

## **On-Sale Liquor Licenses – restricted by Census**

**SDCL 35-4-11. Municipal determination of number of licenses and amount of fees--Maximum number of on-sale licenses.** If not fixed by ordinance, the governing body of any municipality may, before the second of September in each year, by resolution, determine the number of on-sale and off-sale licenses that the body will approve for the ensuing calendar year, and the fees to be charged for the various classifications of licenses. The number of on-sale licenses issued pursuant to subdivision 35-4-2(4) may not exceed three each for the first one thousand of population or fraction thereof and may not exceed one each for each additional one thousand five hundred of population or fraction thereof. The number of licenses allowable may not be less than the total number of licenses allowable or issued as of July 1, 1981, and that have never been revoked or not reissued. The municipal governing body shall also establish the fee for on-sale licenses pursuant to subdivisions 35-4-2(4) and (13). The fee applies to all the on-sale licenses issued in the ensuing calendar year.

For the purposes of this section, population is equal to the population estimates published by the United States Census Bureau for each even-numbered year, except for the decennial year. For a decennial year, population is equal to the amount determined by the decennial federal census. No license issued pursuant to this section that exceeds the number of licenses that would have been issued upon the decennial federal census may be denied or revoked solely by reason that the license issued exceeds the number of licenses authorized by the decennial federal census.

Source: SDC 1939, §§ 5.0203, 5.0204 (4); SL 1945, ch 20, § 1; SL 1947, ch 19; SL 1959, ch 5; SL 1961, ch 13; SL 1963, ch 10; SL 1964, ch 8; SDCL § 35-4-8; SL 1971, ch 211, § 46; SL 1973, ch 237, § 1; SL 1982, ch 271, § 1; SL 1985, ch 291, § 2; SL 1987, ch 261, § 19; SL 2003, ch 193, § 1; SL 2010, ch 180, § 27; SL 2018, ch 213, § 58; SL 2022, ch 141, § 1.

### **US Census Bureau Census Data Brookings, SD population**

2000 – 18,560 (decennial year)

2010 – 22,056 (decennial year)

2020 – 23,377 (decennial year)

2022 – 23,993

2024 – ???

2030 – ??? (decennial year)

Population is equal to the population estimates published by the United States Census Bureau for each even-numbered year, except for the decennial year.

For a decennial year, population is equal to the amount determined by the decennial federal census.

Population

3 / first 1,000

1 for each 1,500

1,377 (fraction of 1,500)

493 (fraction of next 1,500)

# of licenses

3

14 2020 census: 23,377

1 (123 population remaining of license #18)

2022 census: 23,993

1 (1 additional license could be issued in 2024 – w/ 1,007 population remaining for license #19)