

Date Received _____

License No. _____

Date Issued _____

Uniform Alcoholic Beverage License Application

Mail **this copy** to: Department of Revenue & Regulation, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address Owner's Telephone #: _____	B. Business Name and Address Business Telephone #: _____
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C. Indicate the class of license being applied for (submit separate application for each class of license). <input type="checkbox"/> Retail (on-sale) Liquor <input type="checkbox"/> Retail (on-sale) Liquor - Restaurant <input type="checkbox"/> Retail (on-off sale) Wine <input type="checkbox"/> Package (off-sale) Liquor <input type="checkbox"/> Retail (on-off sale) Malt Beverage <input type="checkbox"/> Package (off sale) Malt Beverage <input type="checkbox"/> Package (off sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Other (please classify) _____ <input type="checkbox"/> Transfer Fee \$150.00 Number of other Package Liquor Licenses held: _____ Number of other On-sale Liquor Licenses held: _____ Is this License in active use? <input type="checkbox"/> Yes <input type="checkbox"/> No Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input type="checkbox"/> No	D. Legal description of licensed premise: Do you own <input type="checkbox"/> or lease <input type="checkbox"/> this property? (Check one) E. State Sales Tax Number: _____ F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864. G. New license? _____ Transfer? (\$150) _____ Re-issuance? _____
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H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue & Regulation access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this _____ day of _____ Signature _____

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: _____

This application was subscribed and sworn to before me this _____ day of _____

Approving Officer's Telephone number _____ Signature: _____

J. APPROVAL OF LOCAL GOVERNING BODY – Notice of hearing was published on _____. Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: _____

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use
(Seal) _____
Mayor or Chairman
If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)
From: _____
Sales tax approval _____ Date _____
STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____

Please complete reverse side

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Retain **this copy** at local level.

A. Owner Name and Address

B. Business Name and Address

Owner's Telephone #:

Business Telephone #:

C. Indicate the class of license being applied for (submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: _____

Number of other On-sale Liquor Licenses held: _____

Is this License in active use? Yes No

Have you ever been convicted of a felony? Yes No

D. Legal description of licensed premise:

Do you own or lease this property? (Check one)

E. State Sales Tax Number: _____

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? _____ Transfer? (\$150) _____ Re-issuance? _____

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License Requirements

Individuals: Any retail (on-sale), Package (off-sale), or other; Dispensers, Distillers, Manufactures, Wholesalers, Carriers, Transportation Companies, must be the owner of the business to be licensed and the owner or actual lessee of the premises; of good moral character, and never convicted of a felony. Dispenser permit applicants must be healing arts, practitioners, hospitals, pharmacists, educational institutions or industries. Carriers are persons who transport passengers for hire. Solicitors must show in Section B by whom they are or will be employed. If application is for transfer of ownership, bulk sale of business must have been accomplished prior to the application for transfer.

Corporations/Partnerships/LP's/LLC's: All managing officers of any retail (on-sale), Package (off-sale), or other; Dispensers, Distillers, Manufactures, Wholesalers, Solicitors, Carriers, Transportation Companies, must have same qualifications as an individual applicant. Must file company supplement and must refile when company structure is amended in any way.

Premises: Must comply with state health and fire requirements and local requirements or regulations. Alcoholic beverage establishments may not be located on the campus of a state educational institution.

Instructions

Section A: Enter business owner name in which license is to be issued, owner's address, city, state and zip code.

Section B: Enter business trade name, business, address, city, state and zip code for licensed premises.

Section C: Complete as indicated referring to license classification and complete questions.

Section D: Enter the correct legal description of the premises to be licensed and complete questions.

Section E: Complete as indicated. Sales tax number **must** be provided.

Section H: Date and sign in presence of auditor or clerk of governing board which is to approve the application.

