

ORDINANCE NO. 955

AN ORDINANCE OF THE CITY OF WILLISTON AMENDING SECTION 3-37 (7) OF THE WILLISTON CODE OF ORDINANCES.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

Section 1. That Section 3-37 (7) be amended, and as amended be enacted as follows:

- (7) A “specialty restaurant beer license” shall authorize the licensee to sell tap beer, at retail for consumption upon the premises of the licensee, subject to the following specifications and restrictions:
- (a) This subsection is applicable to, and the license specified hereunder is limited to, those restaurants or establishments specializing in the sale of pizza and similar specialty foods.
 - (b) The food and beer license hereunder shall be for the sale of beer for consumption on the premises only and no sales for consumption off the premises shall be made.
 - (c) A licensee hereunder shall sell tap beer only which shall be dispensed by the licensee or any employee from kegs or barrels and the sale of beer in bottles, cans or similar packages shall be permitted only by permission of the Williston City Commission on a case by case basis considering the circumstances of each licensed establishment.
 - (d) Beer shall be consumed at tables or booths only and no beer shall be consumed at a counter or bar.
 - (e) No dancing shall be permitted in an establishment holding a license hereunder.
 - (f) An establishment holding a license hereunder shall provide off-street parking within the discretion of and subject to the approval of the board of city commissioners.
 - (g) The license fee for a “specialty restaurant on-sale beer license” shall be three hundred dollars (\$300.00) per year payable at the time of making the application for the license.
 - (h) Except as modified in this subsection, a licensee hereunder shall comply with and be subject to all of the remaining qualifications for licensees.
 - (i) Licenses issued under this section shall not be limited by population.
 - (j) It shall be unlawful for any specialty restaurant licensee under this chapter to sell, give away, or permit to be consumed therein any beer between the hours of 1:00 a.m. and 11:00 a.m.

This ordinance shall be in full force and effect upon its final passage, approval, and publication.

Commissioner Cymbaluk moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner Klug. On roll call vote of the Commissioners vote "AYE": Koeser, Klug, Cymbaluk & Bekkedahl, and the following Commissioners vote "NAY": None. Absent and not voting: Bogar.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this 10th day of July, 2012.





E. Ward Koeser, President
Board of City Commissioners

ATTEST:



John Kautzman, City Auditor

First Reading: June 26, 2012

Second Reading: July 10, 2012

Adopted the 10th day of July, 2012.