



Alcohol Ordinance Review and Rewrite Committee

Monday, April 8, 2024, at 1:00 PM

City Council Chambers, City Hall (10 3rd Ave SW)

Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

1. ROLL CALL

2. APPROVAL OF MINUTES

**It is recommended the committee approve the minutes of the March 25, 2024, Alcohol Ordinance Review and Rewrite Committee meeting.**

Documents:

[03252024 MEETING MINUTES.PDF](#)

3. FIRST DISTRICT HEALTH SAFE SERVING TRAINING

Documents:

[ALCOHOL ORDINANCE LETTER.PDF](#)

[BEVERAGE SERVER TRAINING FLYER.PDF](#)

[CITY OF MINOT APPLICATION PAGE 6.PDF](#)

[ND RBS ORDINANCES.PDF](#)

[RBS DATA CITY OF MINOT LANDSCAPE\\_.PDF](#)

4. DISCUSSION ON SECTION 5-27 OF CURRENT CITY OF MINOT ORDINANCES

Sec. 5-27. - Premises requirements.

A. No license shall be issued unless the premises to be licensed conforms to all applicable sanitary, safety and health requirements as certified by the appropriate public officials.

B. Licensed premises which extend out-of-doors must meet the following requirements in respect to the portion located out-of-doors (hereafter called the "outdoors"):

1. The outdoors must be contiguous with the rest of the licensed premises (hereafter called the "indoors").
2. The periphery of the outdoors - to the extent not adjoining the indoors - must be enclosed with a wall or fence that is at least thirty-six (36) inches in height and said wall or fence may include a gate that can be used for entering or exiting the outdoors.

C. The requirements of subsection (b) shall not apply to licensees holding an outdoor dining license, however, permit holders shall meet all requirements provided under chapter 28, article VII, division 2 of this Code.

5. DISCUSSION OF SECTION 5-8 OF CURRENT CITY OF MINOT ORDINANCES

Sec. 5-8. - Licensee to close at certain times.

(a) No one shall dispense or permit the consumption of alcoholic beverages on a licensed premises between 2:00 a.m. and 8:00 a.m., on Christmas Day, or after 6:00 p.m. on Christmas Eve, or after 2:00 a.m. on Easter Day. In addition, a person may not provide off sale after 2:00 a.m. on Thanksgiving Day or between 2:00 a.m. and 8:00 a.m. on Sundays.

6. DISCUSSION OF SECTION 5-25 OF CURRENT CITY OF MINOT ORDINANCES

Sec. 5-25. - City clerk to submit application to the city council; approval.

- a. The city clerk shall submit the application for a new license or the application for the renewal of an existing license to the city council for its consideration within forty-five (45) days of receipt of all application materials required under section 5-18, including but not limited to the annual license fee.
- b. Every application for a license required by this article shall be approved by the city council before the license shall be issued.

7. DISCUSSION OF SECTION 5-32 OF CURRENT CITY ORDINANCE

Sec. 5-32. - Suspension or revocation of a license.

(a)The city council shall have the power to suspend or revoke any license issued under the authority of this chapter for any of the following reasons:

1. The licensee violates the laws of this state or of any of the provisions of this chapter.
2. The licensee willfully makes a false statement or a misrepresentation as to a material fact in the application for the issuance or transfer of the license.
3. The licensee knowingly permits the occurrence of a pattern or practice of disorderly or immoral acts upon the licensed premises.
4. The licensee does not conduct the activity for which the license was issued at the licensed premises for a period of twelve (12) consecutive months.
5. The licensee or its manager or both no longer meet the requirements of section 5-18 for the issuance of the license.
6. The licensee does not hold a necessary permit or license issued by another governmental entity, which license or permit is required by that governmental entity as a precondition to the carrying on by the license of the activity authorized by the City of Minot license.

(b)No license shall be suspended or revoked without providing the licensee with notice

and an opportunity for hearing before the city council with regard to the suspension or revocation of the license. The city clerk shall provide the licensee with written notice of the date, time, and place of the hearing. The notice shall inform the licensee that its license may be suspended or revoked and it shall set forth the factual allegations which form the basis for doing so under this section. The city clerk may provide notice by mailing a copy thereof to the licensee's last known address as indicated in the licensee's most recent application filed with the clerk under this chapter. The notice must be mailed at least five (5) days prior to the hearing, exclusive of the date of mailing and date of the hearing.

(c) If the licensee does not appear at the hearing provided for in subsection (b), or if he does not dispute them, the factual allegations in the complaint shall be deemed to be admitted. Otherwise the city shall have the burden of going forward with the evidence and the burden of persuasion as to any disputed issues of fact.

