

North Dakota Server Training Ordinances

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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)

(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/I%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%3A%22alcohol%20server%20training%22,%22pageNum%22%3A1,%22resultsPerPage%22%3A25,%22booleanSearch%22%3Afalse,%22stemming%22%3Atrue,%22fuzzy%22%3Afalse,%22synonym%22%3Afalse,%22contentTypes%22%3A%5B%22CODES%22%5D,%22productIds%22%3A%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.

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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.

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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.