

ORDINANCE NO. 5753

AN ORDINANCE TO PROVIDE FOR REISSUANCE OF CERTAIN ALCOHOL BEVERAGE LICENSES WITHOUT PUBLIC HEARING BY AMENDING CHAPTER 5.12 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City has adopted ordinances requiring Alcohol Beverage Licenses for certain types of businesses or enterprises; and

WHEREAS, the ordinances currently require a public hearing by the Common Council of the City of Rapid City for both new and reissue retail alcohol beverage licenses; and

WHEREAS, the State of South Dakota has amended SDCL 35-2-1.2 to permit the approval for the reissuance of certain retail alcohol beverage licenses; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the best interest of the City to allow reissuance of licenses without public hearing when appropriate by amending Chapter 5.12 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that a new section be added to Chapter 5.12 of the Rapid City Municipal Code designated 5.12.025, which shall read as follows:

5.12.025 License Reissuance.

Any application for the reissuance of a retail license may be approved by the Common Council without a hearing unless in the past year the licensee or one or more of the licensee's employees have been subjected to a criminal penalty for violation of the alcoholic beverage control law or the license has been suspended.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)