(d) If the licensee requests that the originally scheduled hearing date be continued the city council shall grant a continuance to a time mutually convenient to the licensee and the city council, but the city council shall have the discretion to suspend the license from the date for which the hearing was originally scheduled to the date of the continued hearing.

(e) The decision of the city council shall be final for purposes of the legal doctrine which requires the exhaustion of administrative remedies as a prerequisite for judicial review.

(f) The Minot Police Department will be responsible for conducting compliance checks to determine whether the licensees are in compliance with the provisions of subsection (a) (1). If (1) the licensee admits a violation occurred, (2) fails to appear at the scheduled hearing relating to the alleged violation, or (3) the city council determines a violation under subsection (a)(1) occurred after a hearing, the licensee is subject to the following penalties, in addition to any other civil or criminal penalties a licensee may be subject to for violation of any provision of state or local law:

First violation: Letter of warning

Second violation: Business closed for three (3) consecutive days

Third violation: Business closed for seven (7) consecutive days

Fourth violation: Business closed for thirty (30) consecutive days

Fifth violation: Business liquor license recommended to be revoked

The penalties described above shall be for violations that occur within a period of twenty-four (24) months. The twenty-four-month time period commences to run and is calculated from the first offense by the licensee.

(g) The Minot Police Department will be responsible for monitoring compliance with the provisions of subsections (a)(2)—(6). If (1) the licensee admits a violation occurred, (2) fails to appear at the scheduled hearing relating to the alleged violation, or (3) the city council determines a violation under subsections (a)(2)—(6) occurred after a hearing, the

licensee is subject to suspension or revocation, as determined by the city council, in addition to any other civil or criminal penalties a licensee may be subject to for a violation of subsections (a)(2)—(6).

8. NEXT SCHEDULED MEETING

**The next scheduled meeting is Monday, April 22, 2024, at 1:00 pm in the Council Chambers at City Hall.**

9. ADJOURNMENT

## **March 25, 2024 Alcohol Ordinance Review and Rewrite Committee**

### **Alcohol Ordinance Review and Rewrite Committee – March 25, 2024 AT 1:00 P.M.**

#### Members Present:

Jon Hanson, Chairman Paul Pitner, Mayor Tom Ross, Brett Tinnes

#### Members Absent:

Kevin Black

#### Also Present:

Mikayla McWilliams (City Clerk), Harold Stewart (City Manager), Stefanie Stalheim (City Attorney), Chief John Klug (Police Chief), Brian Billingsley (Community and Economic Development Director)

The meeting was called to order by Chairman Paul Pitner at 1:00 pm.

#### **APPROVAL OF MINUTES**

Mayor Ross moved the committee approve the minutes of the March 11, 2024 Alcohol Ordinance Review and Rewrite Committee meeting.

Motion seconded by Brett Tinnes and carried the following vote: ayes: Hanson, Pitner, Ross, Tinnes; nays: none.

#### **DISCUSSION ON CURRENT LICENSING FEES**

Mikayla McWilliams started the discussion with the idea of moving the fees to a resolution rather than included in the ordinance. If the fees are set in a resolution, the option is for City Council to either revisit them on a yearly basis or as they deem necessary.

Mayor Ross moved the committee move the fees into a resolution, include an application and renewal fee, and the City Council can revisit the fees as they deem necessary. Motion seconded by Jon Hanson and carried the following vote: ayes: Hanson, Pitner, Ross, Tinnes; nays: none.

The committee also discussed how the fee structure could be similar to Grand Forks. After a short discussion the committee decided to revisit the resolution and fees once the language is drafted and approved for removing the cap on the Retail Liquor, Beer, and Wine license.

#### **DISCUSSION ON SECTION 5-27 OF CURRENT CITY OF MINOT ORDINANCES**

Brian Billingsley clarified that an encroachment permit is only necessary for a permanent fence to be placed in the right of way. There needs to be a 5-foot ADA required clearance on the sidewalk. Portable fencing would not require an encroachment permit. A concern was a rope could be pushed/moved into the 5-foot clearance area.

Fencing is only required when alcohol is involved. Parklets are an outdoor option but cannot include alcohol. It is important to delineate the premise in which alcohol is being served because that area is the responsibility of the business owner.

Mikayla McWilliams asked some questions of Harold Stewart about the transitional options for downtown. Harold had mentioned that in order to have the transitional option for downtown someone would have to take on the responsibility and risks if it became a downtown permit or license.

The committee discussed how the change to look into would be the 36in high contiguous fence. They would like to see it more moveable/flexible such as a rope or set of planters. The committee asked for this to come back to the next meeting, have staff reach out to the state on the premise changes and research what other cities are doing with outdoor space.

