

Resolution No. 38-11

**Resolution Establishing the License Fee for the Issuance of Operating Agreements
in the City of Brookings**

Be It Resolved by the City Council of the City of Brookings, South Dakota as follows:

Whereas, SDCL 35-4-2(4) provides the minimum fee for the initial issuance of on-sale alcoholic beverage liquor licenses, and this statute is also applicable to municipalities under local option, and

Whereas, the City Council has been advised by its City Attorney that SDCL 35-4-2(4) and recent statutory changes to alcoholic beverage statutes require a municipality to set the fee for the initial issuance of an operating agreement at not less than one dollar for each person residing within the municipality as measured by the last preceding Federal census, and the Federal Census having recently determined the population of Brookings to be 22,056, and

Whereas, SDCL 35-4-2(4) does not establish a maximum fee for the issuance of Operating Agreements, and accordingly, the fee may be set by the City Council provided the fee equals or exceeds the minimum fee,

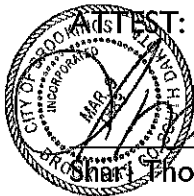
Now Therefore, Be It Resolved that the fee for the issuance of initial on-sale Operating Agreements shall be \$25,000.00.

Passed and approved on the 22nd day of March, 2011.

CITY OF BROOKINGS:



Tim Reed, Mayor



Shari Thornes, City Clerk