

ORDINANCE NO. 56
An ordinance Licensing and
Regulating the Sale and Con-
sumption of Intoxicating Liquor,
repealing inconsistent Ordinances,
and Providing a Penalty
for Violation.

The Council of the City of
Green Isle do ordain:
SECTION 1. Provisions of State
Law Adopted.

The provisions of Minnesota
statutes, Chapter 340, with re-
ference to the definition of
terms, applications for license,
granting of license, conditions
of license, restrictions on con-
sumption, provisions on sales,
conditions of bonds of licens-
ees, and all other matters
pertaining to the retail sale,
distribution, and consumption
of intoxicating liquor are here-
by adopted and made a part of
this ordinance as if fully set
out herein, EXCEPT hours of
sale which are set forth herein.

SECTION 2. License required.
Subdivision 1. No person, ex-
cept wholesalers or manufac-
turers to the extent authorized
under state license, shall di-
rectly or indirectly deal in, sell
or keep for sale any intoxica-
ting liquor without first having
received a license to do so as
provided in this ordinance. Li-
censes shall be of three kinds:
"On sale", "Off sale," and club
licenses.

Subdivision 2. "On Sale" li-
censes shall permit the sale
and consumption of liquor on the
licensed premises only.

Subdivision 3. "Off Sale" li-
censes shall be granted to per-
mit the sale of liquor at retail
the original package for
consumption off the licensed
premises only.

Subdivision 4. Special "on
sale" licenses may be issued
solely to duly incorporated clubs
and veteran's organizations
pursuant to M.S.A. 340.11 Sub-
division 11.

SECTION 3. Application for Li-
cense.

Subdivision 1. Every applica-
tion for a license to sell liquor
shall be verified and filed with
the City Clerk. It shall state the
name of the applicant, his age,
representations as to his char-
acter, with such references as
may be required, his citizen-
ship, whether the application is
for "on sales" or "off sales"
business in connection with
which the proposed license will
operate and its location, whe-
ther applicant is owner and op-
erator of the business; how long
he has been in that business
at that place, and such other in-
formation as the council may
require from time to time. In-
formation to containing such in-
formation, each application for
license shall be in the form
prescribed by the liquor control
commissioner. No person shall
make a false statement in an
application.

Subdivision 2. Each applica-
tion for a license shall be ac-
companied by a surety bond,

data fee. In computing such fee,
any unexpired fraction of a
month shall be counted as one
month.

Subdivision 3. The annual fee
for an "on sale" license shall
be \$1,650.00. The annual fee
for an "off sale" license shall
be \$100.00. The annual fee for
a special club license shall be
\$100.00.

Subdivision 4. No refund of
any fee shall be permitted ex-
cept as authorized under Min-
nesota Statutes, Section 340.112.
SECTION 5. Granting of Lic-
enses.

Subdivision 1. The City Coun-
cil shall investigate all facts
set out in the application. No
"off sale" license shall be-
come effective until it, together
with the bond furnished by the
applicant, has been approved
by the Liquor Control Com-
missioner.

Subdivision 2. Each license
shall be issued to the applicant
only. Each license shall be is-
sued only for the premises de-
scribed in the application. No li-
cense may be transferred to
another person or to another
place without the approval of the
City Council.

SECTION 6. Conditions of Li-
cense.

All persons, except licensee,
his bona fide employees and law
enforcing officers, shall be ex-
cluded from the bar within 30
minutes after the expiration of
the time on any day when intox-
icating liquor may be legally
sold therein, and all doors into
said bar shall then be closed
and locked, and all persons, ex-
cept said licensee, his bona fide
employees, and law enforcing
officers, shall thereafter con-
tinuously be excluded therefrom
until the time next thereafter
when such liquor may again be
legally sold therein.

SECTION 7. Restrictions on
Purchase and Consumption.

Subdivision 1. No minor shall
misrepresent his age for the
purpose of obtaining intoxicat-
ing liquor.

Subdivision 2. No person shall
induce a minor to purchase or
procure liquor.

