

**ORDINANCE NUMBER 101  
(AMENDED)**

Regulating the Licensing and  
Sale of 3.2% Malt Liquor (On Sale  
and Off Sale) and Intoxicating  
Liquor (On Sale and Off Sale)

The Rice County Board of Commissioners of the County of Rice, Minnesota hereby Ordains:

101.01            Purpose

The purpose of this Ordinance is to implement Minnesota Statutes, Chapter 340A as it pertains to issuing of on-sale and off-sale licenses by the County for the sale of intoxicating liquor and 3.2% malt liquor.

101.02            Scope

This Ordinance applies to the unincorporated area of the County.

101.02            Provisions of State Law Adopted

The provisions of Minn. Stat. Chapter 340A, with reference to the definition of terms, application for license, granting of license, conditions of license, restrictions on consumption, provisions on sales conditions of bonds of licenses, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2% malt liquor are hereby adopted and made a part of this Ordinance as if fully set forth herein, except as modified herein.

101.03            Definitions

101.03.01        "Alcoholic beverage" is any beverage containing more than one-half of one percent alcohol by volume.

101.03.02        "Intoxicating liquor" is ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing more than 3.2 percent of alcohol by weight.

101.03.03        "3.2% malt liquor" is malt liquor containing not less than one-half of one percent alcohol by volume nor more than 3.2 percent alcohol by weight.

101.03.04        "Off-sale" is the sale of alcoholic beverages in original packages for consumption off the licensed premises only.

101.03.05        "On-sale" is the sale of alcoholic beverages for consumption on the licensed premises only.

- 101.03.06 "Package" is a sealed or corked container of alcoholic beverages.
- 101.03.07 "Minor" shall include any person who is under the legal age for consumption of any alcoholic beverage, intoxicating liquor, or 3.2% malt liquor.
- 101.03.08 "Commissioner" is the Minnesota Commissioner of Public Safety.
- 101.03.09 "County" means the County of Rice, Minnesota.
- 101.03.10 "Restaurant" is an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises and served at tables to the general public, and having a minimum seating capacity for guests as prescribed by the appropriate license issuing authority.

101.04 License Required

No person may directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, or otherwise dispose of alcoholic beverages as part of a commercial transaction without having obtained a license.

101.05 General Provisions

- 101.05.01 Any person desiring any of the licenses governed by this Ordinance shall first file a verified application in writing with the Rice County Property Tax and Elections Department in the form to be prescribed by the Commissioner, approved by the County Board, and with such additional information as the County Board may require.

The application shall set forth with reasonable accuracy the name and place of residence of the applicant, the exact location of the place in which the applicant proposes to carry on the business and whether or not the applicant has at any time previous to the date been engaged in said business or in the business of selling foodstuffs in the County and if so, when and where. Said application shall be signed by the applicant in person or by an officer of the corporation seeking said license. When received, the application shall be placed on file and the name of the applicant shall also be placed on file.

- 101.05.02 No license may be issued, maintained or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by Minn. Stat. §340A.801. This provision shall not apply to holders of on-sale wine licenses with sales of wine of less than \$25,000 for the preceding year.

101.05.03 All applications considered by the County Board shall include written recommendations from the Sheriff and County Attorney indicating that the applicant is eligible to be licensed under Minn. Stat. §340A.402.

101.06 Persons Eligible

101.06.01 No retail license may be issued to:

- A. A person who has not attained the legal age for purchase and consumption of alcoholic beverages;
- B. A person who, within five years of the license application, has been convicted of a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution, of intoxicating or 3.2% malt liquor;
- C. A person who has had an intoxicating liquor or 3.2% malt liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation license, as a purchaser or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested;
- D. A person not of good moral character and repute; or
- E. A person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler

101.07 On-Sale and Off-Sale 3.2% Malt Liquor Licenses

101.07.01 County Board May Issue.

- A. The County Board may issue off-sale, on-sale, or combination licenses for the sale of 3.2% malt liquor within its jurisdiction.
  - i. One-half of the license fee received by the county for a retail license to sell 3.2% malt liquor within any town in the county shall be paid to the town board where the business is located.

