

Office/Contact: Office of the President

Source: SDBOR Policies 4.7.1 and 6.14; University Policies 4:7 and 6:4; South Dakota Codified Laws; Brookings City Ordinances

Link: <https://public.powerdms.com/SDRegents/documents/1726701>;

<https://public.powerdms.com/SDRegents/documents/1723026>;

<https://www.sdstate.edu/policies/upload/Drug-Free-Environment.pdf>;

<https://www.sdstate.edu/sites/default/files/Sale%20of%20Alcohol%20on%20University%20Property.pdf>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/default.aspx](https://sdlegislature.gov/Statutes/Codified_Laws/default.aspx);

<https://library.municode.com/index.aspx?clientId=10484&stateId=41&stateName=South%20Dakota>

Associated Forms: [Football Tailgate Policies and Tailgating Assumption of Risk Form](#)

[SDSU Football Parking and Tailgating Map](#)

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1. Tailgating areas shall be designated as alcohol permitted, or alcohol not permitted tailgating areas.
  2. Alcohol permitted areas shall be clearly delineated.
  3. Open container alcohol may not be carried or alcohol consumed outside the designated alcohol permitted tailgate areas and open alcohol containers are prohibited outside designated alcohol permitted tailgate areas.
  4. Alcohol possession and consumption shall be limited to beer and wine.
  5. All persons possessing and consuming alcohol must be 21 years of age or older and have a valid ID. Individuals 21 and over, who possess or consume alcohol during tailgating must receive and wear a wrist band from designated University agents. Wrist bands will be distributed at the tailgate event at designated wrist band stations.
  6. If alcohol is possessed or consumed, it must be in a can, plastic bottle or plastic cup. No glass containers or bulk containers (kegs, party balls, plastic bottles exceeding 1.5 gallons, etc.) are permitted. Multi packs of alcoholic beverages carried shall not exceed twelve (12) individual servings.
  7. Sale of Alcoholic Beverages in conjunction with tailgating is prohibited, unless specifically permitted pursuant to SDBOR Policy 6.14 and University Policy 6:4 and applicable license is obtained.
- iii. South Dakota Codified Law including, but not limited to, statutes concerning alcohol and drugs will be enforced by University Police and may be enforced by any other authorized law enforcement.
1. The State of South Dakota has set the minimum drinking age at 21 years old. Anyone found consuming alcohol younger than this minimum age is subject to arrest and charge of underage consumption. (SDCL 35-9-2)
  2. The State of South Dakota has made it unlawful to provide alcohol to minors or to host a social gathering knowingly condoning illegal consumption of alcohol by underage persons on property within their control. Anyone furnishing alcohol to minors is subject to arrest and charge of contributing to the delinquency of a minor. Social hosts are subject to arrest and charge with a Class 2 misdemeanor. (SDCL 35-

9-1, 35-9-1.1, 35-9-2; 35-9-9 et seq.)

3. South Dakota law makes it illegal to operate a motor vehicle while intoxicated. Anyone operating a motor vehicle with a blood alcohol content greater than .08 or under the influence of an intoxicant is subject to arrest and charge of driving while intoxicated. (SDCL 32-23-1)
4. South Dakota law does not permit unsealed alcohol containers in motor vehicles. Anyone who has an unsealed container in vehicle is subject to arrest and charge of an open container violation. (SDCL 35-1-9.1)
5. South Dakota law makes it illegal for any person to intentionally cause serious public inconvenience



approval has been given by University Athletics.

- xv. Only approved Jackrabbit Sponsors are allowed to display corporate marks and logos within their assigned tailgate area. A “Jackrabbit Sponsor” is defined as an organization or individual that enters into a contract with University Athletics or through corporate sponsorships with Jackrabbit Sports Properties, Inc.
- xvi. Tailgate spots are available on a first-come, first-reserved basis. Specified areas require advance reservation and a parking pass. Corporate hospitality tents will be located in the best available spot.
- xvii. Tailgate signs are the property of University Athletics. A \$50 fee will be assessed if the signs need to be replaced or the name changed. Tailgaters must leave signs at their assigned spot after the last home game.
- xviii. University Police, University administration, University Athletics, and other