

ORDINANCE NO. 242

AN ORDINANCE AMENDING SECTION 6-501 OF ARTICLE 5 OF CHAPTER VI OF THE CITY OF WATFORD CITY ORDINANCES RELATING TO DEFINITIONS OF ARTICLE 5.

Be it ordained by the City Council of the City of Watford City, North Dakota:

6-501 Definitions

For the purpose of this article:

1. "Alcoholic beverages" shall mean any liquid suitable for drinking by human beings, which contains one-half of one percent or more of alcohol by volume. Alcohol shall mean neutral spirits distilled at or above 190 degree proof, whether or not such product is subsequently reduced, for non-industrial use.

"Beer" shall mean any malt beverage containing more than one-half of one percent of alcohol by volume.
3. "Liquor" shall mean and include any alcoholic beverage except beer.
4. "Person" shall mean and include any individual, firm, corporation, association, club, co-partnership, society, or any other organization; and shall include the singular and the plural.
5. "Sale" and "sell" shall mean all manner or means of furnishing alcoholic beverages, including the sale, exchange, barter, disposition of, and keeping for sale of such alcoholic beverages.
6. "Package" and "original package" shall mean and include any container or receptacle containing an alcoholic beverage, which container or receptacle is corked or sealed by the manufacturer thereof and which cork or seal has not been removed or broken prior to the sale of such package to the purchaser.
7. "Club" or "lodge" shall include any corporation or association organized for civic, fraternal, social or business purposes, or the promotion of sports, which has at least 200 members at the time of application for license.
8. "Retail sale" shall mean the sale of alcoholic beverages for use or consumption and not for resale.
9. "Off-sale" shall mean the sale of alcoholic beverages in original packages for consumption off or away from the premises where sold, and an off-sale license shall authorize the person named therein to conduct such off-sales only at the place designated in such license and not elsewhere, and shall not permit the opening of the package sold on the premises where sold. Such sale must in each case be completed by delivery of the liquor sold to the actual purchaser thereof on the licensed premises.

10. "On-sale" shall mean the sale of alcoholic beverages for consumption only on the premises where sold, and an on-sale license shall authorize the licensee to conduct such on-sales only at the place designated in such license and not elsewhere.
11. "Wine" shall mean the alcoholic beverage obtained by fermentation of agricultural products containing natural or added sugar, or such beverage fortified with brandy, and containing not more than twenty-four percent alcohol by volume.

Council Member Voll moved the adoption of the foregoing Ordinance. The motion was seconded by Council Member Uhlich. On roll call vote of the Council members, the following Council members voted "AYE": Pacheco, Valenzuela, Uhlich, Voll and Homiston, and the following Council members voted "NAY": NONE Absent and not voting: Erickson.

WHEREUPON, the motion was passed and the Ordinance declared adopted this _____ day of _____, 2011.

Mayor Brent Sanford
City of Watford City

ATTEST:

Patricia Skoglund, City Auditor

First Reading: 8-01-2011
Second Reading: 9-06-2011
Published: N/A