#### **FIRST DISTRICT HEALTH SAFE SERVING TRAINING**

Holly Brekhus, Executive Director of First District Health Unit, presented to the committee on incorporating the Responsible Beverage Server Training. By incorporating this as a requirement for licensing, who would be responsible for enforcing it? It could be done at renewal time on a yearly basis, and also during the year with a compliance check. This training has been said to lower the risk with some insurances and helps to prevent over serving. The employee is the once getting certified, it lasts for a duration of 3 years, and the employee can take the certification with them if they change employment.

The committee discussed modeling the process of Fargo. First District Health could do the yearly compliance check but would prefer for the training to be done with First District Health or the individual provide them with the online certification to record it. First District Health Unit contracts with Margie Zietz to provide the training and could provide onsite training if requested. The committee asked for this to be on the next meeting agenda and will bring back their decisions once they are able to do some more research.

#### **NEXT SCHEDULED MEETING**

The next scheduled meeting is Monday, April 8, 2024, at 1:00 pm in the Council Chambers at City Hall. Staff will prepare the next agenda to include compliance checks, violations, and days of not serving.

There being no further business, Mayor Ross moved the committee meeting be adjourned. Motion seconded by Brett Tinnes and carried unanimously. Meeting adjourned at 2:38 pm.



BOTTINEAU COUNTY | 701.228.3101  
BURKE COUNTY | 701.377.2316  
MCHENRY COUNTY | 701.537.5732

MCLEAN COUNTY (GARRISON) | 701.463.2641  
MCLEAN COUNTY (WASHBURN) | 701.462.3330  
RENNVILLE COUNTY | 701.756.6383

SHERIDAN COUNTY | 701.363.2506  
WARD COUNTY (KENMARE) | 701.385.4328  
WARD COUNTY (MINOT) | 701.852.1376

March 8, 2024

Alcohol Committee Members,

As the committee works on updating the city alcohol ordinance, I would like to encourage the committee to incorporate Responsible Beverage Server (RBS) Training as a requirement for receiving any classification of alcohol license.

Several communities, including Williston, Dickinson, Grand Forks, Fargo, Watford City, and West Fargo have RBS training in their city ordinances. Those ordinances have been attached for your convenience.

On page 4 of the current City of Minot Application for alcoholic beverage license, applicants attest to the following: *Do you promise and agree not to sell? or permit sale on said premise to a minor, incompetent person, or a person who is an inebriate or habitual drunkard, or to any one thereof?* Requiring RBS training would ensure staff are trained to meet this requirement.

There are numerous advantages to requiring the training of staff who serve alcohol.

The advantage for staff is they education on the liability they are subject to when serving alcohol in the course of their job. North Dakota Century Code (NDCC) 5-01-06 .1 *Claim for relief for fault resulting from intoxication* reads as follows:

1. *Every spouse, child, parent, guardian, employer, or other individual who is injured by any obviously intoxicated individual has a claim for relief for fault under section 32-03.2-02 against any person who knowingly disposes, sells, barters, or gives away alcoholic beverages to an individual under twenty-one years of age or to an incompetent or an obviously intoxicated individual, and if death ensues, the survivors of the decedent are entitled to damages defined in section 32-21-02. If a retail licensee is found liable under this section and exemplary damages are sought, the finder of fact may consider as a mitigating factor that the licensee provided to an employee alcohol server training that addressed intoxication, drunk driving, and underage drinking.*

This training covers what the law says about fault when it comes to serving alcohol. It includes identifying when a person may be intoxicated or otherwise impaired. It trains staff how to identify fake ID's and their legal responsibility when they identify one.

License holders also benefit from the required server training. As stated in the above NDCC, training can be a mitigating factor when a licensee is found liable. Retailers may also get discounts on liability insurance if they provide training to staff.

RBS is not a new concept for alcohol establishments in Minot. First District Health Unit (FDHU) has had an RBS training component for its food establishments for several years within our food code. One

difficulty we run into is that we don't have a mechanism to enforce mandatory training for all staff. Also, the food code does not cover off sale liquor establishments, which potentially leaves a category of beverage servers untrained.

Incorporating RBS into the city alcohol ordinance would provide a consistent requirement for all businesses that sell alcohol. It would also ensure employees receive adequate training to do their job safely.

Thank you for your consideration of the matter. If you have any questions, please feel free to contact me.



