

CHAPTER 111: ALCOHOLIC BEVERAGES

Section

General Provisions

- 111.001 Open to view establishments
- 111.002 Open containers
- 111.003 Establishing 21 as age allowed in liquor establishments
- 111.004 Prohibiting the consumption or possession of liquor on city property
- 111.005 Issuance of on-sale wine licenses and sale of intoxicating malt liquors under certain conditions

Intoxicating Liquor Licensing

- 111.020 Provisions of state law adopted
- 111.021 License required
- 111.022 Application for license
- 111.023 License fees
- 111.024 Granting of licenses
- 111.025 Persons ineligible for license
- 111.026 Places ineligible for license
- 111.027 Conditions of license
- 111.028 Restrictions on purchase and consumption
- 111.029 Suspension and revocation
- 111.030 2:00 a.m. closing

Beer Licensing

- 111.040 Definition of terms
- 111.041 License required
- 111.042 License applications
- 111.043 License fees
- 111.044 Granting of licenses
- 111.045 Persons ineligible for a license
- 111.046 Places ineligible for a license
- 111.047 Conditions of license
- 111.048 Closing hours

Waterville - Business Regulations

- 111.049 Clubs
- 111.050 Restrictions on purchase and consumption
- 111.051 Revocation

Bottle Clubs

- 111.065 Bottle clubs defined
- 111.066 Regulations
- 111.067 Permit required
- 111.068 Hours of operation
- 111.069 Inspection
- 111.070 Permit restrictions
- 111.071 Application

GENERAL PROVISIONS**§ 111.001 OPEN TO VIEW ESTABLISHMENTS.**

No person licensed by the Council of the City of Waterville to sell, vend, deal in and dispose of beer or intoxicating liquors within the city, shall, between the hours of 2:00 p.m. and 5:00 a.m., in any manner blind or obstruct the view through the windows and doors of the saloons, house place where the liquors are sold or disposed of, either by the use of shades, blinds, screens, or by painted or ground glass, or by any means whatsoever obstruct the clear and full view from the street to the inside of the saloon or from the inside of the saloon to the street.

(1982 Code, § 604.01) Penalty, see § 10.99

§ 111.002 OPEN CONTAINERS.

No licensee of on-sale liquor or beer shall knowingly permit any person to leave the licensed premises with an open container, glass or bottle.

(1982 Code, § 604.02) Penalty, see § 10.99

§ 111.003 ESTABLISHING 21 AS AGE ALLOWED IN LIQUOR ESTABLISHMENTS.

(A) *Minors prohibited.* No person under the age of 21 years, unless accompanied by their parent or legal guardian, shall be permitted or allowed upon or within the premises of any establishment licensed to sell intoxicating liquors.

(B) *Licenses and employees; minors prohibited.* No person licensed to sell intoxicating liquors, nor their employees, shall permit any person under the age of 18 years, not accompanied by their parent or legal guardian, to be in or upon the premises of any establishment licensed for the sale of intoxicating liquors.

(C) *Violation.* Any person guilty of violating this section is guilty of a misdemeanor. (Ord. 604.05, passed 2-5-1991) Penalty, see § 10.99

§ 111.004 PROHIBITING THE CONSUMPTION OR POSSESSION OF LIQUOR ON CITY PROPERTY.

(A) (1) As defined by M.S. Chapter 340A, as it may be amended from time to time, except these items as may be held by the Police Department as evidence and properly identified and stored in the evidence room, no person shall consume or have in their possession an open container on city property:

- (a) Intoxicating liquor;
- (b) Low-alcohol malt liquor; and/or
- (c) 3.2% malt liquor.

(2) Any person violating this division is guilty of a misdemeanor.

(B) (1) No person shall consume or have in their possession an open container of intoxicating liquor on city property, unless authorized by special approval of the City Council, as defined by M.S. Chapter 340A, as it may be amended from time to time, except the items as may be held by the Police Department as evidence and properly identified and stored in the evidence room.

(2) Any person violating this division is guilty of a misdemeanor. (Ord. 604.06, passed 6-1-1993; Ord. 604.06, passed 3-7-1995) Penalty, see § 10.99

§ 111.005 ISSUANCE OF ON-SALE WINE LICENSES AND SALE OF INTOXICATING MALT LIQUORS UNDER CERTAIN CONDITIONS.

(A) *On-sale wine licenses.*

(1) On-sale wine licenses may be issued to a restaurant having facilities for seating at least 25 guests at one time.

(2) A wine license permits the sale of wine up to 14% alcohol by volume for consumption with the sale of food.

(B) *Sale of intoxicating malt liquors.* The holder of a wine license issued pursuant to division (A) herein who is also licensed to sell 3.2% malt liquors at on-sale and whose gross receipts are at least 60% attributable to the sale of food, may also sell intoxicating malt liquors at on-sale without an additional license.

(Ord. 604.07, passed 10-5-1993)

INTOXICATING LIQUOR LICENSING

§ 111.020 PROVISIONS OF STATE LAW ADOPTED.

No sale of non-intoxicating malt liquor shall be made between the hours of 2:00 a.m. and 8:00 a.m., on any weekday, Monday through Saturday; and after 2:00 a.m. on Sundays inclusive. Neither shall any sale of such liquor be made on any Sunday between the hours of 2:00 a.m. and 10:00 a.m., nor after 8:00 p.m. on December 24.

(1982 Code, § 601.01) (Ord. 601.01, passed 8-5-2003; Ord. 601.01, passed 5-1-2007)

§ 111.021 LICENSE REQUIRED.

(A) General requirement.

(1) No person, except a wholesaler or manufacturer to the extent authorized under state license, shall directly or indirectly deal in, sell, or keep for sale in the city any intoxicating liquor without a license to do so as provided in this chapter.

(2) Liquor licenses shall be of five kinds: on-sale; off-sale; Sunday liquor; 2:00 a.m. closing; and club licenses.

(B) *On-sale licenses.* On-sale licenses shall be issued only to hotels, clubs, restaurants and on-sale liquor stores and shall permit on-sale of liquor only.

(C) *Off-sale licenses.* Off-sale licenses shall be issued only to on-sale liquor stores and to exclusively off-sale stores and shall permit off-sales of liquor only.

(D) *Special club licenses.* Special club licenses shall be issued only to incorporated clubs which have been in existence for 15 years or more or to congressionally chartered veterans' organizations which have been in existence for ten years.

(1982 Code, § 601.02) Penalty, see § 10.99

§ 111.022 APPLICATION FOR LICENSE.

(A) Form.

(1) Every application for a license to sell liquor shall state the name of the applicant, his or her age, representations as to his or her character, with references as the Council may require, his or her citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long he or she has been in that business at that place, and any other information as the Council may require from time to time.

(2) In addition to containing this information, the application shall be in the form prescribed by the Department of Public Safety and shall be verified and filed with the City Administrator-Clerk.

(3) No person shall make a false statement in an application.

(B) Bond.

(1) Each application for a license shall be accompanied by a surety bond or, in lieu thereof, cash or United States Government bonds of equivalent market value as provided in M.S. § 340A.409, as it may be amended from time to time.

(2) The surety bond or other security shall be in the sum of \$3,000 for an applicant for an on-sale license and \$3,000 for an applicant for an off-sale license.

(C) Liability insurance.

(1) Prior to the issuance of a liquor license, the applicant shall file with the City Administrator-Clerk a liability insurance policy in the amount of \$50,000 coverage for one person and \$100,000 coverage for more than one person and shall comply with the provisions of M.S. § 340A.409, as it may be amended from time to time, relating to liability insurance policies.

(2) If a liability insurance policy is made subject to all the conditions of a bond under that statute, the policy may be accepted by the Council in lieu of the bond required under division (B) above.

(D) Approval of security.

(1) The security offered under divisions (B) and (C) shall be approved by the City Council and in the case of applicants for off-sale licenses, by the state liquor control director.

(2) Surety bonds and liability insurance policies shall be approved as to form by the city attorney.

(3) Operation of a licensed business without having on file with the city at all times effective security as required in divisions (B) and (C) is a cause for revocation of the license.
(1982 Code, § 601.03) Penalty, see § 10.99

§ 111.023 LICENSE FEES.

(A) *Fees.* The annual fee for a liquor license shall be \$2,100 for an on-sale license, \$100 for an off-sale license, and \$100 for a special club license. The Sunday liquor license fee is \$200; the 2:00 a.m. liquor license fees are as set by the divisions of alcohol and gambling.

(B) *Payment.*

(1) Each application for a license shall be accompanied by a receipt from the City Administrator-Clerk for payment in full of the license fee.

(2) All fees shall be paid into the general fund.

(3) If an application for a license is rejected, the Administrator-Clerk shall refund the amount paid.

(C) *Term, pro rata fee.*

(1) Each license shall be issued for a period of one year except that if the application is made during the license year, a license may be issued for the remainder of the year for a pro rata fee, with any unexpired fraction of a month being counted as one month.

(2) Every license shall expire on the last day of April.

(D) *Refunds.* No refund of any fee shall be made except as authorized by statute.
(1982 Code, § 601.04)

§ 111.024 GRANTING OF LICENSES.

(A) *Investigation and issuance.*

(1) The City Council shall investigate all facts set out in the application.

(2) The Council shall give upon request any person the opportunity to be heard for or against the granting of the license.

(3) After the investigation and hearing, the Council shall, in its discretion, grant or refuse the application.

(4) No off-sale license shall become effective until it, together with the security furnished by the applicant, has been approved by the Department of Public Safety.

(B) *Person and premises licensed; transfer.*

(1) Each license shall be issued only to the applicant and for the premises described in the application.

(2) No license may be transferred to another person or place without City Council approval.

(3) Any transfer of stock of a corporate licensee is deemed a transfer of the license and a transfer of stock without prior Council approval is a ground for revocation of the license. (1982 Code, § 601.05)

§ 111.025 PERSONS INELIGIBLE FOR LICENSE.

No license shall be granted to any person made ineligible for a license by state law. (1982 Code, § 601.06)

§ 111.026 PLACES INELIGIBLE FOR LICENSE.

(A) *General prohibition.* No license shall be issued for any place or any business ineligible for a license under state law.

(B) *Delinquent taxes and charges.* No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the city are delinquent and unpaid. (1982 Code, § 601.07)

§ 111.027 CONDITIONS OF LICENSE.

(A) *In general.* Every license is subject to the conditions in the following divisions and all other provisions of this chapter and of any other applicable ordinance, state law or regulation.

(B) *Licensee's responsibility.*

(1) Every licensee is responsible for the conduct of his or her place of business and the conditions of sobriety and order in it.

(2) The act of any employee on the licensed premises authorized to sell intoxicating liquor there is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this chapter and the law equally with the employee.

Waterville - Business Regulations

(C) *Inspections.* Every licensee shall allow any peace officer, health officer or properly designated officer or employee of the city to enter, inspect and search the premises of the licensee during business hours without a warrant.

(D) *Display during prohibited hours.* No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

(E) *Federal stamps.* No licensee shall possess a federal wholesale liquor dealer's special tax stamp or a federal gambling stamp.

(1982 Code, § 601.08) Penalty, see § 10.99

§ 111.028 RESTRICTIONS ON PURCHASE AND CONSUMPTION.

(A) *Liquor in unlicensed places.*

(1) No person shall mix or prepare liquor for consumption in any public place or place of business unless it has a license to sell liquor on-sale or a permit from the Department of Public Safety under M.S. § 340A.404, as it may be amended from time to time, and no person shall consume liquor in any place.

(2) Violation of this prohibition is a misdemeanor.

(B) *Consumption in public places.* No person shall consume liquor on a public highway, public park or other public place.

(1982 Code, § 601.09) Penalty, see § 10.99

§ 111.029 SUSPENSION AND REVOCATION.

(A) The Council may either suspend for not to exceed 60 days or revoke any liquor license upon a finding that the licensee has failed to comply with any applicable statute, regulation or ordinance relating to intoxicating liquor.

(B) No suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing.

(1982 Code, § 601.10)

§ 111.030 2:00 A.M. CLOSING.

Any on-sale liquor license holder wanting to extend their hours of operation from 1:00 a.m. to 2:00 a.m. must apply to the city, on forms prescribed by the city, to request an extension of hours of operation from 1:00 a.m. to 2:00 a.m.
(Ord. 601.01, passed 5-1-2007)

BEER LICENSING

§ 111.040 DEFINITION OF TERMS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BEER. As used in this chapter, ***BEER*** or ***3.2% MALT LIQUOR*** means any malt beverage with an alcoholic content of more than one-half of 1% by volume and not more than 3.2% by weight.

BEER STORE. An establishment for the sale of beer, cigars, cigarettes, all forms of tobacco, beverages and soft drinks at retail.
(1982 Code, § 602.01)

§ 111.041 LICENSE REQUIRED.

(A) *Licenses.*

(1) No person, except wholesalers and manufacturers to the extent authorized by law, shall deal in or dispose of by gift, sale or otherwise, or keep or offer for sale, any beer within the city without first having received a license as hereinafter provided.

(2) Licenses shall be of three kinds:

- (a) Regular on-sale;
- (b) Temporary on-sale; and
- (c) Off-sale.

(B) *Regular on-sale.*

(1) Regular on-sale licenses shall be granted only to bona fide clubs, beer stores, exclusive on-sale liquor stores, restaurants and hotels where food is prepared and served for consumption on the premises.

(2) On-sale licenses shall permit the sale of beer for consumption on the premises only.

(C) *Temporary.* Temporary on-sale licenses shall be granted only to bona fide clubs and charitable, religious, and non-profit organizations for the sale of beer for consumption on the premises only.

(D) *Off-sale.* Off-sale licenses shall permit the sale of beer at retail, in the original package for consumption off the premises only.

(1982 Code, § 602.02) Penalty, see § 10.99

§ 111.042 LICENSE APPLICATIONS.

(A) Every application for a license to sell beer shall be made to the City Administrator-Clerk on a form supplied by the city and containing information that the Administrator-Clerk or the City Council may require.

(B) It shall be unlawful to make any false statement in an application.

(1982 Code, § 602.03)

§ 111.043 LICENSE FEES.

(A) *Payment required.*

(1) Each application for a license shall be accompanied by a receipt from the City Administrator-Clerk for payment in full of the required fee for the license.

(2) All fees shall be paid into the general fund of the city.

(3) Upon rejection of any application for a license, the Administrator-Clerk shall refund the amount paid.

(B) *Expiration; pro rata fees.*

(1) Every license except a temporary license shall expire on the last day of April in each year.

(2) Each license except a temporary license shall be issued for a period of one year except that if a portion of the license year has elapsed when the license is granted, the license shall be issued for the remainder of the year for a pro rata fee.

(3) In computing this fee, any unexpired fraction of a month shall be counted as one month.

(4) A temporary license shall be issued for a specific period in which a special event to which the sale is incident is being held and the period shall be stated on the license.

(C) *Fees.*

(1) The annual fee for a regular on-sale license is \$2,100.

(2) The annual fee for an off-sale license is \$100.

(D) *Refunds.*

(1) No part of the fee paid for any license issued under this chapter shall be refunded except in the following instances upon application to the Council within 15 days from the happening of the event.

(2) There shall be refunded a pro rata portion of the fee for the unexpired period of the license, computed on a monthly basis, when operation of the licensed business ceases not less than one month before expiration of the license because of:

(a) Destruction or damage of the licensed premises by fire or other catastrophe;

(b) The licensee's illness;

(c) The licensee's death; and/or

(d) A change in the legal status of the municipality making it unlawful for the licensed business to continue.

(1982 Code, § 602.04)

§ 111.044 GRANTING OF LICENSES.

(A) *Investigation and hearing.*

(1) The City Council shall investigate all facts set out in the application.

(2) Opportunity shall be given to any person to be heard for or against the granting of the license.

Waterville - Business Regulations

(3) After the investigation and hearing, the Council shall grant or refuse the application in its discretion.

(B) Transfers.

(1) Each license shall be issued to the applicant only and shall not be transferable to another holder.

(2) Each license shall be issued only for the premises described in the application.

(3) No license may be transferred to another place without the approval of the Council.

(1982 Code, § 602.05) Penalty, see § 10.99

§ 111.045 PERSONS INELIGIBLE FOR A LICENSE.

No license shall be granted to or held by any person who:

(A) Is under 21 years of age;

(B) Has, within five years prior to the application for a license, been convicted of a felony, or of violating any law of this state or local ordinance relating to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquors or beer and cannot show competent evidence under M.S. § 364.03, as it may be amended from time to time, of sufficient rehabilitation and present fitness to perform the duties of a beer license;

(C) Is a manufacturer of beer or is interested in the control of any place where beer is manufactured;

(D) Is not of good moral character;

(E) Is or during the period of this license becomes the holder of a federal retail liquor dealer's special tax stamp for the sale of intoxicating liquor at any place unless there has also been issued to him or her a local license to sell intoxicating liquor at a place; or

(F) Is not the proprietor of the establishment for which the license is issued.

(1982 Code, § 602.06) Penalty, see § 10.99

§ 111.046 PLACES INELIGIBLE FOR A LICENSE.

No license shall be granted for sale on any premises where a licensee has been convicted of the violation of this chapter, or of the state beer or liquor law, or where any license hereunder has been revoked for cause until one year has elapsed after the conviction or revocation.

(1982 Code, § 602.07) Penalty, see § 10.99

§ 111.047 CONDITIONS OF LICENSE.

(A) *General conditions.* Every license shall be granted subject to the conditions in the following divisions and all other provisions of this chapter and of any other applicable ordinance of the city or state law.

(B) *Sales to minors or intoxicated persons.* No beer shall be sold or served to any intoxicated person or to any person under 21 years of age.

(C) *Employment of minors.* No minor under 18 shall be employed on the premises of a beer store.

(D) *Gambling.* No gambling or any gambling device shall be permitted on any licensed premises, unless authorized by Council approval.

(E) *Interest of manufacturers or wholesalers.*

(1) No manufacturer or wholesaler of beer shall have any ownership of or interest in an establishment licensed to sell at retail contrary to the provisions of M.S. § 340A.402, as it may be amended from time to time.

(2) No retail licensee and manufacturer or wholesaler of beer shall be parties to any exclusive purchase contract.

(3) No retail licensee shall receive any benefits contrary to law from a manufacturer or wholesaler of beer and no manufacturer or wholesaler shall confer any benefits contrary to law upon a retail licensee.

(F) *Liquor dealers' stamp.* No licensee shall sell beer while holding or exhibiting in the licensed premises a federal retail liquor dealer's special tax stamp unless he or she is licensed under the laws of Minnesota to sell intoxicating liquors.

(G) *Sales of intoxicating liquor.*

(1) No licensee who is not also licensed to sell intoxicating liquor and who does not hold a consumption or display permit shall sell or permit the consumption and display of intoxicating liquors on the licensed premises or serve any liquids for the purpose of mixing with intoxicating liquor.

(2) The presence of intoxicating liquors on the premises of a licensee shall be prima facie evidence of possession of intoxicating liquors for the purpose of sale; and the serving of any liquid for the purpose of mixing with intoxicating liquors shall be prima facie evidence that intoxicating liquor is being permitted to be consumed or displayed contrary to this chapter.

(H) *Searches and seizures.* Any peace officer may enter, inspect and search the premises of a licensee during business hours without a search and seizure warrant and may seize all intoxicating liquors found on the licensed premises in violation of division (H) above.

(I) *Licensee responsibility.* Every licensee shall be responsible for the conduct of his or her place of business and shall maintain conditions of sobriety and order.
(1982 Code, § 602.08) Penalty, see § 10.99

§ 111.048 CLOSING HOURS.

See § 111.020 for closing hours.
(1982 Code, § 602.09) Penalty, see § 10.99

§ 111.049 CLUBS.

No club shall sell beer except to members and to guests in the company of members.
(1982 Code, § 602.10) Penalty, see § 10.99

§ 111.050 RESTRICTIONS ON PURCHASE AND CONSUMPTION.

(A) *Age misrepresentation.* No minor shall misrepresent his or her age for the purpose of obtaining beer.

(B) *Inducing purchase.* No person shall induce a minor to purchase or procure beer.

(C) *Procurement.* No person other than the parent or legal guardian shall procure beer for any minor.

(D) *Possession.* No minor shall have beer in his or her possession with the intent to consume it at a place other than the household of his or her parent or guardian.

(E) *Consumption.* No minor shall consume beer unless in the household of his or her parent or guardian.

(F) *Consumption prohibited - where.* No beer shall be consumed in any theater, recreation hall or center, dance hall, ball park or other place of public gathering used for the purpose of entertainment, amusement or playing of games, without Council approval.

(G) *Liquor consumption and display.* No person shall consume or display any intoxicating liquor on the premises of a licensee who is not also licensed to sell intoxicating liquors or who does not hold a consumption and display permit.
(1982 Code, § 602.11) Penalty, see § 10.99

§ 111.051 REVOCATION.

(A) The violation of any provision or condition of this chapter by a beer licensee or his or her agent is ground for revocation or suspension of the license.

(B) The license of any person who holds a federal retail liquor dealer's special tax stamp without a license to sell intoxicating liquors at the place shall be revoked without notice and without hearing.

(C) In all other cases, a license granted under this chapter may be revoked or suspended by the Council in accordance with § 110.06 of this code.
(1982 Code, § 602.12)

BOTTLE CLUBS

§ 111.065 BOTTLE CLUBS DEFINED.

For the purpose of this subchapter, a bottle club is a club as defined in M.S. § 340A.101, as it may be amended from time to time, or an unincorporated society which, except for its lack of incorporation, otherwise meets the requirements of a club, as defined in that section and subdivision, and which is not licensed for the sale of intoxicating liquor, either on-sale license or off-sale or both.
(1982 Code, § 603.01)

§ 111.066 REGULATIONS.

(A) A bottle club may allow members to bring and keep a personal supply of intoxicating liquor in lockers assigned to the members.

Waterville - Business Regulations

(B) A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or based space in a building of an extent and character as may be suitable and adequate for reasonable and comfortable accommodation for its members, may allow members to bring and keep personal supply of intoxicating liquors in lockers assigned to the members.

(C) Every bottle, container, or other receptacle containing intoxicating liquor stored by members of the club.

(D) All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of the member.

(E) It shall be unlawful for any club member under 21 years of age to be assigned a locker for the storage of intoxicating liquor or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by a private club.

(1982 Code, § 603.02) Penalty, see § 10.99

§ 111.067 PERMIT REQUIRED.

(A) It is unlawful for any bottle club or for any business establishment, directly or indirectly, or upon any pretense or by any device, to allow the consumption or display of intoxicating liquor or the serving of any liquid for the purpose of mixing an intoxicating liquor without having first obtained a permit therefor.

(B) The permit shall be issued by the Department of Public Safety for a period of one year to expire on July 1, next following issuance of the license, upon the payment of \$100 and must be renewed annually on July.

(C) Application for a permit shall be made to the governing body of the City of Waterville.
(1982 Code, § 603.03) Penalty, see § 10.99

§ 111.068 HOURS OF OPERATION.

No person shall consume or display, or allow consumption or display of intoxicating liquor on any premises of a bottle club or a business establishment between the hours of 1:00 a.m. and 8:00 a.m., or between the hours of 1:00 a.m. and 3:00 p.m. on Memorial Day, or between the hours of 1:00 a.m. and 8:00 p.m. on any primary, special or general election day in the district in which bottle club or business establishment is located.

(1982 Code, § 603.04) Penalty, see § 10.99

§ 111.069 INSPECTION.

(A) Any bottle club or business establishment allowing the consumption or display of intoxicating liquor shall be open for inspection at all times by the Department of Public Safety or to the duly authorized peace officers or police officers of the City of Waterville.

(B) Refusal to permit the Department of Public Safety or other duly authorized peace officers or police officers of the City of Waterville to enter and inspect the premises shall be a violation. (1982 Code, § 603.05) Penalty, see § 10.99

§ 111.070 PERMIT RESTRICTIONS.

No permit required by this subchapter shall be issued to any bottle club when a member of the board, management, executive committee, or other similar body chosen by its members or when the business establishment or the owner thereof holds a federal retail liquor dealer's special tax stamp for the sale of intoxicating liquors. (1982 Code, § 603.06)

§ 111.071 APPLICATION.

This subchapter has no application to any person or any premises licensed for the sale of intoxicating liquor under the intoxicating liquor act, but any person or premises, being a business establishment, is eligible for a permit authorized by this subchapter. (1982 Code, § 603.07)

