

ORDINANCE NO. 2021- 004

AN ORDINANCE AMENDING SECTION 9-0515 TO THE CITY CODE OF THE CITY OF KILLDEER RELATING TO PERSONS UNDER TWENTY-ONE YEARS OF AGE ENTERING ESTABLISHMENTS HOLDING LIQUOR LICENSES.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KILLDEER, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 9-0515 entitled “Persons Under Twenty-One Years of Age Prohibited from Entering Licensed Premises – Penalty - Exceptions” is hereby amended and re-enacted as follows:

(A) Any person under twenty-one (21) years of age purchasing, attempting to purchase, or being in possession of alcoholic beverages, or furnishing money to any person for such purchase, or entering any licensed premises where alcoholic beverages are being sold, dispensed, or displayed, subject to the exceptions listed below is guilty of a violation of this ordinance and shall, A person who violates this ordinance is guilty of a Class B misdemeanor which is punishable by a fine of up to \$1,500 and/or 30 days in jail.

(B) Notwithstanding anything to the contrary, an individual under the age of twenty-one (21) years shall not be guilty of a violation of this Section by reason of entering any licensed premises where alcoholic beverages are being sold, dispensed, or displayed if the person under twenty-one years of age:

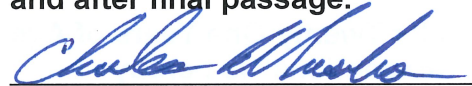
- (1) (a) is accompanied by a parent or guardian who is twenty-one years of age or older, and
(b) is on the premises to consume a meal or in an emergency situation, and
(c) the premises serves at a tabletop, food that is prepared in a kitchen with at least an indoor grill, and
(d) the individual is not on the licensed premises after ten p.m., or
- (2) is a law enforcement officer entering the premises in the performance of an official duty.

(C) In accordance with the terms of N.D.C.C. §5-02-06(2)(e), and to the extent necessary to come in to compliance with N.D.C.C. §5-02-06(2)(e), the City Commission hereby grants permission to holders of liquor licenses issued by the City of Killdeer to allow persons under the age of twenty-one years of age on premises, so long as the terms of this section, and the terms of N.D.C.C. §5-02-06, as amended from time to time, are complied with.

Section 2: Repeal of Ordinances in Effect. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Ordinance shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.



Mayor Charles Muscha
City of Killdeer

ATTEST:



Matt Oase, City Auditor

First Reading: 9-07-2021
Second Reading: 9-20-2021
Final Reading: 9-20-2021