Holly Brekhus  
Executive Director  
First District Health Unit  
701-721-9110  
hibrekhus@nd.gov

# RESPONSIBLE BEVERAGE SERVER TRAINING

## 2024 SCHEDULE

**Jan 9th      Feb 13th      Apr 9th**  
**May 14th      June 11th      Sept 10th**  
**Nov 12th**

## LOCATION

**First District Health Unit- South Building**  
**801 11th Ave SW Minot, ND**

**Must have at least 3 people registered  
to hold the class.**



**Time: 5-7pm**



**\$15.00/PERSON**

**REGISTER AT [EVENTBRITE.COM](https://www.eventbrite.com)**

**or call Jenny at  
701-837-5109**

**scan here to  
register**



**Check our website [www.fdu.org](https://www.fdu.org) for more dates.**



**APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE**

515 2nd Ave SW

Minot, ND 58701

701-857-4752

[clerk@minotnd.org](mailto:clerk@minotnd.org)

**VALIDATION/SIGNATURES/NOTARY PUBLIC**

I have reviewed the Alcoholic Beverage Ordinance of the City of Minot and am familiar with the conditions and requirements of these ordinances. If granted an alcohol beverage license, I will obey, abide by, and comply with the State of North Dakota Liquor Control act and the City of Minot Alcoholic Beverage ordinances, as well as any amendments to either of these, which may be made in the future. Yes ☐ No ☐

I understand that violations of the City of Minot Alcohol Ordinance will result in administrative suspensions, fines, and possible revocation of the license. Yes ☐ No ☐

Do you promise and agree not to see or permit sale on said premises to a minor, incompetent person, or a person who is an inebriate or habitual drunkard, or to any one thereof? Yes ☐ No ☐

I understand that the premises described in this application, if licensed for alcoholic beverage sales, may be inspected at any time by the Minot Police Department, the Fire Department, and the Building Department, while in the course of their duties of checking on compliance with the ordinances of the City of Minot and liquor laws of the State of North Dakota. I also understand that all employees employed on this premises must cooperate with such inspections. Yes ☐ No ☐

I understand that approval of the applied for license is contingent upon having completed a successful inspection from the police department, fire department, building department. Yes ☐ No ☐

The undersigned swears that the information on this form is true and correct to the best of his/her knowledge, information, and belief, and acknowledges that false or misleading information is sufficient grounds for denial or revocation of license or authorization. Further, the undersigned certifies that he/she has received a copy of Chapter 5 of the City of Minot Code of Ordinances and will comply with all provisions; further, the undersigned agrees to promptly notify the City of Minot of any change in ownership of the business.

\_\_\_\_\_  
Signature of Applicant

State of \_\_\_\_\_ )

County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
Signature of Notary Public

My commission expires on:

# North Dakota Server Training Ordinances

## Contents

Williston.....	2
Dickinson.....	3
Grand Forks .....	5
Fargo .....	7
Watford City.....	9
West Fargo .....	10

# Williston

## **Sec. 3-150. Suspension of license to sell alcoholic beverages.**

(a) The license granted under this chapter shall be affected or suspended by the city, for an illegal sale of an alcoholic beverage to minors, or for a violation of any other similar provision of this chapter, city ordinance or state law regulating the sale of alcoholic beverages to minors.

(b) The City of Williston mandates that all servers of alcohol shall receive alcohol server training within ninety (90) days of employment. All liquor establishment managers must keep a copy of each employee's card on file at the establishment along with date of hire.

(c) Penalties for violating the above shall be as follows:

- (1) First offense: Mandatory two hundred fifty dollar (\$250.00) administrative fee assessed to the license holder under whom the sale took place.
- (2) Second offense: For a second offense within twenty-four (24) months of the date of the first offense, a mandatory five hundred dollar (\$500.00) administrative fee will be assessed to the license holder under whom the sale took place. A second offense shall result in a one-day suspension of the license holder's license to sell alcoholic beverages.
- (3) Third offense: For a third offense within twenty-four (24) months of the date of the first offense, a minimum three (3) consecutive days suspension of license within the next thirty (30) days, mandatory one thousand dollar (\$1,000.00) administrative fee, and a mandatory hearing before board of city commissioners.
- (4) Any additional subsequent offense within twenty-four (24) months shall subject the license holder to a hearing to revoke the license pursuant to sections 3-145 and 3-129 of this chapter.
- (5) Alcohol servers shall be required to ask for a valid picture identification from each and every patron of an off-sale or on-sale liquor establishment to determine if the patron is old enough to purchase alcoholic beverages, unless the patron is obviously of age or known to the server to be of age. This shall apply to all licensed liquor establishments located in the City of Williston, North Dakota. If the server fails to ask for a valid identification, he or she shall be assessed an administrative fee of one hundred dollars (\$100.00), which shall be due and payable to the City of Williston within thirty (30) days of the date of violation. Failure to pay the one hundred dollars (\$100.00) administrative fee shall result in a suspension of the alcohol server's training card until it has been paid. The Williston Police Department shall be responsible for retrieving the alcohol server's training card.

