

NOTICE OF PUBLIC HEARING

Date: November 18, 2014

Time: 1:30 or shortly thereafter

Place: Minneapolis City Hall, Room 317
350 South 5th Street
Minneapolis MN, 55415

Purpose: Ordinance Amendment for Temporary Extended Hours

The Community Development and Regulatory Services Committee of the Minneapolis City Council will consider amending Chapter 309 of the Minneapolis Code of Ordinances. If approved, businesses may apply for a license to remain open past their legal hours of operation for up to 35 days per calendar year for special events. The proposed ordinance amendment is available on our website at www.minneapolismn.gov/licensing.

You are invited to attend, express your opinions, and/or submit such in writing by contacting mohamed.ismail@minneapolismn.gov or 612-673-3904.

Information in Other Languages: Yog xav paub tshaj nos ntxiv, hu 612-673-2800. Macluumaad dheeri ah, kala soo xiriir 612-673-3500. Para mas información llame al 612-673-2700.

Gudiga Horumarinta Bulshada iyo Adeegyada Sharciyada ee Galaha Magaalada Minneapolis waxay dhowaan wax ka bedeli doonaan Cutubka 309aad ee Xeer Sharciyeedka Minneapolis.

Haddii wax-ka-bedelida xeerkani hirgasho, waxay ganacsatadu dalban karaan shati u ogalaanaya in meheradoodu furnaan karto saacado ka baxsan kuwa caadiyan loo ogol yahay mudo ilaa 35 maalmood ah sanadkiiba sida Bisha Ramadan. Faahfaahinta waxa laga bedelayo xeerkan waxaad ka daalacan kartaa www.minneapolismn.gov/licensing.

Waxaad ku marti qaadan tahay inaad fikradaada ka dhiibato wax-ka-bedelida xirkaan adigoo ka soo qayb geli kara ama qoraal aha ugu soo gudbin kara mohamed.ismail@minneapolismn.gov ama soo wici kara 612-673-3904.



Request for City Council Committee Action from Licenses and Consumer Services

Date: November 18, 2014

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

Subject: Ordinance Amendment related to Temporary Extended Hours License

Recommendation: That the Community Development and Regulatory Services Committee approves amending Chapter 309 of the Minneapolis Code of Ordinances related to the licensing and regulation of Temporary Hours of Operation Licenses and adding a license fee to the License Fee Schedule.

Previous Directives: This issue was introduced to the Minneapolis City Council on October 3, 2014.

Department Information

Prepared by: Grant Wilson, Manager of Business Licenses, 673-3902

Approved by:

Cathy Polasky, Director of Economic Policy and Development

Grant Wilson, Manager of Business Licenses

Presenters in Committee: Mohamed Ismail and Grant Wilson

Financial

- No financial impact

Community Impact

- Neighborhood Notification: Public Hearing Notices were electronically sent to all neighborhood organizations, business associations, licensed businesses and posted on the Business Licenses' website.
- City Goals: A hub or economic activity and innovation: Businesses, big and small, start, move, stay and grow here.

Supporting Information

Special events in Minneapolis, including festivals, sports, and conferences, attract visitors and residents to celebrate our city. Businesses thrive at the prospect to host our guests and this partnership provides a unique platform for year round happenings.

As essential contributors, members from the business community have requested the opportunity to increase their role in this arena by keeping their businesses open later than their authorized hours. Examples include religious holidays such as Ramadan, national celebrations such as Chinese New Year, or special events such as the Major League Baseball All Star Game in July 2014. Accommodating this request strikes a delicate balance between honoring traditions and supporting events without compromising code regulations.

Staff has researched and prepared reasonable parameters for issuing and regulating temporary extended hours of operations for up to 35 days per year. All applicants must develop a business plan which addresses noise, litter, traffic, and the impact on the neighboring community. A security plan must be reviewed by the local police precinct and approval is required from the Licensing Official. The proposed ordinance amendment is intended to address the health, safety and general welfare of the residents and their community without adversely affecting the benefits available for both the businesses and the patrons.

In addition to amending Chapter 309 of the Minneapolis Code of Ordinances, staff is recommending the following license fee.

License Fee Schedule	
License Type	Fee
Temporary Hours of Operation	\$70

**2014-Or-
AN ORDINANCE
of the
CITY OF MINNEAPOLIS
By A. Johnson**

Amending Title 13, Chapter 309 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Extended Hours of Operation.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That Section 309.10 of the above-entitled ordinance be amended to read as follows:

309.10. License required. No use that is open to the public shall operate outside of the hours allowed in the applicable zoning district pursuant to section 259.300 without first having obtained an extended hours of operation or temporary extended hours of operation license.

Section 2: That Section 309.20 of the above-entitled ordinance be amended to read as follows:

309.20. Fees. (a) The fees for an extended hours of operation and temporary extended hours of operation licenses shall be as established in ~~Appendix J,~~ the License Fee Schedule.

(b) All applicants shall pay a nonrefundable investigative filing fee as established in ~~Appendix J,~~ the License Fee Schedule.

Section 3: That Section 309.50 of the above-entitled ordinance be amended to read as follows:

309.50. Public hearing required. Upon the filing of the new business application which has not previously been licensed for extended hours, the licensing official shall refer the application to its standing committee on licenses for consideration and the conduct of a hearing thereon. The licensing official shall notify, at least twenty-one (21) days in advance, by mail all residents, to the extent such notice is feasible, and property owners within three hundred (300) feet of the business requesting extended hours of the time and place at which such application shall be considered by the committee. Said notice shall go to all owners of record of property as identified in the records of the Hennepin County Department of Property Taxation. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing.

Section 4: That Chapter 309 of the above-entitled Ordinance be amended by adding thereto a new Section 309.55 to read as follows:

309.55 Exceptions. Section 309.50 shall not apply to temporary extended hours of operation licenses.

Section 5. That Chapter 309 of the above-entitled Ordinance be amended by adding thereto a new Section 309.80 to read as follows:

309.80 Temporary extended hours of operation license. (a) A business may obtain a temporary extended hours of operation license to remain open past their legal hours of operation for a period not to exceed 35 days in one calendar year.

(b) Application for temporary extended hours of operation license shall be made on forms provided by the licensing official. A business plan is required for approval of this license that contains the following elements:

(1) The hours they plan on extending their hours beyond their legal hours of operation;

(2) A security plan, reviewed by the local police precinct, that describes the security features, including personnel and equipment that the applicant will employ and how they will be utilized;

(3) Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise;

(c) A temporary extended license may be issued subject to the following conditions:

(1) Such license shall be issued for a period not to exceed 35 consecutive days.

(2) The applicant or licensee has not violated one (1) or more of the provisions Title 13 or 14 of this Code within the previous three (3) years.

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

(1) The existence of a temporary extended hours of operation license disturbs the peace, quiet or repose of surrounding residential or commercial areas.

(2) The existence of a temporary extended hours of operation license contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.

(3) Failure to abide by the conditions of any previous temporary extended hours of operation license.

(4) Any violation of the terms of this chapter.

(5) Any other good cause related to the operation of the establishment.

(e) Licensing official to grant temporary extended hours of operation license in certain instances. When an application for a license for temporary extended hours of operation 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. Notification shall be given to the council member representing the affected ward prior to the issuance of the license by the licensing official.