Subdivision 3. No liquor shall
be sold or consumed on a public
highway or in an automobile.

SECTION 8. Hours of sale.

No sale of intoxicating liquor
shall be made after 12:30 a.m.
on Sunday, nor until 8 a.m. on
Monday, nor between the hours
of 12:30 a.m. and 8:00 p.m. on
the day of any statewide elec-
tion. No "on sale" shall be made
between the hours of 12:30 a.m.
and 8:00 o'clock in the morning
on any week day. No "off sale"
shall be made before 8:00 o'
clock a.m. or after 10:00 o'clock
p.m. of any day. No "off sale"
may be made on New Year's
Day, January 1; Independence
Day, July 4th; Thanksgiving Day
or Christmas Day, December
25th; no "Off sale" may be
made after 8:00 o'clock p.m. on
December 24th.

SECTION 9. Revocation.

AFFIDAVIT OF PUBLICATION

State of Minnesota }
County of Sibley } ss

VAL G. KILL

being duly sworn, on oath says he is and during all the times herein stated has been

the OWNER publisher and printer of the newspaper known
as the Arlington Enterprise and has full knowledge of the facts herein stated as follows:
(1) Said newspaper is printed in the English language in newspaper format and
column and sheet form equivalent in printed space to at least 900 square inch
(2) Said newspaper is a weekly and is distributed at least once each week. (3) Sa
newspaper has 50 percent of its news columns devoted to news of local interest
the community which it purports to serve and does not wholly duplicate any oth
publication and is not made up entirely of patents, plate matter and advertisement
(4) Said newspaper is circulated in and near the municipality which it purports
serve, has at least 500 copies regularly delivered to paying subscribers, has an avera
of at least 75 percent of its total circulation currently paid or no more than thr
months in arrears and has entry as second-class matter in its local post-office. (5) Sa
newspaper purports to serve the City of Arlington in the County of Sibley and it h
its known office of issue in the City of Arlington in said county, established and op
during regular business hours for the gathering of news, sale of advertisements an
sale of subscriptions and maintained by the publisher of said newspaper or perso
in his employ and subject to his direction and control during all such regular busine
hours and at which said newspaper is printed. (6) Said newspaper files a copy of ea
issue immediately with the State Historical Society. (7) Said newspaper has complie
with all the foregoing conditions for at least two years preceding the day or dates
publication mentioned below. (8) Said newspaper has filed with the Secretary of Sta
of Minnesota prior to January 1, 1966, and each January 1 thereafter an affidavit i
the form prescribed by the Secretary of State and signed by the publisher of sa
newspaper and sworn to before a notary public stating that the newspaper is a leg
newspaper.

He further states on oath that the printed ORDINANCE NO. 56

hereto attached as a part hereof was cut from the columns of said newspaper, and
was printed and published therein in the English language, once each week,

for one successive weeks; that it was first so published on Thursday

the 18TH day of JULY 1974 and wa

thereafter printed and published on every Thursday to and including Thursday

the XXXXXXXXXX day of XXXXXXXXXXXX 19 XXXXX;

and that the following is a printed copy of the lower case alphabet from A to Z, both
inclusive, and is hereby acknowledged as being the size and kind of type used in the
composition and publication of said notice to wit: abcdefghijklmnopqrstuvwxyz

Val G. Kill
Subscribed and sworn to before me this 18th day of July 1974
William P. Binske

(Notarial Seal) Notary public, _____ County, Minnesota

My commission Expires _____ 19____

Notary Public, Sibley County, Minn.
WILLIAM PINSKE
My Commission Expires Jan. 12, 1977

...panied by a surety bond, liability insurance policy, or in lieu thereof, cash or United States Government bonds of equivalent market value as provided in Minnesota Statutes, §45, Sec. 340.12, except that the liability insurance policy provided for in Laws 1945, ch. 113, and embodied in the fourth paragraph of Sec. 340.12 shall not be acceptable. Such surety bond or other security shall be in the sum of \$3,000.00 for an applicant for an on-sale license and \$1,000.00 for an applicant for an off sale license.

