

**SDCL 35-4-14,1. On-sale license--Municipal event center or recreation facility--
Limitations--Authority to contract.**

Notwithstanding the provisions of § 35-4-11, any municipality may by resolution, without an election but subject to referendum, issue an on-sale license pursuant to subdivision 35-4-2 (4) for use at any municipality-owned entertainment venue, event venue, event center, arena, performance hall, theater, outdoor amphitheater, convention center, stadium, athletic venue, recreation facility, municipal auditorium operated pursuant to chapter 9-52, or public convention hall operated pursuant to chapter 9-53. An on-sale license issued pursuant to this section must be used to support the primary public purpose of the municipality-owned facility during the hours the municipality-owned facility is open for its primary purpose. A license issued pursuant to this section must not be used at any municipality-owned facility for the primary purpose of only providing food and beverage services to the public. There is no fee for a license under this section. The governing body of any municipality that has obtained an on-sale license pursuant to this section may contract with any person or entity for purposes of providing food and beverage services at the municipality-owned facility and the use of any license issued pursuant to this section. A license issued pursuant to this section may not be transferred.

Source: SL 1976, ch 227; SL 1985, ch 293; SL 2008, ch 37, § 169; SL 2008, ch 186, § 1; SL 2016, ch 188, § 1, eff. Feb. 18, 2016; SL 2023, ch 132, § 1.