101.07.02 Temporary On-Sale Licenses.

- A. A club or charitable, religious, or nonprofit organization may be issued a temporary on-sale license for the sale of 3.2% malt liquor.

- B. The temporary on-sale license may authorize the sale of 3.2% malt liquor in any school or school buildings.
- C. Temporary licenses shall be subject to the terms set by the County and may be issued for no more than four consecutive days.

101.07.03 Who May Be Issued On-Sale 3.2% Malt Liquor Licenses

- A. On-sale 3.2% malt liquor licenses may be issued only to drugstores, restaurants, hotels, clubs, and establishments used exclusively for the sale of 3.2% malt liquor with the incidental sale of tobacco and soft drinks.

101.07.04 Duration of 3.2% Malt Liquor License

- A. All retail 3.2% malt liquor licenses must be issued for one year, except that for the purpose of considering the time of expiration of a license in general, licenses may be issued for a shorter time, in which case a pro rata license fee must be charged.

101.07.05 Exemption

- A. Any person licensed to sell intoxicating liquor at on-sale shall not be required to obtain an on-sale license under this Section 101.07, and may sell 3.2% malt liquor beverages at on-sale without further license.
- B. Any person licensed to sell intoxicating liquor at off-sale shall not be required to obtain an off-sale license under this Section 101.07, and may sell 3.2% malt liquor beverages at off-sale without further license.

101.08 On-Sale Intoxicating Liquor License

101.08.01 County Board May Issue

- A. The County Board may issue an annual on-sale intoxicating liquor license within the area of the county that is unorganized or unincorporated to a bowling center, restaurant, club, or hotel with the approval of the Commissioner.

101.08.02 Wine License

- A. The County Board may issue an on-sale wine license with the approval of the Commissioner to a restaurant having facilities for seating at least 25 guests at one time.
- B. A wine license issued under 101.08.02.A above permits the sale of wine of up to 24 percent alcohol by volume for consumption with the sale of food.

- C. A wine license authorizes the sale of wine on all days of the week, unless this Ordinance otherwise restricts the license's authorization to the sale of wine on all days except Sundays.
- D. A person issued a wine license pursuant to this section who is also licensed to sell 3.2% malt liquors at on-sale, may sell intoxicating malt liquors at on-sale without an additional license.

101.08.03 Seasonal on-sale licenses

- A. The County Board may issue up to ten seasonal on-sale licenses to restaurants and clubs for the sale of intoxicating liquor within the area of the county that is unorganized or unincorporated with the approval of the Commissioner.
- B. A seasonal license issued under this Section is valid for a period not to exceed nine months.
- C. Not more than one license may be issued for any one premises during any consecutive 12-month period.

101.08.04 On-sale hours restricted

- A. No sale of intoxicating liquor for consumption on the licensed premises may be made:
  - i. Between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
  - ii. After 2:00 a.m. on Sundays, except as provided in Section 101.11
  - iii. No licensee may sell intoxicating liquor or 3.2% malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. unless the licensee has obtained a permit from the Commissioner. Application for the permit must be on a form the Commissioner prescribes. Permits are effective for one year from date of issuance.

101.09 Off-Sale Intoxicating Liquor License

101.09.01 County Board

- A. The County Board may issue an off-sale license with the approval of the Commissioner to exclusive liquor stores located within unorganized territory of the County.

- B. The County Board may issue an off-sale license with the approval of the Commissioner to an exclusive liquor store in a town exercising powers under Minn. Stat. §368.01, subds. 1 or 1a.
- C. The County Board may issue a combination off-sale and on-sale license, with the approval of the Commissioner, to restaurants within a town that may not exercise powers under Minn. Stat. §368.01, subds. 1 or 1a.
- D. No sale of intoxicating liquor may be made by an off-sale licensee:
  - i. On Sundays except between the hours of 11:00 a.m. and 6:00 p.m.;
  - ii. Before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
  - iii. On Thanksgiving Day;
  - iv. On Christmas Day, December 25;
  - v. After 8:00 p.m. on Christmas Eve, December 24; or
  - vi. As otherwise prohibited by law

