



Legislation Text

File #: Ord. 992, **Version:** 1

City Council Meeting Date: August 22, 2017

To: Mayor and City Council
City Administrator

From: Deb Little, City Clerk
Monte Nelson, Chief of Police

Consider Ordinance Amendment to Chapter 6 Alcoholic Beverages related to Sunday liquor sales.

Action Requested:

The City Council is requested to have the second reading of an Ordinance amending Chapter 6 - Alcoholic Beverages related to Special Sunday on-sale licenses.

Summary Report:

The State of Minnesota recently approved changes to Sunday liquor sales for cocktail rooms permitting them to be open and conduct on-sale business on Sundays without restrictions related to service of food, if authorized by the municipality. The proposed changes to City Code Section 6-60 Special Sunday on-sale license (attachment 1) for cocktail rooms now mirror State law and the provisions for brewer taprooms. Taprooms may have, but are not required to serve food on any day of the week. Cocktail rooms were not required to serve food Monday - Saturday, but did not previously have the Sunday provision afforded to taprooms prior to this law change. The applicable changes were part of Chapter 4-S.F. No. 1 - Article 5, Liquor Sec. 3. signed by the Governor on May 30, 2017 as shown underlined below (attachment 2). The changes to this section were effective on July 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 340A.22, subdivision 2, is amended to read:

Subd. 2. Cocktail room license.

(a) A municipality, including a city with a municipal liquor store, may issue the holder of a microdistillery license under this chapter a microdistillery cocktail room license. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller. Notwithstanding section 340A.504, subdivision 3, a cocktail room may be open and may conduct on-sale business on Sundays if authorized by the municipality. Nothing in this subdivision precludes the holder of a microdistillery cocktail room license from also holding a license to operate a restaurant at the distillery. Section [340A.409](#) [<https://www.revisor.mn.gov/statutes/?id=340A.409>](https://www.revisor.mn.gov/statutes/?id=340A.409) shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

The previous changes to State law and adopted by Ordinance No. 987, effective July 1, 2017, along with Sec. 6 -57 (g) provide for the off-sale microdistillery (cocktail room) license. No further changes are needed to permit Sunday off-sales.

The other change proposed in this ordinance is to remove a sentence in Sec. 6-60 (b) stating that “no off sale of intoxicating malt liquor may be made on Sunday”. This sentence is in error. Off-sale for brewer taprooms is governed by Sec. 6-57 (d). Off sale of growlers is permitted as noted in Sec. 6-57 (d) 3. c. which states:

The off-sale of malt liquor, permitted by this clause, may only be made during the days and hours that off-sale of liquor may be made at the municipal liquor store as stated in section 6-134 of this chapter, except that malt liquor in growlers only may be sold at off-sale on Sundays between the hours of 8:00 a.m. and 10:00 p.m.

Alternative Options:

N/A

Financial Impacts:

The ordinance change would not specifically have any financial impact as proposed. The City will receive a \$200 fee when the amendment to the liquor license is brought forward for consideration.

Tentative Timelines:

- ✓ August 8 - First Reading of Ordinance
- August 22 - Second Reading of Ordinance
- August 22 - Consideration of Sunday license for Loon Liquors
- Effective Date of New Ordinance - 30 days after publication of summary.