(d) The above penalties, subsections (c)(1)-(5), shall automatically be imposed by the auditor upon receiving a copy of the judgment of conviction for sales to a minor. The licensee has the right to appeal such penalty to the board of appeals.

(e) The penalties set forth in this section are in addition to the City of Williston's authority to suspend or revoke a liquor license, after hearing, for licensee's violation of any city ordinance or state law regarding liquor sales or for licensee's failure to cooperate with law enforcement.  
(Ord. No. 854, 3-26-02; Ord. No. 895, 6-26-07)

<http://clerkshq.com/default.ashx?clientsite=williston-nd>

(3) **Penalty for Ordinance Violations.** Any license issued pursuant to this Chapter may be suspended or revoked by the Board of City Commissioners for violating any of the provisions of this Chapter. Any licensee or agent or employee of a licensee who has violated any provisions of this Chapter shall be subject to the following penalties, in addition to possible license revocation:

a. **First Offense:** (i) If the agent or employee of the licensee possesses a server training certificate card, or is within the 90-day grace period referenced in subsection (2), above, at the time of the violation by said agent or employee, the licensee will receive a written warning. (ii) If the agent or employee of the licensee does not possess a server training certificate card at the time of the violation by said agent or employee, the licensee will receive a written warning and a \$500.00 administrative penalty.

b. **Second Offense:** \$1,000 administrative penalty, plus one day suspension of alcoholic beverage license. Mandatory hearing before the Board of City Commissioners.

c. **Third Offense:** \$2,500 administrative penalty, plus a three-day suspension of alcoholic beverage license. Mandatory hearing before Board of City Commissioners.

The level of offenses shall be determined by reference to a 24-month period from the first offense by the licensee. By way of illustration, a second offense occurring more than 24 months after a first offense would then be deemed a first offense. Any offenses occurring prior to the effective date of this ordinance (April 18, 2005 - Ordinance No. 1296) shall not be considered an offense for purposes of this Section.

(b) **Suspensions--food sales.** Any suspension of alcoholic beverage license provided for herein shall relate to liquor sales only so that food sales, if applicable, may continue on the licensed premises.

(c) **Notice--public hearing.** Sanctions or penalties under this section may not be invoked without a public hearing if requested by the licensee. Upon written notification to the licensee by the City Administrator that a penalty is being sought under this section, the licensee may notify the City Administrator's office within ten (10) days of the date of such written notification and request a hearing on the proposed penalty. Failure to notify the City Administrator within ten (10) days of the date of such written notification will be deemed acceptance of the penalty without hearing.

<http://dickinsongov.com/Documents/!%20Want%20to%20Read/City%20Code/Chapter%204%20-%20Alcoholic%20Beverages.pdf>

# Dickinson

## Section 4.08.240 Revocation and suspension by city commission

(a) Review of License. The Board of City Commissioners may review the status of any license issued pursuant to this Chapter, and take appropriate action against the licensee pursuant to this section.

(1) Suspension and Revocation for Cause. Any license issued pursuant to this chapter may be revoked or suspended for cause by the board of city commissioners, which cause may include, among other grounds, the following:

- a. When a licensee is adjudged bankrupt.
- b. When a licensee has made any false statement or statements in an application for the issuance of such license.
- c. When the licensee or, in the case of a corporation or other entity, manager of a licensee has been convicted of a violation of any felony crime under the laws of the United States or of any state.
- d. When the licensee or, in the case of a corporation or other entity, manager of a licensee ceases to be a legal, bona fide resident and citizen as required by this chapter to be eligible for a license.
- e. When the license or permit of the licensee from the United States government or from the state to sell alcoholic beverages at the location licensed has been terminated or has been revoked.
- f. When the business of the licensee at the location licensed has been conducted in violation of the health or sanitary regulations of the city or of the state.
- g. When the licensee, if an individual, or one of the partners if the licensee is a partnership, or one of the officers or managers if the licensee is a corporation, is convicted of drunkenness, disorderly conduct or a violation of any law of the United States or of any state or of the violation of any local ordinance with regard to the manufacture, distribution or possession of alcoholic beverages (including driving under the influence of intoxicating beverages or illegal drugs) or if an appeal is taken from such conviction, then when such conviction is sustained by the higher court or courts.
- h. When in the opinion of the board of city commissioners, the licensee has conducted his business or permitted his business to be conducted in a disorderly manner or in a manner that is dangerous or detrimental to the public welfare and morals.
- i. When the licensee, or an agent or employee of the licensee, violates any term or condition of the license or any provision of this Chapter.