101.09.02 License Requirements

- A. Town Board Resolution Required. No license may be issued under paragraphs 101.09.01.B and C above unless the town board adopts a resolution supporting the issuance of the license.
- B. Hearing. No license may be issued under this subdivision unless a public hearing is held on the issuance of the license.
- C. Notice. Notice must be given to all interested parties and to any city located within three miles of the premises proposed to be licensed.
- D. Basis for County Board Decision. At the hearing, the County Board will consider testimony and exhibits presented by interested parties and may base its decision to issue or deny a license upon the nature of the business to be conducted and its impact upon any municipality, the character and reputation of the applicant, the propriety of the location, and the written recommendation of the Sheriff and County Attorney as required by Minn. Stat. §340A.410, subd. 2 and this Ordinance.

101.10 Consumption and Display Permits

101.10.01 Permit Required

- A. No business establishment or club in Rice County which does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit from the Commissioner.

101.10.02. Additional Authorization

- A. A holder of a consumption and display permit under this section who wishes to allow the consumption and display of intoxicating liquor between the hours of 1:00 a.m. and 2:00 a.m. must obtain authorization to do so from the Commissioner.
- B. The authorization may be provided in a document issued to the permit holder by the Commissioner, or by a notation on the permit holder's permit.
- C. Authorizations are valid for one year from the date of issuance.

101.10.03 Local consent required

- A. A permit issued under this section is not effective until approved by the County Board.

101.10.04 Permit fees

- A. In order to obtain the consent of the County Board for a consumption and display permit, the business establishment or club shall pay the fee as established by the County Board of Commissioners and listed on the Rice County website.

101.11 Intoxicating Liquor: Sunday On-Sale

101.11.01 License required

- A. An establishment serving intoxicating liquor on Sundays must obtain a Sunday license from the County Board and shall pay the associated fee as set by the County Board.

101.11.02 County Board

- A. The County Board may issue an intoxicating liquor Sunday on-sale license in conjunction with the sale of food to a restaurant, club, bowling center or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license for consumption of intoxicating liquor on the premises.

101.11.03 Voter approval necessary

- A. The County Board may issue a Sunday intoxicating liquor license in a town only if authorized to do so by the voters of the town.

- B. An election conducted in a town on the question of the issuance by the County Board of Sunday sales licenses to establishments located in the town must be held on the day of the annual election of town officers.
- C. The County Board may issue a Sunday intoxicating liquor license in unorganized territory only if authorized to do so by the voters of the election precinct that contains the licensed premises.
- D. Voting on the question of the issuance by the County Board of Sunday sales licenses to establishments located in unorganized territory of the County shall occur at a general or special election.

101.11.02 Duration and hours

- A. A license issued pursuant to 101.11.01 shall be for a period of one year.
- B. The hours for a Sunday on-sale license shall be from 8:00 a.m. on Sundays until 2:00 a.m. on Mondays.
  - i. Sales after the hours of 1:00 a.m. must obtain a license as provided in Section 101.08.04.A.iii

101.12 General License Restrictions for On-Sale and Off-Sale Licensing of Intoxicating Liquors and 3.2% Malt Liquors

101.12.01 Town Consent

- A. The County will not issue a retail license to sell any alcoholic beverage within an organized town unless the applicant can show by certified copy of a resolution that the governing body of the town has consented to the issuance of the license.

101.12.02 Written Recommendation of Sheriff and County Attorney Required

- A. The County will not issue or renew a license to sell on-sale or off-sale intoxicating liquor or 3.2% malt liquor until the County Board has received a written recommendation from the Sheriff and County Attorney stating that to the best of their knowledge the applicant is eligible to be licensed under Minn. Stat. §340A.402 and Section 101.06 of this Ordinance.
- B. The County Board shall consider the recommendations of the Sheriff and County Attorney, the character and reputation of the applicant, and the nature and location of the business prior to issuance of any license.



- C. A copy of the written recommendations of the Sheriff and County Attorney must be provided to the Town Board if the Town Board's consent is required before the issuance of a license.

101.12.03 License Limited to Space Specified

- A. The retail license to sell on-sale and off-sale intoxicating liquor and 3.2% malt liquor is only effective for the compact and contiguous space specified in the approved license application.