Section I: Instructions for auditor or clerk: sign and date after applicant signs. This application then becomes the property of the governing body and **MUST NOT** be returned to the applicant. This section must be completed on all applications approved by city or county authorities. The auditor or clerk will collect the appropriate fee as set by the State Law and shown below or set by the local Ordinance or Resolution, whichever is applicable. Application for on-sale and off-sale alcoholic beverage licenses and transfers are to be submitted to the Department of Revenue & Regulation with the proper fees collected and retained by the local governing board. All fees pertaining to other licenses and transfers where the application is submitted directly to the State and not approved by the local governing body are to be remitted directly to the State. The auditor or clerk must collect beer license and transfer fees and forward 50% of such fees with and attached to the application. **It is requested that jurisdictional location of licensee or business be indicated on the application.**

Section J: The law requires published notice of hearing at least 7 days prior to the actual hearing by the local authorities. Only the mayor or board chairman need sign the approved application. When approved, the auditor or clerk must mail the original form to the Department of Revenue & Regulation with the appropriate fee. **Do not return the approved form to the applicant for mailing or delivery to the Department of Revenue & Regulation. Any application which requires local approval will not be accepted from an individual applicant.** IMPORTANT NOTE: Please submit to local, governing body at least 30 days prior to expiration of present license year.

Alcoholic Beverage Laws

State opening and closing hours:

Retailer malt beverage and retailer wine: (On or Off-sale) 7 a.m. to 2 a.m. every day.

Retailer other alcoholic beverages: (On-sale) 7a.m. through 2 a.m. Monday through Sunday morning. Special license for Sunday operation - (on-sale liquor) 11a.m. to 12 p.m. **All others not open Sundays after 2 a.m., Memorial Day after 1 a.m. or all day Christmas Day.**

Retailer package alcoholic beverages, other than malt beverage: (off-sale) 7 a.m. through 12:00 midnight Monday through Saturday. **Not open on Sunday, Memorial Day, or Christmas Day.** (Sunday opening possible if City has adopted an ordinance.)

NOTE: Local governing board may by ordinance or resolution restrict sales within the above limitations for either on or off-sale alcoholic beverages. No person under the age of 21 may loiter in an on-sale licensed premise. No person less than 21 years of age may sell, serve or dispense alcoholic beverages on an off-sale licensed premise or retailer wine premise.

Who may not buy, possess or consume alcoholic beverages:

Any person under the age of 21 for either on or off-sale licensed premises. Any intoxicated person.

Malt Beverage License Fees

Classification of License	Basic Fee	Classification of Municipalities
Manufacturer - Malt Beverage	\$500.00	Population 0-500 3 rd Class
Wholesaler - Malt Beverage	\$400.00	Population 501-5,000 2 nd Class
Off-Sale - Package Malt Beverage	\$150.00***	Population 5,001 & Over 1 st Class
On & Off-sale - Retailer Malt Beverage	\$250.00***	
Off-Sale Malt Beverage & Farm Winery Wine	\$175.00***	
Transfer Fee	\$150.00***	

*** 50% of malt beverage license fees to be retained at local level (50% to be forwarded to the Department of Revenue & Regulation)

Distilled Spirits - Wine License Fees

Classification of License	Basic Fees	Classification of License	Maximum Fee	Municipal Class
Distiller	\$4,000.00	Off-sale - Package Liquor**	\$500.00*	1 st Class
Wholesaler	\$5,000.00	Off-sale - Package Liquor**	\$400.00*	2 nd Class
Solicitors	\$25.00	Off-sale - Package Liquor**	\$300.00*	3 rd Class
Transporters	\$25.00	On-sale - Retailer Liquor** (new)	\$1.00/person+	1 st class
Carriers	\$100.00	On-sale - Retailer Liquor ** (renewal)	\$1,500.00	1 st Class
Dispensers (alcohol)	\$10.00	On-sale - Retailer Liquor**	\$1,200.00*	2 nd Class
Transfers	\$150.00**	On-sale - Retailer Liquor**	\$900.00*	3 rd Class
On & Off-sale - Retailer Light Wine	\$500.00**	On-sale - Retailer Liquor (Sunday)**	\$200.00*	All Classes
		On-sale - Retailer Liquor (Airport)**	\$250.00	All Classes
		On-sale - Retailer Liquor - Restaurant**	Contact local govt	All Classes
		Convention License**	See on-sale	

*Fees to be charged are established by the local authorities at the local level.

Note: Local Authorities may fix the fees for (*) licensee below the statutory maximum fees.

** Fees on applications of distilled spirits and wine licenses approved by the local authorities shall be retained at the local level.

+ Minimum fee for new license.