ORDINANCE NO. 1566

AN ORDINANCE TO AMEND CHAPTER 4 – ALCOHOLIC BEVERAGES – ARTICLE 1 – IN GENERAL BY AMENDING SECTION 4-8 REGARDING SALES OUTSIDE THE STRUCTURE NOT ALLOWED EXCEPT UNDER CERTAIN CONDITIONS

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That Section 4-8 of the Revised Ordinances of the City of Madison, also known as the Code of Ordinances, be amended to read as follows:

Sec. 4-8. Sales outside the structure not allowed except under certain conditions.

(a) On-sale licensees shall be allowed to serve, and allowed to be consumed, alcoholic beverages on the sidewalk subject to the public right-of-way abutting a licensed premises provided that the license holder derives more than fifty percent of its gross receipts from the sale of prepared food for consumption on the premises and subject to the following provisions.

(b) An on-sale licensee shall apply at the City Finance Office on the prescribed application for a permit to serve and allow consumption of alcoholic beverages on the sidewalk abutting the licensed premises. Each permit applied for under this ordinance will be considered by the City Commission and will be voted upon as to approval or denial.

(c) The service of alcohol by an on-sale licensee under this ordinance and corresponding permit shall be allowed to serve alcohol until no later than 11:00pm and such alcohol sales and service shall only be allowed to patrons seated at tables.

(d) The on-sale licensee serving alcohol under this ordinance and corresponding permit must at all times leave at least six feet (6') of open and unobstructed sidewalk for pedestrian traffic.

(e) The City of Madison, may, in its discretion, require an applicant for an on-sale license permit under this chapter to submit such documentation, plans and drawings, among other such information, identifying a design and plan for the orderly sale and service of alcohol.

(f) An off-sale licensee shall be allowed to conduct an outdoor sale of off-sale malt beverage providing the product is covered and secured during the night and closed hours.

(g) The City Commission may revoke any previously approved permit at any time for good cause.

Dated this 22nd day of June, 2015.

CITY OF MADISON

Roy Lindsey Jr.

Mayor

ATTEST: Jennifer Jones
Finance Officer

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