101.13 Specific On-Sale and Off-Sale Intoxicating Liquor License Restrictions

101.13.01 Additional information beyond applicant

- A. The names and addresses of all persons, other than the applicant, who have any financial interest in the business, buildings, premises fixtures, furniture, and stock in trade: the nature of such interest, amount thereof, terms for payment or other reimbursement. This shall include, but not be limited to, any lessee, lessors, mortgagees, mortgagors, lenders, lienholders and trustees.

101.13.02 Investigation

- A. The County shall on initial application for an on-sale intoxicating liquor license or on application for a transfer of an existing license conduct a preliminary background and financial investigation of the applicant.
- B. The application must be in the form prescribed by the Bureau of Criminal Apprehension and with any additional information as the County Board requires. If the County Board determines or if the Bureau of Criminal Apprehension on its own initiative determines that a comprehensive background and investigation of the applicant is necessary, the Bureau of Criminal Apprehension will complete the investigation. In addition, an investigation may be required prior to renewal of an existing on-sale license when the County Board deems it in the public interest.
- C. An investigation fee set by the County Board shall be charged new applicants by the County if the investigation is conducted within the State. The maximum fee for an investigation conducted in the state is limited by statute. If the investigation is conducted outside the state the fee will be the actual cost not to exceed \$10,000.
- D. No license may be issued, transferred, or renewed if the results of the investigation show, to the satisfaction of the County Board that issuance, transfer, or renewal would not be in the public interest.

101.13.03 Limitations on Issuance of licenses to One Person or Place.

- A. The County shall not issue more than one off-sale intoxicating liquor license to any one person or for any one place.
  - i. For purposes of this provision, "person" means:
    - (1) a holder of an off-sale intoxicating liquor license;
    - (2) an officer, director, agent, or employee of a holder of an off-sale intoxicating liquor license; or
    - (3) an affiliate of a holder of an off-sale intoxicating liquor license, regardless of whether the affiliation is corporate or by management, direction, or control.
- B. The same business name shall not be used by more than one of its off-sale intoxicating liquor licensees.
- C. To determine whether an applicant has an "interest" in any one or more place(s) that already has an off-sale intoxicating liquor license shall be defined as follows:
  - i. Includes any pecuniary interest in the ownership, operation, management, or profits of a retail liquor establishment, and a person who receives money from time to time directly or indirectly from a licensee, in the absence of consideration and excluding gifts or donations, has a pecuniary interest in the retail license; and
  - ii. Does not include loans; rental agreements; open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures, supplies to the establishment; an interest in a corporation owning or operating a hotel but having at least 150 or more rental units holding a liquor license in conjunction therewith; or ten percent or less interest in any other corporation holding a license.
  - iii. In determining whether an "interest" exists, the transaction must have been bona fide and the reasonable value of the goods and things received as consideration for a payment by the licensee and all other facts reasonably tending to prove or disprove the existence of a purposeful scheme or arrangement to evade the restrictions of this subdivision must be considered.

101.13.04 Licenses Prohibited in Certain Areas

A. No license to sell intoxicating liquor may be issued within the following areas:

- i. Where restricted against commercial use through zoning ordinances and other proceedings or legal processes regularly had for that purpose, except licenses may be issued to restaurants in areas which were restricted against commercial uses after the establishment of the restaurant;
- ii. Within 1,000 feet of an institution under the supervision or control, in whole or in part, of the Commissioner of Human Services or the Commissioner of Corrections;
- iii. In a town or municipality in which a majority of votes at the last election at which the question of license was voted upon were not in favor of license under Minn. Stat. § 340A.416, or within one-half mile of any such town or municipality; or
- iv. Within 1,500 feet of any public school that is not within a city.

101.13.05 License in Connection With Premises of Another

A. An intoxicating liquor license may not be issued to a person in connection with the premises of another to whom a license could not be issued under the provisions of this chapter. This section does not prevent the granting of a license to a proper lessee because the person has leased the premises of a minor, a noncitizen who is not a resident alien, or a person who has been convicted of a crime other than a violation of this chapter.