(2) Server Training. Server training shall be available for licensees, together with their managers and employees. Server training shall mean training that has been approved by the Dickinson Police Chief and/or the City Administrator for managers and employees involved in selling alcoholic beverages at licensed liquor establishments, including restaurants. Persons successfully completing an approved class with a test score of at least 72% will receive a server training certificate card which will remain with that individual wherever employed. For new managers and employees not having previously received server training, there shall be a grace period of 90 days in which to successfully complete the approved class. The server training card must be renewed every three (3) years from the anniversary date as shown on the card.

# Grand Forks

## 21-0235. - Mandatory alcohol server training.

(1) No person shall work in any premises licensed under this chapter for the sale of alcoholic beverages, whether on- or off-sale, as a manager, bartender, waiter, waitress, or in any other capacity where such person may sell, serve or deliver alcoholic beverages in or from premises licensed under this chapter or whose job description entails the checking of identification for the purchase of alcoholic beverages or admittance into the licensed premises unless such person shall either:

(a) Possess a certificate of training issued by the Grand Forks Police Department or,

(b) Successfully complete server training presented by the Grand Forks Police Department or a trainer approved by the Grand Forks Police Department and obtain a certificate of training within sixty (60) days after the first day of active employment.

(2) All certificates of training issued under this chapter shall be valid for three (3) years from the date of issuance. The certificate of training may be renewed by its holder prior to its expiration as provided herein.

(3) Persons having completed an alcohol serving training program sponsored or approved by the Grand Forks Police Department after December 31, 2003, and prior to December 31, 2008, shall be exempt from certification requirements hereunder provided, however, that such persons shall renew such training and certification no later than December 31, 2009, and every three years thereafter.

(4) All persons licensed under this chapter for the sale of alcoholic beverages, whether on- or off-sale, shall require all employees engaged in the sale, service, delivery, or management of the sale or service of alcoholic beverages, or the checking of identification for the purchase of alcoholic beverages or admittance into the licensed premise to possess or timely obtain certification required hereunder.

(5) Each licensee under this article shall maintain on file at its licensed premises a listing of each person employed by the licensee, identifying all employees required to obtain training under this article, date of hire for such employees, date of training for such employees, name of trainer for such employees and those employees that have successfully completed the training and certification required hereunder.

(6) Application for server testing shall be submitted to the Grand Forks Police Department upon forms provided by the Grand Forks Police Department and such application shall be verified under oath and shall contain such information as determined by the Grand Forks Police Department to be reasonably required for the purposes of determining competency and eligibility.

(7) All training programs and instructors must be approved by the Grand Forks Police Department.

(8) All training programs shall minimally include the following topics:

(a) Reducing accessibility of alcohol to minors.

(b) Over-consumption/over-serving of alcohol.

(c) Server liability.

(9) The Grand Forks Police Department shall establish and approve a test for those persons completing an approved training program and for those seeking to renew a certificate of training.

(10) The Grand Forks Police Department may authorize and approve a person or entity for the administration of any test or training program required hereunder.

(11) Any person having completed the approved training must attain a minimum score of seventy-five (75) percent on a test administered by, under the direction of, or approved by the Grand Forks Police Department in order to successfully complete the training and obtain or renew a certificate.

(12) Each person successfully completing the training and test will be issued a certificate by the Grand Forks Police Department establishing the date of successful completion of training.

(13) Each certificate shall expire three years from the date of issuance.

(Ord. No. 4230, § I, 5-5-08)

#### **21-0236. - Penalty.**

(1) Any person violating the provisions of subsection 21-0235(1) shall be subject to a fine as follows:

(a) A fine not exceeding fifty dollars (\$50.00) for a first violation;

(b) A fine not exceeding one hundred dollars (\$100.00) for a second violation within one year of the first violation;

(c) A fine not exceeding two hundred dollars (\$200.00) for each violation within one year of the second violation.

(2) Any person violating the provisions of subsection 21-0235(4) or (5) shall be subject to a fine not exceeding five hundred dollars (\$500.00) for each violation.

(Ord. No. 4230, § II, 5-5-08)

[https://www.municode.com/library/nd/grand\\_forks/codes/code\\_of\\_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=PTICICO\\_CHXXILIBUTRRE\\_ART2ALBECO\\_21-0235MAALSETR](https://www.municode.com/library/nd/grand_forks/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=PTICICO_CHXXILIBUTRRE_ART2ALBECO_21-0235MAALSETR)

# Fargo

## ARTICLE 25-15 - ALCOHOLIC BEVERAGES

### 25-1501. - Definitions.

26. "Mandatory server training" shall mean server training that has been approved by the Fargo police department and/or its designee for managers and employees involved in selling alcoholic beverages at licensed liquor establishments, including restaurants.

