

City of Minneapolis Request for Committee Action

To: Community Development & Regulatory Services
Date: 9/27/2016
Referral: N/A
From: Choose a department.
Lead Staff: Linda Roberts
Presented by: Linda Roberts and Greg Buenning
File Type: Ordinance
Subcategory: Code Amendment

Subject:

Business Made Simple: Committee Review Requirements for Alcohol License Applications (16-00868)

Description:

Passage of Ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending provisions related to the requirements that applications for new alcohol licenses which must have two hearings before a license can be granted by the City Council.

Previous Actions:

None.

Ward/Address:

All Wards

Background/Analysis:

Updating regulations generally occurs in response to changing trends. One of the most significant developments impacting every phase of the city's business license application process is that of technology. Simultaneous reviews, automated tracking, and electronic processing not only simplify the entire review process but allow for the expedient savings in time required for approval.

The language in Chapters 362, 363, and 366 of the code requires all applications for new alcohol licenses to have two hearings before a license can be granted by the City Council. In addition to removing the second hearing mandate, staff is recommending consolidating this language into one chapter of the Code of Ordinances, Chapter 360. A public hearing and notification to nearby residents remain the same.

Financial Review:

No financial impact.

Attachments:

1. MCO 360, 362, 363, 366 Hearings on Applications.doc

ORDINANCE

By Goodman

Amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer.

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

Section 1. That Chapter 360, In General, of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 360.200 to read as follows:

360.200 - Hearings on applications. A public hearing is required for a new license under Chapters 362, 363, and 366, including an application for a new Class A through Class D liquor license for premises which have not previously been licensed for music, dancing or live entertainment. Such application shall be referred to the appropriate committee of the city council. The licensing official shall notify by mail all residents, to the extent such notice is feasible, and property owners within six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B4 zoned district or in the downtown or East Bank commercial districts, the licensing official shall only be required to notify all residents and property owners within four hundred fifty (450) feet of the main entrance of the proposed establishment. Said notice shall go to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by the appropriate committee of the city council. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. The licensing official shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. The licensing official or designee shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application.

Any application for a new license or for a new Class A through Class D license where any of the area within four hundred fifty (450) feet is within a residentially zoned district, a hearing on the application may be held during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. If the license official holds such a hearing, he or she shall notify the council member of the ward affected by the application of the time and place of the hearing. That committee shall not act on the application until after the public hearing has been held. If the public hearing is not conducted during evening hours at a location in the approximate vicinity, the licensing official shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application.

Section 2. That Section 362.290 contained in Chapter 362, Liquor Licenses, be and hereby is repealed.

~~**362.290. — Hearings on applications.** If the application shall be for a new license under this chapter, including an application for a new Class A through Class D liquor license for premises which have not previously been licensed for music, dancing or live entertainment, such application shall be referred to the appropriate committee of the city council. The licensing official shall notify by mail all residents, to the extent such notice is feasible, and property owners within six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B4 zoned district or in the downtown or East Bank commercial districts described in section 362.430, the~~

~~licensing official shall only be required to notify all residents and property owners within four hundred fifty (450) feet of the main entrance of the proposed establishment. Said notice shall go to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by the appropriate committee of the city council. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. The licensing official shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. The first hearing on said application shall be held at the time and place regularly fixed for the meeting of the committee.~~

~~After the first hearing on any application for a new license or for a new Class A through Class D license where any of the area within four hundred fifty (450) feet is within a residentially zoned district, the council member of the ward where the proposed premises would be located may hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. If that council member holds such a meeting, he or she shall notify the appropriate committee of the city council of the time and place of the meeting and that committee shall not act on the application until after that meeting, if that meeting is held within forty five (45) days after the first hearing on the application. If the council member of the ward where the proposed premises would be located does not hold such a meeting within forty five (45) days after the first hearing on the application, the committee or two (2) of its members or its staff shall hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. The chair of said committee shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application, and the application shall not be disposed of by the committee until after such meeting if the application is for a new license or a new Class A through Class D license and until after the application shall have been brought before and considered by the committee at two (2) regular meetings thereof.~~

~~The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.~~

Section 3. That Section 363.290 contained in Chapter 363, Wine Licenses, be and hereby is repealed.

~~**363.290. — Hearings on applications.** If the application shall be for a new license, under this chapter, including an application for a new Class A through Class D license for premises which have not previously been licensed for music, dancing or live entertainment, such application shall be referred to the appropriate committee of the city council. The licensing official shall notify by mail all residents, to the extent such notice is feasible, and property owners within six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B-4 zoned district, or in the downtown or east bank commercial districts described in section 362.430, the department shall only be required to notify all residents and property owners within three hundred (300) feet of the main entrance of the proposed establishment, said notice going to the owners of record in the office of the county auditor, of the time and place at which such application shall be considered by the appropriate committee of the city council. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. The licensing official shall assess, and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and~~

postage costs. The chair of said committee shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application and the application shall not be disposed of by the committee until the same shall have been considered by the committee at two (2) regular meetings thereof. The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.

Section 4. That Section 366.180 contained in Chapter 366, Beer Licenses, be and hereby is repealed.

~~**366.180. Hearings on applications.** If the application shall be for a new "on sale" license, under this chapter, including a new Class A through Class D license for premises which have not previously been licensed for music, dancing or live entertainment, such application be referred to the appropriate committee of the city council. The licensing official shall notify by mail all residents, to the extent such notice is feasible, and property owners within six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B-4 zoned district, or in the downtown or east bank commercial districts described in section 362.430, the licensing official shall only be required to notify all residents and property owners within three hundred (300) feet of the main entrance of the proposed establishment, said notice going to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by committee. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. The licensing official shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. The first hearing on said application shall be held at the time and place regularly fixed for the meeting of the committee, but succeeding hearings may be had at any special or regular meeting thereof. The chair of the committee shall cause the council member of the ward affected by said application to be notified of the time and place when the committee will consider said application, and such application shall not be disposed of by the committee until the same shall have been brought before and considered by the committee at two (2) regular meetings thereof. The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.~~