101.13.06 Off-Sale Licenses Where 3.2% Malt Liquor Is Sold

A. An off-sale intoxicating liquor license may not be issued to a place where 3.2% malt liquor is sold for consumption on the premises.

101.13.07 Drugstores

A. No intoxicating liquor license may be issued to a person operating a drugstore unless the person has operated it for at least two years or has purchased a drugstore that has been in continuous operation for two or more years.

101.13.08 License Transfer

A. A license may be transferred with the consent of the County Board and the Commissioner. Where a license is held by a corporation, a change in

ownership of ten percent or more of the stock of the corporation must be reported in writing to the authority who issued the license within ten days of the transfer. A fee of \$100.00 shall be charged by the County to process any transfer of a liquor license under this Ordinance.

#### 101.14 License Renewals

Application for the renewal of an existing license shall be made at least 60 days prior to the date of the expiration of the license and shall be made in such abbreviated form as the County Board may approve. If, in the judgment of the County Board, good and sufficient cause is shown by any applicant for his failure to file for a renewal within the time provided, the County Board may, if the other provisions of this Ordinance are complied with, grant the application.

#### 101.15 Liability Insurance

##### 101.15.01 Insurance required

- A. No retail license may be issued, maintained or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by Minn. Stat. §340A.801.
- B. At a minimum, the applicant must have the following levels of insurance coverage before the license is issued:
  - i. A certificate that there is in effect for the license period an insurance policy or pool providing at least Fifty Thousand Dollars, (\$50,000.00), of coverage because of bodily injury to any one person in any one occurrence,
  - ii. One Hundred Thousand, (\$100,000.00), because of bodily injury to two or more persons in any one occurrence,
  - iii. Ten Thousand Dollars, (\$10,000.00), because of injury to or destruction of property of others in any one occurrence,
  - iv. Fifty Thousand, (\$50,000.00), for loss of means of support of any one person in any one occurrence,
  - v. One Hundred Thousand Dollars, (\$100,000.00), for loss of means of support of two or more persons in any one occurrence,
  - vi. \$50,000.00 for other pecuniary loss of any one person in any one occurrence, and
  - vii. \$100,000.00 for other pecuniary loss of two or more persons in any one occurrence.
  - viii. An annual aggregate policy limit for dram shop liability of not less than \$310,000.00 per policy year may be included in the policy provisions.
- C. The applicant shall also provide proof of the following before a license is issued:

- i. A bond of a surety company with minimum coverages as provided in section 101.15.01; and
- ii. A certificate of the Minnesota Commissioner of Management and Budget that the licensee has deposited with the State Treasurer One Hundred Thousand Dollars, (\$100,000.00), in cash or securities which may legally be purchased by savings banks or for trust funds having a market value of One Hundred Thousand Dollars, (\$100,000.00);

D. An insurer may provide the coverage required by this section 101.15 in combination with other insurance coverage.

101.15.2 Minnesota Joint Underwriting Association

A. An Applicant unable to obtain the insurance coverage required under section 101.15 above may provide evidence of coverage provided by the Minnesota Joint Underwriting Association.

101.15.3 Insurance Not Required

- A. Section 101.15 does not apply to licensees who by affidavit establish that:
- i. They are on-sale 3.2% malt liquor licensees with sales of less than Twenty Five Thousand Dollars, (\$25,000), of 3.2% malt liquor for the preceding year;
  - ii. They are off-sale 3.2% malt liquor licensees with sales of less than Fifty Thousand Dollars, (\$50,000), of 3.2% malt liquor for the preceding year;
  - iii. They are holders of on-sale wine licenses with sales of less than \$25,000 for wine for the preceding year;
  - iv. They are holders of temporary wine licenses issued under law; or
  - v. They are wholesalers who donate wine to an organization for a wine tasting conducted under section 340A.418 or 340A.419.

101.16 Fees

101.16.1 Fee Schedule

A. Fees will be assessed in accordance with the schedule approved by the County Board and posted on the Rice County website.