### 25-1503. - License—Qualifications.

Mandatory server training (as defined by [25-1501\(21\)](#)) shall be required of all liquor licensees. Persons successfully completing the approved class will receive a "server training certificate card" which will remain with that individual wherever employed. The "server training certificate card" is not required to be carried on the person so long as the same can be produced at a later date. The "server training certificate card" must be renewed every three (3) years on the anniversary date as shown on the said card. For all new managers and employees not having previously received server training, there shall be a grace period of 90 days in which to successfully complete the approved class. On each license renewal date, the licensee shall provide the city with a roster of employees which can then be checked against the training records. If the licensee is found to be not in compliance, license renewal for the upcoming year may be denied or delayed.

### 25-1511. - Licensed premises—Requirements for.

E. Every holder of an alcoholic license in the city of Fargo shall implement a program of mandatory server training. The server training shall be approved by the Fargo Police Department and/or its designee. All current managers and employees working directly with the dispensing of alcoholic beverages must obtain and maintain a "server training certificate card". Said training must be completed within 90 days for current managers and employees. The "server training certificate card" is not required to be carried on the person so long as said card can be produced at a later date. The "server training certificate card" must be renewed every three (3) years by the anniversary date as shown on said card. For all new managers and employees not having previously received server training, there shall be a grace period of 90 days in which to successfully complete the approved class. Additionally, one month before each license renewal date, the licensee shall provide the city with a roster of employees which can then be checked against the training records. If the licensee is found to be not in compliance, license renewal for the upcoming year may be denied or delayed.

### 25-1512. - Licenses—Termination, suspension, revocation, and sanctions.

E. Penalties for failing compliance checks conducted by the Fargo police department are as follows:

1. **First offense** - \$500 penalty. This penalty may be waived if the person serving the alcoholic beverages, as well as the management, have server training certificates. There will, however, be mandatory server training within 30 days for any employee or member of management not having server training. There will be no license sanction on a first offense.
2. **Second offense** - \$750 penalty. No license sanction penalty.
3. **Third offense** - \$1,000 penalty - for Class "AB", "A" and "B" license holders, one day suspension of license (liquor sales only) with the date selected by licensee within thirty (30) days of either occurrence of the offense or final decision upon appeal. For all other classes of liquor licenses, two days suspension of liquor sales only.

4. Fourth offense - no monetary penalty - for Class "AB", "A" and "B" license holders, three days in one week suspension of liquor license (liquor sales only) on consecutive dates chosen by licensee requiring the business to be closed. For all other classes of liquor licenses, six consecutive days suspension of liquor sales only. Such suspension shall be within thirty (30) days of either the occurrence of the offense or final decision upon appeal.

5. Fifth offense - no monetary penalty - for Class "AB", "A" and "B" license holders, seven consecutive day suspension of license (liquor sales only) with the dates selected by licensee requiring the business to be closed for liquor sales. For all other classes of liquor licenses, fourteen consecutive days suspension of liquor sales only, such suspension to be within thirty (30) days of either the occurrence of the offense or final decision upon appeal.

6. Sixth offense - no monetary penalty - for Class "AB", "A" and "B" license holders, ten consecutive day suspension of license (liquor sales only) with the dates selected by licensee requiring the business to be closed for liquor sales. For all other classes of liquor licenses, twenty consecutive days suspension of liquor sales only, such suspension to be within thirty (30) days of either the occurrence of the offense or final decision upon appeal.

7. Seventh offense - no monetary penalty - revocation of liquor license.

The foregoing penalties for failing compliance checks will be those offenses occurring within a one-year period. Said one-year period commences to run and is calculated (365 days) from the first offense by the licensee.

The city of Fargo police department, in conjunction with its designee, will make a reasonable effort to conduct up to four compliance checks a year at each licensed liquor serving establishment in the city. In the event a licensed establishment fails to pass compliance checks during such visits, the same may result in additional compliance checks being conducted at that establishment during the year.

Administrative penalties for violation of [section 25-1509.2](#) regarding sale to an intoxicated person or person incapacitated by consumption of alcoholic beverages are as follows:

1. First offense: Warning. There will also be mandatory server training refresher course within 30 days after the offense.
2. Second offense: \$1,000 monetary penalty, plus one-day suspension of alcoholic beverage license to be determined by the liquor control committee. For Class "AB", "A" and "B" license holders, one day suspension of license (liquor sales only) with the date selected by licensee within thirty (30) days of either occurrence of the offense or final decision upon appeal. For all other classes of liquor licenses, two days suspension of liquor sales only with the dates selected by licensee within thirty (30) days of either occurrence of the offense or final decision on appeal.

