**State Issued with City Approval**

Retail (on-sale) Liquor (RL) $1000.00 (per Ordinance) (SDCL 35-4-2-4)

Retail (on-sale) Liquor Restaurant (RR) City does not have (SDCL 35-4-2-4???)

Convention Center (on-sale) Liquor (CL) City does not have (SDCL 35-4-2-13)

**RL, CL & RR licensees can sell Malt Beverages, Wine and Spirits (all alcoholic beverages) for on premise consumption**

Package (off-sale) Liquor (PL) $400.00 (per Ordinance) (SDCL 35-4-2-3)

**PL licensees can sell Malt Beverages, Wine and Spirits (all alcoholic beverages) for off premise consumption**

Retail (on-off sale) Wine and Cider (RB) $500.00 (per state SDCL 35-4-2-12)

**RB licensees can sell malt beverages and South Dakota made wine for on and off premise consumption**

Retail (on-off sale) Malt Beverage and SD Farm Wine (RW) $300.00 ($150 City/$150 State) (SDCL 35-4-2-16) (SDCL 35-4-2.11)

**RW licensees can sell all types of wine, for on & off premise consumption and cider for on and off premise consumption**

Package Delivery (PD) City does not have (SDCL 35-4-2-23)

**PD licensees can deliver large orders of alcohol within their city limits. Purchase of alcohol made at the package liquor store with at least $150.00 order. Additional requirements can be found at SDCL 35-4-127**

**City Issued Only**

Special (on-sale) Liquor $100.00 (set by Resolution) (SDCL 35-4-125)

Non-Profit (on-sale) Liquor $0.00 (Ordinance 6.01.24) (SDCL 35-4-125)

Temporary non-profit (on-sale) Malt Beverage and SD Farm Wine $30.00 per day (SDCL 35-4-124) (SDCL 35-4-125)

Non-Profit Beer Garden (depends on contract) $25 per day (Ordinance 6.01.15.G)

**Transfers**

Transfer $150 one way (I can not find the law… It is on our form from the state that a transfer is $150) (SDCL 35-4-2.11)

These have come up before:

35-4-10.2.   Off-sale licensees permitted to provide free samples--No additional license required--Restrictions--Violation as misdemeanor. A licensee holding a license pursuant to subdivision 35-4-2(3) or (5) may provide samples of malt beverages, wine, distilled spirits, liqueurs, and cordials to the general public without obtaining an additional license. The licensee may only offer as samples the malt beverages, wine, distilled spirits, liqueurs, and cordials that the licensee currently has in stock and is offering for sale to the general public. The malt beverage, wine, distilled spirits, liqueur, and cordial samples shall be dispensed at no charge and shall be consumed on the licensed premises during the permitted hours of off-sale. No sample of malt beverage may be larger than three fluid ounces. No sample of wine may be larger than fifty milliliters and no sample of distilled spirits, liqueur, or cordial may be larger than twenty-five milliliters. A violation of this section is a Class 1 misdemeanor.

 35-4-10.3.   Manufacturers and wholesalers permitted to provide samples on licensed retailer premises. A manufacturer or wholesaler, or an agent acting on behalf of either, may provide samples of malt beverages, wine, distilled spirits, liqueurs, and cordials to the general public. The samples shall be provided on the premises of a retailer licensed to sell the malt beverages, wine, distilled spirits, liqueurs, or cordials being offered and are subject to the limitations established pursuant to § 35-4-10.2.

 35-4-77.1.   Sale or consumption of alcoholic beverages on sidewalk abutting licensed premises permitted by ordinance. Notwithstanding the provisions of § 35-4-75, the governing body of the municipality charged with the approval of alcoholic beverage license issuance may, by ordinance, permit the sale and consumption of alcoholic beverages on a sidewalk or walkway subject to a public right-of-way abutting a licensed premises. The sidewalk or walkway subject to a public right-of-way shall be immediately adjacent to and abutting the licensed premises. This section does not apply to any federal-aid eligible highway unless approved in accordance with the applicable requirements for the receipt of federal aid.

     Nothing in this section prevents the governing body from imposing conditions or restrictions that the governing body considers appropriate.

     The sidewalk or walkway subject to a public right-of-way where the sale and consumption of alcoholic beverages is permitted does not constitute a public place as defined in § 35-1-5.3, if the sidewalk or walkway subject to a public right-of-way has been properly authorized for sale and consumption of alcoholic beverages pursuant to this section. The hours of authorized sale and consumption on the sidewalk or walkway subject to a public right-of-way shall be consistent with the hours permitted for the on-sale license.

     A violation of any provision of this title by an alcoholic beverage license holder conducting business on a sidewalk or walkway subject to a public right-of-way pursuant to this section constitutes a violation of this title as if the violation had occurred in or on the licensed premises.

 35-4-124.1.   Donation of beverages to civic, charitable, educational, fraternal, or veterans organization holding special events license. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(5) may only sell wine that has been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(6) may only sell malt beverages that have been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(7) may only sell alcoholic beverages that have been donated by members of the public to be sold at the special event.

     The donor shall purchase any donated alcoholic beverage from a licensed South Dakota retailer.

The Full-Service Restaurant… here are some State laws talking about it.

[35-4-110](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-110)      Definition of terms pertaining to full-service restaurant on-sale licenses.
[35-4-111](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-111)      Full-service restaurant on-sale licenses.
[35-4-112](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-112)      Documentation in support of initial application for full-service restaurant on-sale license.
[35-4-113](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-113)      Renewal of full-service restaurant on-sale license--Annual report.

[35-4-115](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-115)      Advertisement of full-service restaurant.
[35-4-116](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-116)      Fees for additional on-sale licenses to full-service restaurants.
[35-4-117](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-117)      Price of full-service restaurant on-sale license set at or above current fair market value.
[35-4-118](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-118)      Registry of full-service restaurant on-sale licenses.
[35-4-119](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=35-4-119)      Registration that full-service restaurant on-sale license is for sale.