101.16.2 Refunds

- A. With the Consent of the County Board a pro rata share of an annual license fee for a retail license to sell intoxicating or 3.2% malt liquor, either on-sale or off-sale, may be refunded to the licensee or to the licensee's estate if:
- i. The business ceases to operate because of destruction or damage;
  - ii. The licensee dies;
  - iii. The business ceases to be lawful for a reason other than license revocation; or
  - iv. The licensee ceases to carry on the licensed business under the license.

101.17 Majority Vote Required

A majority vote of the County Board shall be required for the granting of a license.

101.18 Delinquent Taxes, Assessments

No license shall be granted or renewed, for operation on any premises, on which taxes, assessments or other financial claims of the County are delinquent and unpaid.

101.19 Posting of License

The license shall be posted in a conspicuous place in the licensed establishment at all times.

101.20 Licensee Responsibility

The act of any employee of the licensed premises authorized to sell or serve intoxicating liquor shall be deemed the act of the licensee as well, and the licensee shall be liable for all penalties provided by the Ordinance equally as well as the employee.

101.21 Amendment and Effective Date

101.21.01 Amendment. This Ordinance amends Rice County Ordinance 101.

101.21.02 Effective Date. This Ordinance is effective upon its passage and publication according to law.

This Ordinance having been approved and passed by the Rice County Board of Commissioners this 25<sup>th</sup> day of May, 2021.

Dated: May 25<sup>th</sup>, 2021

**RICE COUNTY BOARD OF COMMISSIONERS**



\_\_\_\_\_  
Jeff Docken, Chairperson

**ATTEST:**



\_\_\_\_\_  
Sara Folsted, County Administrator

**BOARD of COMMISSIONERS  
RICE COUNTY, MINNESOTA**

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**RESOLUTION #21-025**

**SETTING OF PUBLIC HEARING DATE FOR POSSIBLE CHANGES TO  
REGULATING THE LICENSING AND SALE OF 3.2% MALT LIQUOR (ON & OFF SALE)  
AND INTOXICATING LIQUOR (ON AND OFF SALE)**

**WHEREAS**, a public hearing is needed in order to proceed with changes of the Rice County Ordinance # 101 Liquor Licenses; Regulating the Licensing and Sale of 3.2% Malt Liquor (On Sale and Off Sale) and Intoxicating Liquor (On Sale and Off Sale) under Minnesota Statutes, Chapter 340A; and

**WHEREAS**, a public hearing date of May 25<sup>th</sup>, 2021 at 8:45 am is appropriate considering publication; and

**WHEREAS**, Publications will be in Faribault Daily News and the County website at [www.co.rice.mn.us](http://www.co.rice.mn.us)

**NOW THEREFORE BE IT RESOLVED**, that the Rice County Board of Commissioners hereby sets a public hearing regarding the proposed changes to Rice County Liquor License Ordinance 101 on May 25<sup>th</sup>, 2021 at 8:45 am. Publication of the public hearing is directed to be made on the County website and Faribault Daily News.

Dated this 27th day of April, 2021.

**RICE COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Jeff Decken, Chairperson

**ATTEST:**

  
\_\_\_\_\_  
Sara Folsted, County Administrator



**NOTICE OF PUBLIC HEARING**

**RICE COUNTY LIQUOR LICENSE ORDINANCE # 101**

**Regulating the Licensing and Sale of 3.2% Malt Liquor (On Sale and Off Sale) and Intoxicating Liquor (On Sale and Off Sale)**

A public hearing will be held on, Tuesday, May 25<sup>th</sup>, 2021 during the Rice County Board of Commissioners meeting at approximately 8:45 am at the Rice County Government Services Building, 320 Third St NW, Faribault Minnesota, to discuss the proposed changes to the Rice County Liquor License Ordinance # 101. Copies of the proposed ordinance changes and information is available at [www.co.rice.mn.us](http://www.co.rice.mn.us) or through the contact information below. Comments may be submitted at the public hearing or sent to the following by May 20<sup>th</sup>, 2021, [danderson@co.rice.mn.us](mailto:danderson@co.rice.mn.us) or Denise M Anderson, Rice County Property Tax & Elections Department, 320 Third St NW, Faribault, MN 55021.

