AN ORDINANCE TO CHANGE THE PERMISSIBLE HOURS OF SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION BY AMENDING SECTION 5.12.060 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City has enacted ordinances to govern the sale of alcoholic beverages within the city; and

WHEREAS, state law and city ordinance limit the hours during which alcoholic beverages may be sold; and

WHEREAS, off-sale transactions in the morning hours often lead to consumption of alcoholic beverages in public places, which is prohibited by the municipal code; and

WHEREAS, the Common Council is concerned about the attendant health and public safety problems which may arise due to such illegal public consumption; and

WHEREAS, the Common Council finds it to be in the best interests of the City of Rapid City to change the hours during which alcoholic beverages can be purchased off-sale.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Rapid City that Section 5.12.060 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:

5.12.060 Hours of operation.
A. No on-sale or off-sale licensee may sell, serve, or allow to be consumed on the premises any alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m.
B. Additional limits on hours of operation:
   1. Off-sale dealers may only sell alcoholic beverages between 7:00 a.m. and 12:00 midnight.
   2. Municipal auditorium on-sale dealers may only sell alcoholic beverages 1 hour prior to an event until the end of the event, and not during any time prohibited in subsection A.
   3. Malt beverage and wine produced by a farm winery licensees may only sell alcoholic beverages for consumption off the licensed premises between the hours of 10:00 a.m. and 2:00 a.m.
   3. Wine and cider retailers may only sell alcoholic beverages for consumption off the licensed premises between the hours of 10:00 a.m. and 2:00 a.m.

CITY OF RAPID CITY

Attest: Mayor

Finance Officer