



Request for City Council Committee Action from Licenses and Consumer Services

Date: June 17, 2014

To: Council Member Lisa Goodman, Chair
Community Development and Regulatory Services Committee

Subject: Ordinance Amendment related to Temporary Expansion of License

Recommendation: That the Community Development and Regulatory Services Committee approve amending Chapter 362 of the Minneapolis Code of Ordinances to allow a waiver, for special events, on the maximum number of temporary expansions per year currently allowed for on-sale liquor, wine and beer establishments.

Previous Directives: This issue was introduced to the Minneapolis City Council on January 23, 2014.

Department Information

Prepared by: Nicole Anderson, License Inspector, 673-2627

Approved by:

Cathy Polasky, Director of Economic Policy and Development

Grant Wilson, Manager of Business Licenses

Presenters in Committee: Nicole Anderson & Linda Roberts, 673-3908

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification
Public hearing notices were sent electronically to all license holders, Business Associations, and Neighborhood Organizations and posted on the Business Licenses' website.
- City Goals
Businesses – big and small – start, move, stay and grow here.

Supporting Information

The Minneapolis Code of Ordinances allows on-sale liquor, wine and beer license holders to apply for a Temporary Expansion of License which allows expansion of operations to a parking lot, for example, and/or providing additional entertainment such as hiring a band.

Temporary expansions were originally approved for the University of Minnesota TCF Bank Stadium area and in 2012 the Minneapolis City Council removed this geographic boundary so every on-sale establishment in Minneapolis is eligible to temporarily expand for up to 12 days per 12 month period. Each temporary expansion license cannot exceed two consecutive days. This ordinance amendment proposes allowing a waiver to the annual limits for temporary expansions.

This is a popular license as 187 temporary expansions were approved in 2013. Applications are required and if approved, events are subject to after-hour enforcement and must meet minimum standards including hiring off-duty security officers. Excessive violations may result in denial of future temporary expansions and/or citations issued to the permanent on-sale license holder.

2014-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Gordon

**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 licensing official 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 licensing official may deem necessary.
- (2) An individual licensee may be granted up to ~~such number of~~ twelve (12) temporary expansion licenses for the duration of not more than two (2) consecutive days so as

not to exceed twelve (12) days in any twelve-month period. The limitation on the number of temporary expansion licenses granted in a twelve-month period may be waived by the licensing official for special events.

- (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) Licensing official 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 city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official 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 licensing official 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) Licensing official 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 city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official 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 licensing official may not issue a permit for a temporary expansion under subsection 362.36(b).