I. Administrative penalties for violation of [section 25-1509.2](#) regarding allowing consumption of alcoholic beverages on the licensed premises by any intoxicated person are as follows:

1. First offense: Warning. There will also be mandatory server training refresher course within 30 days after the offense.

[https://www.municode.com/library/nd/fargo/codes/code\\_of\\_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentType%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=CH25LIREBUTR\\_ART25-1%5ALBE\\_25-1511LIPREQFO](https://www.municode.com/library/nd/fargo/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentType%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=CH25LIREBUTR_ART25-1%5ALBE_25-1511LIPREQFO)

# Watford City

## 6-535 - Revocation and Suspension by City Council

### 4. Server Training.

Server training is required for licensees, together with their managers and employees. Server training shall mean training that has been approved by the Watford City Police Chief and/or the City Administrator for managers and employees involved in selling alcoholic beverages at licensed liquor establishments, including restaurants. Persons successfully completing an approved class will receive a server training certificate card which will remain with that individual wherever employed. The server training certificate card will remain in effect for three (3) years from the anniversary date as shown on the card, and must be renewed prior to its expiration. There shall be a six (6) month grace period for new hires to obtain his or her server training card.

[https://www.municode.com/library/nd/watford\\_city/codes/code\\_of\\_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=CHVIBURELI\\_ART5ALBELISATHREPE\\_6-501DE](https://www.municode.com/library/nd/watford_city/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22alcohol%20server%20training%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=CHVIBURELI_ART5ALBELISATHREPE_6-501DE)

# West Fargo

## 10-0104. LICENSE-QUALIFICATIONS.

No retail license for the sale of alcoholic beverages shall be issued to any applicant unless the following requirements are met:

7. Server Training Required: All licenses issued under the provisions of this Chapter of the West Fargo ordinances are required to send all managers and employees involved in the sales of alcoholic beverages at said licensed establishment to a server training course, as approved by the West Fargo Police Department.

a. Persons successfully completing the approved class will receive a "server training certificate card," which shall remain with said individual wherever employed. the "server training certificate card" is not required to be in said person's possession during hours of employment, at a licensed establishment, provided the card can be produced within 24 hours.

b. The "server training certificate card" must be renewed every three years.

c. All new establishments are required, within 90 days of opening, to provide the West Fargo Police Department with a roster of managers and employees depicting first name, last name, date of birth, date of hire, and server training card expiration date.

d. Recently hired managers and employees not having in their possession a current "server training certificate card," must within 90 days of the employment start date, successfully complete an approved server training class.

e. All licensees are required to submit along with the license renewal applications, a complete roster of managers and employees involved in serving alcoholic beverages to the West Fargo Police Department. Said roster is to include the expiration date of the respective individual's "server training certificate card." Failure to comply with the above-referenced requirements may result in the delay of the liquor license renewal and/or suspension of said license until date of compliance.

# City of Minot 2020-2023

## Responsible Beverage Server Training Data

<b>2020</b>		<b>2021</b>		<b>2022</b>		<b>2023</b>	
<b>Business (12)</b>	<b>Individuals Trained (62)</b>	<b>Business (3)</b>	<b>Individuals Trained (33)</b>	<b>Business (1)</b>	<b>Individuals Trained (12)</b>	<b>Business (17)</b>	<b>Individuals Trained (114)</b>
GMZS/ Roosevelt Zoo	16	GMZS/ Roosevelt Zoo	5	Marketplace Liquors	12	Bootleggers	13
Prairie Sky Breads	8	Marketplace Liquors	17			Marketplace Liquors	20
Spicy Pie	10	Olive Garden	11			Hot Tots	11
Longhorn Steakhouse	1					Prairie Sky Breads	2
Gramma Jo's Eatery	4					Lamplighter	5
Souris River Brewing	1					Moose Lodge	2
Atypical Brewery	1					X-Golf	1
Landing Bar & Bottle Shop	11					Aces Casino & Lounge	2
Sleep Inn & Suites	7					Wings & Rings	2
Arnie's 2.0	1					VFW	1
Court Ordered	1					Nolas	4
Unknown	1					The Mint Bar	1
						Arnie's 2.0	2
						Devils Fire	2
						Spice Pie	1
						Group Therapy Lounge	1
						Unknown	44

**The overall four year total City of Minot liquor esblishments attedning Responsible Beverage Server Training were 27.  
221 individuals trained and certified.**

# City of Minot 2020-2023 Responsible Beverage Server Training Data

**The overall four year total City of Minot liquor establishments attending Responsible Beverage Server Training were 27.  
221 individuals trained and certified.**