is required by the County. This time requirement may be waived by the County for good and sufficient cause.

The County may, in its sole discretion, waive such portions of the information required under Section V (b) of this Ordinance upon the certification by the applicant that the information required has not changed since the initial application.

(k) *Delinquent taxes and charges.* No license required under this Ordinance shall be granted or renewed for operation on any premises on which taxes, assessments, or other financial claims of the County are delinquent and unpaid.

(l) *Limitation of ownership.* No person shall be granted a license under this Ordinance at more than one location. For the purpose of this section, any person owning an interest of five percent or more of the entity to which the license is issued or such ownership by a member of his immediate family shall be deemed to be a licensee. For the purpose of this section, the term "immediate family" shall mean spouse, parents, siblings or descendants.

(m) *Conditional licenses.* Notwithstanding any provision of law to the contrary, the County may, upon a finding of the necessity therefore, place such special conditions and restrictions, in addition to those stated in this Ordinance, upon any license as it, in its discretion, may deem reasonable and justified.

(n) *Premises licensed.* Unless expressly stated therein, or as allowed by state law, a license issued under this Ordinance shall be valid only in the compact and contiguous building or structure situated on the premises described in the license, and all transactions relating to a sale under such license must take place within such building or structure.

(o) *Inspections.*

(1) All premises licensed under this Ordinance shall at all times be open to inspection by the County or any peace officer to determine whether or not this Ordinance and all other laws are being observed. All persons, as a condition to being issued such license, consent to such inspection by such officers and without a warrant for searches or seizures.

(2) It is unlawful for any licensee, or agent or employee of a licensee, to hinder or prevent such inspection.

(p) *Financial responsibility of licenses.* No license shall be issued or renewed unless and until the applicant has provided proof of financial responsibility imposed by Minn. Stat. § 340A.409, by filing a certificate that there is in effect an insurance policy or pool providing minimum coverages of (i) \$50,000.00 because of bodily injury to any one person in any one occurrence and \$100,000.00 because of bodily injury to two or more persons in any one occurrence and in the amount of \$10,000.00 because of injury to or destruction of property of others in any one occurrence, and (ii) \$50,000.00 for loss of means of support of any one person in any one occurrence and \$100,000.00 for loss of means of support of two or more persons in any one occurrence.

State law references: Minn. Stat. § 340A.409.

(q) *Insurance certificate requirements.* Whenever an insurance certificate is required by this Ordinance, the applicant shall file with the County a certificate of insurance showing the following:

(1) The limits are at least as high as required;

(2) Coverage is effective for at least the license term approved; and

(3) Such insurance will not be cancelled or terminated without 30 days' written notice served upon the County. Cancellation or termination of such coverage shall be grounds for license revocation.

Section VI. LICENSE FEES.

(a) *Fees.* The annual fee for a license shall be as set from time to time by the Beltrami County Board by resolution.

(b) *Payment.* Each application for a license shall be accompanied by a receipt from the County Auditor for payment in full of the license fee. All fees shall be paid into the general fund. If an application for a license is rejected, the County Auditor shall refund the amount paid as the license fee.

(c) *Term: Annual Fee.* Unless otherwise stated or required by statute, any license approved under this Ordinance shall be issued for a period of one year, or such shorter period of time as may exist between the date of issuance of the license and the last day of December of the year of issue. There will be no pro rata fee in the case of licensure for a period of time less than one year.

(d) *Refunds.* No refund of any fee shall be made except as authorized by statute or this Ordinance.

(e) *Renewal.* All renewal applications for previously issued licenses shall be received no later than 30 days prior to the expiration date of such license. Failure to make a timely application may, in the discretion of the County, be sufficient cause for denial of renewal of a license or the imposition of a penalty for late filing of up to One Hundred Dollars (\$100.00).

Section VII. CONDITIONS OF LICENSE

(a) *General.* Every license is subject to the conditions in the following subsections and all other provisions of this Ordinance and any other applicable ordinance, state law, or regulation.

(b) No license shall be granted to a wholesaler or manufacturer of liquor or to anyone holding a financial interest in such manufacture or wholesaling.