FDN 5/8, 5/15 101394

**AFFIDAVIT OF PUBLICATION**

[LEGAL.TEXT]

**PUBLIC NOTICES**

I do solemnly swear that the notice, as per the proof, was published in the regular and entire edition of the

Faribault Daily News, Owatonna Peoples Press

with the known office of issue being located in the county of:

Rice

with additional circulation in the counties of:

Steele

and has full knowledge of the facts stated below:

- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 2 successive week(s); the first insertion being on 05/08/2021.

**MORTGAGE FORECLOSURE NOTICES**

Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: Allison L. Miller  
Authorized Agent

By: Allison L. Miller  
Print Name

Subscribed and sworn to or affirmed before me on 5/10/21 by:

D. Kallimanis  
Notary Public



**Rate Information:**

(1) Lowest classified rate paid by commercial users for comparable space:

\$23.25 per column inch  
Open Rate

**BOARD of COMMISSIONERS  
RICE COUNTY, MINNESOTA**

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**RESOLUTION #21-029  
ADOPTION OF LIQUOR ORDINANCE 101**

**WHEREAS**, Rice County held a public hearing on May 25<sup>th</sup>, 2021 regarding the changes to Liquor License Ordinance # 101; Regulating the Licensing and Sale of 3.2% Malt Liquor (On Sale and Off Sale) and Intoxicating Liquor (On Sale and Off Sale).

**WHEREAS**, Notice of the public hearing was on the County Website and published in the Faribault Daily Newspaper on May 8<sup>th</sup>, 2021 and May 15<sup>th</sup>, 2021.

**NOW THEREFORE BE IT RESOLVED** that the Rice County Board of Commissioners hereby adopts Liquor License Ordinance # 101; Regulating the Licensing and Sale of 3.2% Malt Liquor (On Sale and Off Sale) and Intoxicating Liquor (On Sale and Off Sale). (Attached)

**BE IT FURTHER RESOLVED**, Rice County Board of Commissioner's hereby directs publication of the adoption and recording of the ordinance.

Dated this 25<sup>th</sup> Day of May, 2021.

**RICE COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Jeff Dockett, Chairperson

**ATTEST:**

  
\_\_\_\_\_  
Sara Folsted, County Administrator

**RICE COUNTY**

***NOTICE OF ADOPTION OF CHANGES  
TO LIQUOR LICENSE ORDINANCE # 101***

Effective Date of Ordinance: December 11, 2007

Effective Date of Changes to Ordinance: May 29, 2021

The purpose of this Ordinance is to implement Minnesota Statutes, Chapter 340A as it pertains to issuing of on-sale and off-sale licenses by the County for the sale of intoxicating liquor and 3.2% malt liquor. A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the Rice County Property Tax & Elections Department, per Minn. Stat. §375.51.

FDN 5/29 102470

# AFFIDAVIT OF PUBLICATION

[LEGAL.TEXT]

## PUBLIC NOTICES

I do solemnly swear that the notice, as per the proof, was published in the regular and entire edition of the

Faribault Daily News, Owatonna Peoples Press

with the known office of issue being located in the county of:

Rice

with additional circulation in the counties of:

Steele

and has full knowledge of the facts stated below:

- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 05/29/2021.

## MORTGAGE FORECLOSURE NOTICES

Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: Allison L. Miller  
Authorized Agent

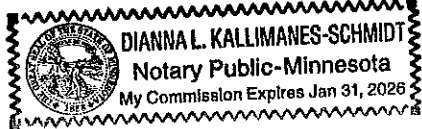
By: Allison L. Miller  
Print Name

Subscribed and sworn to or affirmed before me

on 6/3/21 by:

Dianna L. Schmidt

Notary Public



### Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:

\$23.25 per column inch

Open Rate

Ad ID 102470



740507

I hereby certify that this document was filed in this office and duly recorded on

June 14, 2021 12:15 PM

Judy Van Erp, Recorder

Pages: 21

**A740507**

Office of County Recorder/Registrar  
RICE COUNTY, MN

\$0

Return To:

RICE COUNTY PROPERTY TAX AND ELECTIONS  
320 NW 3RD ST  
FARIBAULT, MN 55021