



Legislation Text

File #: 18-241, **Version:** 1

City Council Meeting Date: May 1, 2018

To: Mayor and City Council
City Administrator

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

Consider Approval of Liquor Licenses for Tavern Partners, LLC at 212 Division Street S.

Action Requested:

The Northfield City Council is being asked to consider approval of On-sale Intoxicating and Sunday Liquor Licenses for Tavern Partners, LLC dba The Tavern of Northfield located at 212 Division Street S., Northfield subject to:

- Submittal of all final documents
- Department of Public Safety Alcohol & Gambling Enforcement Approval
- Final inspection of premises

Summary Report:

Tavern Partners, LLC dba The Tavern of Northfield, has applied for On-sale Intoxicating and Sunday Liquor Licenses for 212 Division Str. S, Northfield. A new owner is taking over the business. Liquor licenses are not transferrable. The application for liquor license has been checked for compliance, which covers the provisions of Minnesota State law and City Code. Staff will meet with the licensee and conduct a walk-through of the facility prior to the license being issued. A public hearing is not required per City Code for this new license as the premises is a currently licensed business. Staff recommends approval of the licenses with the conditions.

Since this is a sale of an existing licensed establishment, the issuance of this license will not increase the total number of liquor licenses. There are a total of 34 liquor licenses issued in the City of Northfield in the following categories:

- 1 - Club license
- 15 - On-Sale Intoxicating licenses
- 10 - On-Sale Wine/3.2 licenses
- 5 - Off-sale 3.2 licenses
- 1 - Cocktail Room license
- 2 - Taproom licenses

Periodically questions are raised regarding statutory restrictions on the number of on-sale intoxicating liquor licenses that may be issued in Northfield. Currently Northfield has 16 on-sale intoxicating liquor license holders. Northfield is a city of the second class and therefore may issue not more than 18 on-sale intoxicating liquor licenses, subject to very broad exclusions. The applicable statute is 340A.413, Subd. 1 (3). However,

340A.413, Subd. 4, excludes the following from the restrictions stated in Subd. 1:

- clubs
- restaurants
- establishments that are licensed to sell wine under section 340A.404, Subd. 5
- theaters that are issued licenses under section 340A.404
- hotels, and
- bowling centers

The existing on-sale intoxicating liquor licenses in Northfield all fall into those categories that are noted above. Therefore, they are excluded from the restriction.

Alternative Options:

N/A

Financial Impacts:

The City will receive a prorated amount of \$2,793.33 for the licenses and background check fees. A total of \$2,383.33 will be refunded to the existing licensee. The net received will be \$410.00.

Tentative Timelines:

If approved, certification and license application will be sent to the Department of Public Safety Alcohol & Gambling Enforcement Division for review and approval. Once the Alcohol & Gambling Division approves the license and final documents are submitted, the liquor licenses will be issued.