



Request for City Council Committee Action from the City Attorney's Office

Date: August 4, 2014

To: Intergovernmental Relations Committee of the City Council

Referral to:

Subject: Recommended language and title for ballot question eliminating requirements in the City Charter relating to food at establishments with wine licenses.

Recommendation: That the City Council adopt by resolution the revised ballot question wording and title as set out below for the Charter Commission's proposed amendments to the City Charter eliminating certain requirements for food at establishments with wine licenses for placement on the November 2014 general election ballot.

Previous Directives:

Department Information

Prepared by: Burt T. Osborne, Assistant City Attorney Approved by: Susan Segal, City Attorney Presenters in Committee: Susan Segal, City Attorney

Reviews

n/a

Financial Impact

- No financial impact

Supporting Information

On June 4, 2014, the Charter Commission considered an amendment to the City Charter concerning liquor (wine and beer) licensing regulations and voted unanimously to recommend the City Charter be amended. The text of the recommended amendment is set forth below:

Section 1. City Charter Article IV, §4.1(f)(2) & (3) is amended to read as follows:

(2) Wine licenses. The Council may grant a license for the on-sale of wine, which may include the on-sale of intoxicating malt beverages, to a restaurant ~~whose gross receipts are at least 70 percent attributable to the sale of food, if the restaurant~~ which otherwise qualifies for the license under each applicable law or ordinance.

(3) On-site consumption. The Council must by ordinance establish standards ~~so that for a restaurant a business~~ holding a liquor license in an areas smaller than seven acres –

~~(A) does not sell, serve, or permit to be consumed any wine or intoxicating malt beverage, unless the buyer orders a meal; and~~

~~(B) does not have a bar or bar area.~~

Section 2. This amendment is effective January 16, 2015.

The Charter Commission's recommended amendment must now be submitted to the electorate in the form of a ballot question as part of the November 4, 2014 general election pursuant to Minn. Stat. § 410.12, subd. 1. The proposal was transmitted by Barry Clegg, Chair of the Charter Commission, in a letter dated June 5, 2014.

The Intergovernmental Relations Committee considered proposed ballot question language at its meeting on July 24, 2014. The Chair requested the City Attorney's Office to provide alternate wording for the ballot question, simplifying the wording of the ballot question. In response to this request, the City Attorney's Office has drafted the following proposed language and a title for this ballot question as follows:

Remove Mandatory Food Requirements for Wine Licenses

Shall the Minneapolis City Charter be amended to remove the requirement that businesses holding on-sale wine licenses in the City must serve food with every order of wine or beer and to remove mandatory food to wine and beer sales ratios?

The City Council is responsible for drafting the wording of the question for the proposed charter amendment by passing a resolution. Pursuant to state statute, the Council has no authority to revise in any way the charter amendment proposed by the Charter Commission.