Subdivision 3. The security offered under Subdivision 2 shall be approved by the City Council and in the case of applicants for off sale licenses by the state liquor control commissioner. Surety bonds and liability insurance policies shall be approved as to form by the city attorney. The operation of such off sale or on sale liquor business without having on file at all times with the municipality an effective bond, insurance policy or other security as required in Subdivision 2 shall be grounds for immediate revocation of the license.

SECTION 4. License fees.

Subdivision 1. Each application for a license shall be accompanied by a receipt from the city treasurer for payment in full of the required fee for the license. All fees shall be paid to the general fund of the municipality. Upon rejection of any application for a license, the treasurer shall refund the amount paid.

Subdivision 2. All licenses shall expire on the last day of each year. Each license shall be issued for a period of one year except that if a portion of the license year has elapsed when the application is made, a license may be issued for the remainder of the year for a pro-

SECTION 9. Revocation or
The council may suspend or revoke any liquor license 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 provision of Minnesota Statutes, Section 340.07 to 340.40. Except in the case of a suspension pending a hearing on revocation, revocation or suspension by the council shall be preceded by written notice to the grantee and a public hearing. The notice shall give at least eight days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The council may, without any advance notice, suspend any license pending a hearing on revocation for a period of not exceeding thirty days.

SECTION 10. Penalty.
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 \$300.00 or imprisonment in the county jail for not more than ninety days or both, plus the costs of prosecution in either case.

SECTION 11. Repeal.
Ordinances 15 and 37 are hereby repealed, and all other ordinances inconsistent herewith are hereby repealed.

SECTION 12. Effective Date.
This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the Council this 10th day of June, 1974.
Roland F. Krueger
Mayor

(Seal)
Attest:
Carol Schwich
Clerk

My commission expires _____ 19____
Notary Public _____
Subscribed and sworn to before me this _____ day of _____ 19____
Commission Expires _____
Notary Public _____
County, Minnesota _____

...the following is a printed copy of the lower case signature from a to X
the XXXXXXXXXXXX day of XXXXXXXXXXX/XXXXX 19 XXXXX
...the 1974
...was printed and published therein in the English language, once each week,
...he further states on oath that the printed
...members
...members and sworn to before a notary public stating that the newspaper is a
...of the term prescribed by the secretary of state and signed by the publisher of
...of Minnesota prior to January 1, 1960, and each January 1 thereafter an affidavit
...publication mentioned herein: (2) said newspaper was filed with the secretary of
...with all the foregoing conditions for at least two weeks preceding the day on which
...name immediately with the State Historical Society; (3) said newspaper was com-
...posed and at which said newspaper is printed; (4) said newspaper has a copy of
...in its employ and subject to its direction and control which is not registered
...state of subscriptions and maintained by the publisher of said newspaper or by
...printing regular business points for the advertising of news, sale of advertisements
...the known office of issue in the City of Arlington in said county, established and
...newspaper butbooks to serve the City of Arlington in the County of Wright and in
...months in arrears and was sent as second-class matter in its local post-office; (5)
...of at least 25 percent of its total circulation contained said or no more than
...said at least 200 copies regularly delivered to buying subscribers; was at least
...said newspaper is circulated in and near the municipality which it butbooks
...publication and is not made up entirely of foreign birth matter and advertisements
...the community which it butbooks to serve and does not wholly duplicate any of
...newspaper has 20 percent of its news columns devoted to news of local interest;
...said newspaper is a weekly and is published at least once each week; (3) the
...column and space form equivalent in printed space to at least 200 square in-
...said newspaper is printed in the English language in newspaper form and
...Arlington Enterprise and has the knowledge of the facts herein stated as to the
...the publisher and printer of the newspaper known

OMNIBUS
being duly sworn on oath says he is and during all the times herein stated was
...AVG C* KIFF
County of Wright }
State of Minnesota } ss
...AFFIDAVIT OF PUBLICATION