(c) No license shall be effective until a permit shall be issued to a licensee under the laws of the United States or the State of Minnesota, if such permit is required under such laws or by the state.

(d) No gambling or gambling device shall be permitted on any licensed premises, except such as are licensed under state law.

(e) No person under the age of 18 years shall be employed upon premises or in any rooms constituting the premises, except that persons under the age of 18 years may be employed as musicians or to perform the duties of table clearing or dishwashing services in places defined as a restaurant, hotel or motel.

(f) No licensee shall sell, offer for sale, or keep for sale alcoholic beverage in any original package that has been refilled or partly refilled.

(g) No licensee shall display for sale any alcoholic beverage to the public during hours when the sale of alcohol is prohibited.

(h) No license shall be granted for a premises within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections or within 1,500 feet of a state university, except that a temporary on-sale liquor license may be issued to a location on the grounds of a state university for an event sponsored or approved by the state university.

(i) Every license shall be granted subject to the provisions of this Ordinance and all other laws relating to the operation of the licensed business.

(j) No restaurant holding an on-sale liquor license issued by the County and which on-sale liquor licensee is also a brewer licensed by the state under Minn. Stat. § 340A.301, subd. 6(d), shall be permitted to sell at off-sale any malt liquor produced on the licensed premises for on-sale purposes.

(k) *Display during prohibited hours.* No establishment shall display for sale any liquor or 3.2 percent malt liquor to the public or permit consumption of liquor more than one-half hour after the hour when the sale of liquor is prohibited. All customers shall be cleared from the licensed premises promptly at the end of one-half hour after the last hour that sale of liquor is permitted. This section shall not apply to licensees who are operating bona fide restaurants under license by the state, provided that no such display or consumption of intoxicating liquor or 3.2 percent malt liquor shall occur more than one-half hour after the hour permitted for the sale of intoxicating liquor or 3.2 percent malt liquor. All employees of a licensee shall be responsible for enforcement of this section while they are present in the licensed establishment.

(l) *Conduct on licensed premises.* Except as otherwise provided herein, every licensee under this Ordinance shall be responsible for the conduct of the licensed place of business and shall maintain conditions of sobriety and order therein.

(m) *Sale by employee.* Any sale of beer, wine or liquor in or from any premises licensed under this Ordinance by any employee authorized to make such sale in or from such place is the act of the employer as well as of the person actually making the sale, and every such employer is liable to all of the penalties provided by law for such sale equally with the person actually making the sale.

(n) *Proof of age.* For the purposes of consuming, purchasing or possessing beer, wine or liquor, age may only be established by a valid driver's license or a current identification card from the state issued pursuant to Minn. Stat. § 171.07, or a valid driver's license or identification card issued by the state, another state or a province of Canada. Age may also be established by a valid military identification card issued by the U.S. Department of Defense or a valid U.S. passport. For a foreign national, a valid passport is the only acceptable proof of age.

State law references: Similar provisions, Minn. Stat. § 340A.503, subd. 6.

Section VIII. HOURS AND DAYS OF SALES

No sale of any alcoholic beverage shall be made other than during hours and on those days as allowed by Minn. Stat. § 340A.504, except that no sale of alcohol shall be made after 1:00 a.m. on any day of the week, unless permitted under Minn. Stat. § 340A.504 Subd. 7 (sales between 1:00 a.m. and 2:00 a.m.)

Section IX. SUNDAY SALES

A Sunday on-sale liquor license may be issued to hotels, motels, restaurants and clubs, as defined in this Ordinance, which have facilities for serving not less than 30 guests at one time. The hours of such sales shall be from 10:00 a.m. on Sunday to 1:00 a.m. on Monday (sales between 1:00 a.m. and 2:00 a.m.) if licensed under 340A.504 Subd. 7 in conjunction with the serving of food.

State law references: Sunday sales authorized, Minn. Stat. § 340A.504, subd. 3.

Section X. TEMPORARY LICENSE

(a) *Applicant.* A state university, a political committee registered under Minn. Stat. § 10A.14, or a club or charitable, religious, or nonprofit organization, duly incorporated as a nonprofit or religious corporation under the laws of the state, and having its registered office and principal place of activity within the County and having been in existence for at least three years, shall qualify for a temporary on-sale license in connection with a social event sponsored by the licensee.

