

# City Council Agenda Item Memo

**From:** Bonnie Foster, City Clerk

**Council Meeting:** November 12, 2024

**Subject:** Liquor / Wine License Renewals for establishments which have failed an alcohol compliance check within the past 12 months

**Person(s) Responsible:** Bonnie Foster, City Clerk

## **Summary and Recommended Action:**

A public hearing is required to be held for the alcoholic beverage license renewals for establishments which have failed an alcohol compliance check within the past 12 months. City Council action is requested following the public hearing. Staff recommends approval.

## **Item Details:**

A public hearing is required for the renewal of an alcoholic beverage license if the establishment has failed a compliance check within the past 12 months. Within the past 12 months, three (3) establishments holding an On-Sale Liquor or an On-Off Sale Wine License failed a compliance check. The three (3) establishments were:

- Park Hospitality Inc., / La Cantina, 2500 6<sup>th</sup> Street
- Buffalo Wild Wings Bar & Grill / W&P of Brookings, LLC, 1801 6<sup>th</sup> Street
- Edgebrook Golf Course, 1415 22<sup>nd</sup> Avenue South

All state required processes and fees for the compliance check violations have been completed.

If City Council approval is granted, all applications will be forwarded to the SD Department of Revenue for final action and issuance of the 2025 licenses.

A public hearing is required by SDCL 35-2-1.2 for any licensee where one or more of the licensee's employees have been subjected to a criminal penalty for violation of the alcoholic beverage control law.

SDCL 35-2-1.2. Applications submitted to local governing body--Fee--Approval or disapproval... Any application for the reissuance of a retail license may be approved by the municipal or county governing body without a hearing unless in the past year the licensee or one or more of the licensee's employees have been subjected to a criminal penalty for violation of the alcoholic beverage control law or the license has been suspended.

**Source:** SDC 1939, §§ 5.0206, 5.0305; SL 1945, ch 21, § 1; SL 1951, ch 11; SDC Supp 1960, § 5.0204 (14); SL 1961, ch 14; SL 1964, ch 9; SL 1965, ch 12; SDCL §§ 35-4-32, 35-4-33, 35-6-15; SL 1971, ch 211, § 13; SL 2008, ch 37, § 140; SL 2011, ch 171, § 1; SL 2017, ch 164, § 1; SL 2018, ch 213, § 12.

**Legal Consideration:**

None.

**Strategic Plan Consideration:**

- Fiscal Responsibility – The City of Brookings will responsibly manage resources through transparency, efficiency, equity, and exceptional customer service.

**Financial Consideration:**

Wine License Renewal Fee: \$500

Liquor License Renewal Fee: \$1,500

**Supporting Documentation:**

Memo

Hearing Notice