

ORDINANCE NO. 3834

AN ORDINANCE TO ALLOW MOTEL-HOTEL FACILITIES TO OBTAIN AN ON-SALE LIGHT WINE LICENSE BY AMENDING SECTIONS 5.12.040(B)(3) AND 5.12.040(L) OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS the South Dakota legislature has amended state law to allow motel-hotel facilities with at least seventy-five beds to be licensed for on sale wine; and

WHEREAS state law no longer requires a premises to be a bona fide restaurant to receive an on sale wine license for Sunday operation; and

WHEREAS the City of Rapid City finds that allowing motel-hotel facilities to serve on sale wine without a bona fide restaurant is not against the public interest;

NOW THEREFORE BE IT ORDAINED by the City of Rapid City that section 5.12.040(B)(3) is hereby amended to read as follows:

5.12.040(B)(3) FEE

On-sale light wine (wine containing not over fourteen percent of alcohol by weight):

Any person who sells or keeps for sale light wine as defined by these ordinances for consumption on the premises where food service is provided <u>or any person who operates an adequate motel-hotel facility as defined in subsection (L)</u>	500.00
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BE IT FURTHER ORDAINED by the City of Rapid City that section 5.12.040(L) is hereby amended to read as follows:

L. A license authorized under subsection (B) (3) of this section may only be issued to the owner or operator of a restaurant or adequate motel-hotel facility and shall permit the licensee to serve the enumerated beverages between twelve noon and twelve midnight of each day of the week including Sunday, except Memorial Day and Christmas. The term "restaurant" as used herein shall mean only a room regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation which has suitable table accommodations for at least fifty guests therein at one and the same time, and a kitchen connected therewith containing conveniences for cooking sufficient to provide meals in a bona fide manner for fifty guests at one and the same time. **The term "adequate motel-hotel facility" as used herein means a facility used and kept open**

for the hosting of large groups of guest for compensation, which has at least seventy-five beds that are suitable lodging accommodations.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: