

ARTICLE 10-08 ALCOHOLIC BEVERAGES

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CHAPTER 10-08-01 LICENSING REQUIREMENTS

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10-08-01-01. Qualifications for license.

No retail license shall be issued to any person, nor shall any such previously issued license be renewed or retained unless the applicant files a sworn statement upon the application showing the following qualifications:

1. The applicant or manager must not have been found guilty of, pled guilty to, or released from incarceration or probation for a felony within the last five years.
2. The applicant or manager must not have been found guilty of, or pled guilty to, a misdemeanor or an infraction offense contained in North Dakota Century Code chapters 5-01, 5-02, 5-03, 12.1-06, 12.1-08, 12.1-09, 12.1-10, 12.1-11, 12.1-12, 12.1-20, 12.1-22, 12.1-23, 12.1-24, 12.1-27.1, 12.1-28, 12.1-29, 12.1-31, 12.1-31.1, 19-03.1, 53-04, 53-06.1, 53-06.2, or have committed any other crime which has a direct bearing on the applicant's fitness to be involved in the sale or dispensing of alcoholic beverages within the last three years.
3. The applicant's building in which the business is to be conducted meets the local and state requirements regarding sanitation and safety, and a copy of such local and state reports regarding sanitation and safety is attached to the sworn application.
4. The applicant has secured a local license, a copy of which is attached to the sworn application.
5. The applicant may be issued a retail license even if such person has pled or been found guilty, or has committed an offense under subsection 2 if the person has been determined by the attorney general to be sufficiently rehabilitated.

History: Effective September 1, 1983; amended effective February 1, 1990.

General Authority: NDCC 5-02-09.1

Law Implemented: NDCC 5-02-02(3), 5-02-02(4), 5-02-02(5)

10-08-01-02. Additional information for application.

1. If the applicant is a corporation, the applicant must provide its certificate number which was issued to it by the North Dakota secretary of state's office.
2. If the applicant is a corporation, the names and addresses of the corporate officers, directors, and stockholders must be provided on the sworn application.
3. Any agreements or understandings to obtain an alcoholic beverage license for any other person, partnership, or corporation must be indicated on the sworn application.

4. Any lease agreements to any other person, partnership, or corporation for the sale of alcoholic beverages must be so indicated on the sworn application.
5. Any other interest that the applicant may have, either directly or indirectly, in any other liquor establishment in or out of this state must be indicated upon the sworn application.
6. The applicant must draw a clear and understandable floor plan or include a diagram or blueprint of the premises to be licensed.
7. The applicant, including an individual and manager, or, in the case of a corporation, the officers, directors, and managers, is required to submit a personal information form at the time the initial application is made or when there is a change of corporate officers, directors, and managers. This form is described in the appendix to this chapter and is labeled personal information form.

History: Effective September 1, 1983.

General Authority: NDCC 5-02-09.1

Law Implemented: NDCC 5-02-02(6)

10-08-01-03. False information.

False information which is submitted upon a sworn application constitutes grounds for denial of licensure or suspension or revocation of license.

History: Effective September 1, 1983.

General Authority: NDCC 5-02-09.1

Law Implemented: NDCC 5-02-02