

2012-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Schiff

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 362.36 of the above-entitled ordinance be amended to read as follows:

362.36. Temporary expansion of license. (a) On-sale liquor, wine and beer establishments may obtain a temporary expansion of license for premises directly adjacent and contiguous to a permanently licensed premises and for entertainment not otherwise allowed under the establishment's permanent license.

- (1) Application for a temporary expansion of license shall be made on forms provided by the director and shall contain the following:
 - a. The name and addresses of the on-sale license holder and its owners, officers or partners.
 - b. A specific description and diagram of the area in which the temporary expansion activity is to occur. This area must be compact and contiguous to the permanently licensed premises, and be contained by physical enclosure devices.
 - c. Written consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.
 - d. The purpose for which the temporary expansion is sought, and a detailed description of the planned activities including projected attendance, entertainment, food and beverage service, security plans, and hours of operation.
 - e. Proof that auxiliary permits for purposes of amplified music, short term food, block event, temporary structures, temporary utilities, etc., Have been obtained.

- f. Such other information as the director may deem necessary.
- (2) ~~No individual licensee shall be granted such temporary expansion license for more than four (4) events in any twelve-month period, of which the duration of each event is not more than two (2) consecutive days. If the permanently licensed premises is located within either of the following two (2) defined areas, the An individual licensee may be granted up to such number of temporary expansion licenses for any the duration of not more than two (2) consecutive days so as not to exceed twelve (12) days in any twelve-month period.;~~
- a. ~~An area commencing at the point where University Avenue SE intersects 25th Avenue SE; thence northeasterly along the centerline of 25th Avenue SE to the centerline of 6th Street SE; thence northwesterly along the center line of 6th Street SE to the centerline of Oak Street SE; thence southwesterly and southeasterly along the centerline of Oak Street SE to the centerline of University Avenue SE; thence northwesterly along the centerline of University Avenue SE to the centerline of Walnut Street SE; thence southwesterly and southerly along Walnut Street SE to Delaware Street SE, thence easterly along the centerline of Delaware Street SE extended to the centerline of 25th Avenue SE, thence northeasterly along the centerline of 25th Avenue SE to the point of beginning.~~
- b. ~~An area commencing at the point where the Interstate Highway 35W right-of-way intersects South Seventh Street; thence northwesterly along the centerline of South Seventh Street to the centerline of Park Avenue South; thence northeasterly to the centerline of Washington Avenue South; thence southeasterly to the point where Washington Avenue South intersects with the Interstate Highway 35W right-of-way; thence southwesterly along said right-of-way to the point of beginning.~~
- (3) The applicant shall file proof that the liability insurance required by this code of ordinances and by Minnesota Statutes Chapter 340A apply to the expanded area.
- (4) The hours of operation of a temporary expansion of license shall not exceed those hours authorized at the permanent premises, or any lesser hours specified as a condition of the temporary expansion of premises license.
- (5) The fees for a temporary expansion license shall be as established in Appendix J, License Fee Schedule.

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

- a. The existence of a temporary expansion disturbs the peace, quiet or repose of surrounding residential or commercial areas.
- b. The existence of a temporary expansion contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
- c. Any violation of the laws relating to the sale or service of alcoholic beverages.
- d. Any violation of the terms of this section.
- e. Any other good cause related to the operation of the establishment.

(7) 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.

(8) Director of licenses and consumer services to grant temporary expansion license in certain instances. When an application for a license for temporary expansion license 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) percent 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 expansion license is subject to compliance with all applicable health and safety laws.

(b) Director of licenses and consumer services to grant temporary expansion of premises and temporary entertainment licenses in certain places. When an application for a permit for temporary expansion of premises has been filed fewer than thirty (30) days prior to the scheduled date of the event or 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 permit if the following conditions have been met:

- (1) The application form has been completed and filed.
- (2) The fee, including a fifty (50) percent late fee has been paid.
- (3) The applicant has not been denied an application for temporary expansion of premises by the city council since any temporary expansion granted within the previous eighteen (18) months.
- (4) The premises have not been designated by resolution of the city council pursuant to subsection 362.36(c) as requiring city council approval for a temporary expansion of premises.

(c) The city council may by resolution establish a list of premises for which a temporary expansion of premises must be approved by the city council and for which the director may not issue a permit for a temporary expansion under subsection 362.36(b).