



Ordinance No. 2018-075

City of Minneapolis

File No. 2018-01255

Author: Goodman

Notice: Oct 19, 2018

1st Reading: Nov 2, 2018

Committee: EDRS

Public Hearing: Nov 27, 2018

2nd Reading: Dec 7, 2018

Passage: Dec 7, 2018

Publication: DEC 15 2018

RECORD OF COUNCIL VOTE				
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Bender	X			
Jenkins	X			
Johnson	X			
Gordon	X			
Reich	X			
Fletcher	X			
Cunningham	X			
Ellison	X			
Warsame	X			
Goodman	X			
Cano	X			
Schroeder	X			
Palmisano	X			

MAYOR ACTION

☒ APPROVED☐ VETOED

MAYOR

DEC 10 2018

DATE

Certified an official action of the City Council

ATTEST

CITY CLERK

Presented to Mayor: DEC 07 2018

Received from Mayor: DEC 10 2018

Amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer.

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

Section 1. That Section 360.70 contained in Chapter 360, In General, be amended to read as follows:

360.70. - Special late hours food license. (a) Any person operating under an on-sale liquor, wine or beer license who desires to remain open for the service of food later than the hours provided in section 364.100 and section 368.70 may apply to the city council for a special late hours food license. Application shall be made on a form provided by the licensing official, containing such information as the licensing official deems necessary to verify that the conditions of this section have been met and to make a recommendation regarding the application. The annual fee for a special late hours food license shall be as established in the License Fee Schedule.

(b) The number of special late hours food licenses at any time issued and outstanding shall not exceed fifty (50).

(c) No special late hours food license shall be issued unless the establishment complies at all times with the following conditions:

(1) The establishment shall be a banquet facility as defined in section 360.10 in which the meal service required by section 360.10 is actually available during the special hours of operation authorized under the license, or

(2) The establishment shall be a restaurant which:

~~(i)~~ a. Meets the definition of a restaurant defined in Chapter 360.10 of this Code while the establishment is operating with a special late hours food license, and

~~(ii)~~ b. Maintains a substantial menu available during special late hours which includes at least four (4) entrees, sandwiches, or other principal food items, and

~~(iii)~~ c. Keeps its business open for at least eight (8) continuous hours daily except Sunday, twelve (12) months a year, not including any hours authorized by its special late hours food license.

(d) The city council may issue a special late hours food license subject to additional conditions including, but not limited to:

(1) Limitation on the special late hours of operation or the days of the week on which special late hours are authorized;

(2) Requirements concerning menu items;

(3) Requirements concerning staffing or security levels;

(4) Any other requirement reasonably related to concerns of security, noise, litter, parking or traffic.

(e) The city council may deny, revoke, suspend or refuse to renew a special late hours food license for any of the following reasons:

(1) The existence of special late hours disturbs the peace, quiet or repose of surrounding residential or commercial areas;

(2) The existence of special late hours contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment;

(3) Any violation of the laws relating to sale or service of alcoholic beverages;

(4) Any violation of the terms of this section;

(5) Any other good cause related to the operation of the establishment.

(f) Nothing herein shall permit the operation of live entertainment, singing or dancing after 2:00 a.m. regardless of the class of on-sale license held by an establishment.

Section 2. That Section 360.80 contained in Chapter 360, In General, be amended to read as follows:

360.80. - Special all-night bowling, pool or billiards permit. (a) Any person operating under an "on sale" license for the sale of beer or liquor who desires to remain open twenty-four (24) hours each day for the operation of the game of bowling, pool and billiards, may apply ~~to the city council~~ for a special bowling, pool and billiards permit in the manner provided for the making of application for a regular bowling, pool and billiards license. The annual license fee for such special bowling, pool and billiards permit shall be as established in the License Fee Schedule, which shall be in addition to the fee for a regular bowling, pool and billiards license. ~~The city council may grant or deny any such application and, if granted, the permit may be revoked for cause by the city council after due notice to the licensee and a hearing, and shall be revoked for any of the causes requiring revocation of licenses for the "on sale" of beer or liquor.~~ No special bowling, pool and billiards permit shall be issued to anyone who is not the owner of a regular bowling, pool and billiards license. All persons holding special bowling, pool and billiards permits may keep their places of business open continuously twenty-four (24) hours each day for twelve (12) months in a year for the purpose of permitting the public to play the game of bowling, pool and billiards upon the premises covered by the special bowling, pool and billiards permit.

(b) No special all-night bowling, pool and billiards permit is necessary for any place or premises upon which the game of bowling, pool and billiards is played where no beer or liquor is sold at any time.

Section 3. That Section 360.125 contained in Chapter 360, In General, be amended to read as follows:

360.125 - Exceptions. Section 360.120 shall not apply when: ~~A~~ a license has been issued for a premises prior to the existence of a church or school within three hundred (300) feet of such premises. In such case such license may be renewed ~~or transferred to,~~ or an application for new ownership granted, for such premises if all the other provisions of this chapter can be complied with.

Section 4. That Section 363.60 contained in Chapter 363, Wine Licenses, be amended to read as follows:

363.60 - Payment and receipt for fee. (a) The applicant shall, on or before the filing of an application, pay to the licensing official the fee required by section 363.50, and the licensing official shall give to such applicant a receipt in duplicate, a copy of which receipt shall be filed with such application.

(b) If any application for a license ~~or for a transfer of a license~~ is denied by the city council or withdrawn by the applicant, the fee paid under section 363.50(a) shall be refunded to the applicant.

Section 5. That Section 363.130 contained in Chapter 363, Wine Licenses, be amended to read as follows:

363.130 - Application for new premises. (a) If the application is for the issuance, or renewal ~~or transfer~~ of a license for premises at which the licensed business is not then being conducted, the applicant shall also provide to the license inspector of the police department a verified statement of intent as to where, when and how he or she plans to house the business, including with the statement, all pertinent documentary proof and evidence thereof, including leases, contracts and architectural plans.

(b) If the application is granted pursuant to such application, the city shall investigate and determine at appropriate times whether the statement of intent upon which the issued license was conditioned is being effectuated. If it is found that it is not being carried out in a timely and diligent manner, the license may be revoked or renewal thereof may be denied, but in no case shall such a license continue in effect if the licensed business is found not to have become operational within one (1) year from the date of issuance of the new, or renewed ~~or transferred~~ license, unless such license is for an establishment under construction within that year but not yet completed, in which case one (1) additional year shall be granted for the licensed business to become operational.