

96-02-132

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1 ST READING: 12/4/96
REFERRED TO (NAME OF) COMMITTEE: RS&RS
PUBLIC HEARING: 12/4/96 12/18/96
2 ND READING AND FINAL PASSAGE: 12-27-96

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

Biernat _____ presents the following ordinance:

**Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances
relating to Liquor and Beer: Liquor Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.35 of the above-entitled ordinance be amended to read as follows:

362.35. Temporary on-sale liquor license. (a) A club or charitable, religious or other nonprofit corporation in existence for at least three (3) years or a political committee registered under Minnesota Statutes Section 10A.14 may obtain an "on-sale" license to sell liquor for consumption on premises specified in the license, including school buildings and school grounds.

(b) Application for temporary on-sale liquor license shall be made on forms provided by the director and shall contain the following:

- (1) The name, address and purpose of the organization, together with the names and addresses of its officers and evidence of nonprofit status or of its status as a club under section 362.35(a) above.
- (2) The purpose for which the temporary on-sale liquor license is sought, together with the place, dates and hours during which liquor is to be sold.
- (3) Consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.
- (4) A specific description of the area in which alcoholic beverages are to be dispensed and consumed which area shall be compact and contiguous in accordance with section 360.15.
- (5) Such other information as the director may deem necessary.

(c) A temporary on-sale liquor license may be issued subject to the following conditions:

- (1) Such license shall be issued for a period not to exceed four (4) consecutive days.

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- (2) No individual organization shall be granted such license more than three (3) times per calendar year.
 - (3) The overall purpose of the license shall be to enhance the stated purpose of the applicant organization and no private organizer or promoter shall derive excessive profits from the event. The director may require presentment of the temporary licensee's and full year on-sale licensee's books of account and contracts entered into for purposes of the event to aid in the determination of compliance with this section.
 - (4) No such license shall be issued for the sale of liquor on school grounds or in school buildings or within three hundred (300) feet thereof when regularly scheduled classes are being held in the school.
 - (5) No more than three (3) licenses shall be granted in any one calendar year at any location.
 - (6) The licensee must contract for liquor services with the holder of a full-year on-sale intoxicating liquor license issued by the City of Minneapolis whose employees have received training within the twelve (12) month period preceding the event under an approved alcohol server awareness program and who provides evidence of liquor liability insurance covering the event.

(d) THE FEE FOR A TEMPORARY LIQUOR LICENSE SHALL BE ONE HUNDRED FIFTY DOLLARS (\$150.00) PER DAY FOR EVENTS WITH A PROJECTED ATTENDANCE OF LESS THAN TEN THOUSAND (10,000) PERSONS AND TWO HUNDRED FIFTY DOLLARS (\$250.00) PER DAY FOR EVENTS WITH A PROJECTED ATTENDANCE OF MORE THAN TEN THOUSAND (10,000) PERSONS. ADDITIONALLY EVENTS WITH A PROJECTED ATTENDANCE OF MORE THAN TEN THOUSAND (10,000) PERSONS SHALL PAY AN INVESTIGATION FEE OF FIVE HUNDRED DOLLARS (\$500.00) FOR THE FIRST APPLICATION FOR A TEMPORARY LIQUOR LICENSE.

(d e) Entertainment. A temporary on-sale liquor licensee may present entertainment as set forth in section 362.30(b) through (f) FOR AN ADDITIONAL FEE OF FIFTY-NINE DOLLARS (\$59.00) PER DAY.

(e f) The city council may deny, revoke, suspend a license for any of the following reasons:

- (1) The existence of temporary liquor disturbs the peace, quiet or repose of surrounding residential or commercial areas.
- (2) The existence of temporary liquor contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.

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- (3) Any violation of the laws relating to the sale or service of alcoholic beverages.
 - (4) Licensee's refusal to supply books of account and contracts pertaining to the event as set forth in section 362.35(c)(3).
 - (5) Any violation of the terms of this section.
 - (6) Any other good cause related to the operation of the establishment.

(f g) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.

(g h) Director of Licenses and Consumer Services to grant temporary on-sale liquor license in certain instances. When an application for a license for temporary on-sale liquor has been filed too late to be considered on the regular agendas of the Public Safety and Regulatory Services Committee and the City Council prior to the scheduled date of the event, the Director of Licenses and Consumer Services may issue the license if the application is filed and complete, the fee including a fifty (50) per cent late fee has been paid, and the required conditions listed above have been met. The Director may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary on-sale liquor license is subject to compliance with all applicable health and safety laws. Concurrence with the issuance of the temporary on-sale liquor license shall be obtained from the chair of the Public Safety and Regulatory Services Committee and the council member representing the affected ward prior to the issuance of the license.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic	<input checked="" type="checkbox"/>						Thurber				<input checked="" type="checkbox"/>		
Campbell	<input checked="" type="checkbox"/>						McDonald				<input checked="" type="checkbox"/>		
Biermat	<input checked="" type="checkbox"/>						Mead	<input checked="" type="checkbox"/>					
Rainville	<input checked="" type="checkbox"/>						Schulstad				<input checked="" type="checkbox"/>		
Niland	<input checked="" type="checkbox"/>						Minn	<input checked="" type="checkbox"/>					
Scott	<input checked="" type="checkbox"/>						Resident				<input checked="" type="checkbox"/>		
Herron	<input checked="" type="checkbox"/>						Cherryhomes				<input checked="" type="checkbox"/>		

PASSED DEC 27 1996 DATE APPROVED NOT APPROVED - VETOED JAN 02 1997 DATE

Joe Biermat
 VICE PRESIDENT OF THE COUNCIL
 AND PRESIDENT PRO TEM.

Steve Butler
 MAYOR

ATTEST *Memo Keefe*
 CITY CLERK