

**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 1345

**AN ORDINANCE AMENDING SOUTH ST. PAUL CITY CODE CHAPTER 6
REGARDING ALCOHOLIC BEVERAGES**

The City Council of the City of South St. Paul does ordain:

SECTION 1. AMENDMENT. South St. Paul City Code Section 6-57(g)(7)d is hereby amended as follows:

(g) *Temporary on-sale liquor license.*

- (1) *General rule.* A club or charitable, religious or other nonprofit organization, including a state-registered political committee, may obtain a temporary on-sale license to sell intoxicating liquor for consumption on the premises in connection with a social event within the city sponsored by the licensee.
- (2) *Premises.* The license may authorize sales on the premises other than that owned or permanently occupied by the licensee. If the premises is not owned or permanently occupied by the licensee, the owner of the property must provide the city with written consent for the event.
- (3) *Caterer.* The license may provide that the licensee must contract for intoxicating liquor catering services with the holder of an on-sale intoxicating liquor license issued by any municipality. The caterer must provide the city with a valid certificate of insurance for the event.
- (4) *Number of days per event.* The license will not authorize any temporary on-sale intoxicating liquor license for more than four consecutive days.
- (5) *Number of events per year.* The city will not authorize more than three four-day, four three-day, six two-day, or 12 one-day temporary licenses, in any combination not to exceed 12 days per year for the sale of intoxicating liquor to any one organization or for any one location within the city for a 12-month period.
- (6) *Number of events per 30-day period.* The city may not issue more than one license to any organization or political committee, or any one location, within a 30-day period unless the licenses are issued in connection with an event officially designated as a community festival by the city.
- (7) *Application.* Application for a temporary license for a club must include the following information:
 - a. The names and addresses of the club's officers, and evidence of nonprofit status or of its status as a club;

- b. The purpose for which the temporary license is sought, together with the location, dates and hours during which wine or intoxicating liquor will be sold;
- c. Consent of the owner or manager of the premises or person or group with lawful responsibility for the premises;
- d. Evidence that the manager or director has received alcohol awareness training pursuant to subsection 6-76(ij);
- e. All other requirements for a club enumerated in subsection 6-70(h);
- f. A security plan approved by the police department.

SECTION 2. AMENDMENT. South St. Paul City Code Section 6-57(i) is hereby amended as follows:

- (i) *Culinary class limited on-sale license.* A limited on-sale intoxicating liquor license may be issued to a business establishment: (1) not otherwise eligible for an on-sale intoxicating liquor license; and (2) that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, **an amount of wine or intoxicating malt liquor not to exceed the number of ounces authorized by Minn. Stat. §340A.4041, subd. 1.** ~~up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liqu~~, during and as part of the class, for consumption on the licensed premises only.

SECTION 3. AMENDMENT. South St. Paul City Code Section 6-57(j) is hereby amended as follows:

- (j) *Brewer licenses.*
 - (1) *On-sale brewer taproom license.* A brewer licensed under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) may be issued an on-sale brewer taproom license, subject to the provisions of **Minn. Stat. §340A.26 and Minn. Stat. § 340A.301 subd. 6b** ~~and this section.~~
 - a. *Fee.* The license fee shall be paid in the amount listed in chapter 26.
 - b. *Hours of operation.* The on-sale of malt liquor may only be made during the days and hours that the sale of on-sale intoxicating liquor is permitted. A special license authorizing sales on Sunday may be issued to a holder of an on-sale brewer taproom license.
 - c. A brewer may only hold one brewer taproom license.
 - d. The license shall permit the sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to a brewery location owned by the brewer.
 - e. Licensed taprooms may operate a restaurant on the premises.

- (2) *On-sale brew pub license.* On-sale brew pub licenses shall be issued only to hotels, clubs, restaurants, bowling centers or exclusive liquor stores and shall permit the sale of malt liquor produced on the licensed premises. A licensee cannot sell more ~~than 3,500 barrels of the~~ malt liquor produced on the licensed premises per year ~~than is authorized by Minn. Stat. §340A.24, subd. 3.~~ A licensee may hold both an on-sale license and an on-sale brew pub license.
- (3) *Off-sale malt liquor brewer license (off-sale brew pub).* A brewer with a brewer taproom license or an on-sale brew pub license may be issued an off-sale malt liquor brewer license which shall permit the off-sale of malt liquor at the brewer's licensed premises subject to the provisions of Minn. Stat. §340A.24 and ~~Minn. Stat. § 340A.301 subd. 6d and~~ this section.
 - a. *Fee.* The license fee shall be paid in the amount listed in chapter 26.
 - b. *Hours of operation.* The off-sale of malt liquor may only be made during the same days and hours permitted at exclusive liquor stores, except that malt liquor in growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the city.
 - c. A brewer may only hold one brewer off-sale malt liquor license.
 - d. The only malt liquor sold on the licensed premises shall be malt liquor produced by the brewer at the brewery premises.

~~e. The packing of the containers and bottles must comply with Minn. Stat. § 340A.301 subd. 6d(a).~~

f.e. A brewer may also be issued an on-sale intoxicating liquor or 3.2 percent malt liquor license for a restaurant operated in the place of the manufacturer.

SECTION 4. AMENDMENT. South St. Paul City Code Section 6-57(k) is hereby amended as follows:

- (k) *Cocktail room license.* The holder of a microdistillery license under Minn. Stat. § ~~340A.301, subd. 6e~~ Minn. Stat. §340A.22, may be issued a cocktail room license.
 - (1) *Fee.* The license fee shall be paid in the amount listed in chapter 26.
 - (2) *Hours of operation.* The on-sale of distilled liquor may only be made during the days and hours that the sale of on-sale intoxicating liquor is permitted.
 - (3) A cocktail room license authorizes the 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.
 - (4) A distiller may only have one cocktail room license and may not have an ownership interest in a distillery licensed under Minn. Stat. § 340A.301, subd. 6, paragraph (a).
 - (5) No single entity may hold both a cocktail room and a taproom license, and a cocktail room and taproom may not be co-located.

SECTION 5. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance is being amended to correct internal and statutory references and provide direction to comply with statutory requirements, as opposed to listing specific requirements in the ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: May 20, 2019

Published: May 26, 2019

Christy Wilcox, City Clerk