(b) *Conditions.* Conditions of the license shall be as follows:

- (1) An application for a temporary license shall state the exact dates and place of the proposed temporary sale.
- (2) No applicant shall qualify for a temporary license for more than four consecutive days.
- (3) A license may be issued for sales on premises other than premises which the licensee owns or permanently occupies.
- (4) The license may provide that the licensee may contract for catering services with the holder of a full year on-sale intoxicating liquor license issued by the County. In this case the full year on-sale intoxicating liquor licensee shall be stated in the application and the license.
- (5) The County may, but at no time shall it be under any obligation whatsoever to, grant a temporary license on premises owned or controlled by the County. Any such license may be conditioned, qualified or restricted as the County may determine. The applicant shall file with the County, prior to issuance of the license, a certificate of liability insurance coverage in at least the sum of \$100,000.00 for injury to any one person and \$300,000.00 for injury to more than one person, and

property damage of at least \$10,000.00, naming the County as an insured during the license period.

(6) The license shall be subject to the payment of a license fee as set by this Ordinance.

(7) The licensee shall be subject to all laws and County ordinances governing the sale of alcoholic beverages, except Minn. Stat. § 340A.409, subd. 4, and those laws and ordinances which, by their nature, are not applicable.

(8) Licenses under this section are not valid unless first approved by the commissioner of public safety.

Section XI. REVOCATION OR SUSPENSION

The County may, in its sole discretion and for any reasonable cause, suspend for a period not to exceed 60 days, or revoke any license granted under this Ordinance. The County shall revoke the license upon conviction of any licensee or agent or employee of a licensee for violating any law relating to the sale or possession of beer, wine or liquor upon premises of the licensee or if such revocation is mandatory by statute. If it shall be made to appear at the hearing thereon that such violation was not willful, the County may order suspension, provided that revocation shall be ordered upon the third such violation or offense. No suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing before the County, a committee of the County, or a hearing examiner, as may be determined by the County in the action calling for the hearing. Such hearing shall be called by the County upon written notice to the licensee served in person or by certified mail not less than 15 nor more than 30 days prior to the hearing date, stating the time, place and purpose thereof.

As additional restrictions or regulations on licensees under this Ordinance and in addition to grounds for revocation or suspension stated in this Ordinance or statute, the following shall also be grounds for such action:

1. The licensee suffered or permitted illegal acts upon the licensed premises unrelated to the sale of beer, wine or liquor, with such act or acts resulting in a criminal conviction; or
2. The licensee had knowledge of such illegal acts upon the licensed premises, but failed to report the illegal acts to police; or
3. The licensee failed or refused to cooperate fully with police in investigating such alleged illegal acts upon the licensed premises; or
4. The licensee engages in or permits a pattern or practice of conduct on the licensed premises to the extent that such conduct would make the licensee ineligible for licensure under this ordinance or Minnesota Statutes Chapter 340A.

Section XII. VIOLATIONS

(a) General. Every person who violates a section, subsection or provision of this Ordinance by performing an act thereby prohibited or declared unlawful or who fails to act when such failure is thereby prohibited or declared unlawful shall be guilty of a misdemeanor, except as otherwise stated in specific provisions of this Ordinance or statute.

State law references: Violations and penalties of the state liquor act, Minn. Stat. § 340A.701 et seq.

Section XIII. INTREPETATION; SEVERABILITY

In the interpretation and application, the provisions of this Ordinance shall be held to minimum requirements and shall be liberally construed in favor of the purpose and intent of this Ordinance. If any section, clause, provision or portion of this Ordinance is adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section XIV. ADOPTION OF ORDINANCE

The Beltrami County Ordinance for the Licensing and Regulation of the Sale of Alcoholic Beverages is hereby adopted by the Beltrami County Board of Commissioners this 7th day of August, 2007.

First reading: 4-17-07

Public Hearing 5-15-07

Second reading: 5-15-07

Third reading: 7-17-07

Passed: 8-7-07

Isl Jim Heeter
Chair, Beltrami County Board
of Commissioners

ATTEST: Isl Tony Murphy
Tony Murphy
Beltrami County Administrator