

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

By Schiff

**Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations by adding a new Chapter 309 relating to Extended Hours of Operation.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 309 to read as follows:

**CHAPTER 309. EXTENDED HOURS OF OPERATION**

**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 license.

**309.20. Fees.** (a) The fee for an extended hours of operation license shall be as established in Appendix J, License Fee Schedule.

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

**309.30. When licenses expire.** Licenses issued under this chapter shall expire on May first of each year.

**309.40. Application required/contents of application.** An applicant for an extended hours of operation license shall make application on the forms furnished by the licenses and consumer services division and shall provide all information deemed necessary by the director, including but not limited to the following:

- (1) The full name of the applicant, date of birth, and current residential address.
- (2) The applicant's social security number, individual tax identification number, or Minnesota sales tax identification number. For purposes of this requirement, "applicant" means an individual if the license is sought for or in the name of an individual or a corporation or partnership if the license is sought for or in the name of a corporation or partnership. "Applicant" also means an officer or

director of a corporation, a member of a partnership, or an individual who is liable for delinquent taxes.

- (3) Proof of ownership of the property, or an executed lease agreement for the property.
- (4) The nature of the business to be conducted and its impacts of noise, light, and traffic.
- (5) Proximity to permitted or conditional residential uses.
- (6) Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area and specific development standards.
- (7) History of complaints related to the use.
- (8) A business plan is required for approval of this license that contains the following elements:
  - a. Hours of operation;
  - b. A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized;
  - c. Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise;
  - d. Description of how the business will have people exit the establishment at closing time and during an emergency that requires all people to exit the establishment quickly;
  - e. Such other reasonable and pertinent information as the city council may require; and
  - f. An applicant shall promptly notify the director, in writing, of amendment to the submitted business plan.

**309.50. Public hearing required.** Upon the filing of the application, the director of licenses and consumer services shall refer the application to its standing committee on licenses for consideration and the conduct of a hearing thereon. The director of licenses and consumer services 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 director shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing.

**309.60. Denial, revocation, suspension or non-renewal of license application.** An extended hours of operation license may be denied, revoked, suspended or not renewed, after notice and opportunity for hearing thereon, for any of the following reasons:

- (1) The application contains material omissions, or false, fraudulent or deceptive statements.
- (2) The applicant or licensee has violated one (1) or more of the provisions Title 13 or 14 of this Code within the previous three (3) years.
- (3) The existing or proposed operation is in violation of any federal, state or local laws or ordinances, including but not limited to, any law relating to zoning, building maintenance, fire prevention, liquor, health or safety.
- (4) The applicant or licensee, including any partners, directors, officers, identified shareholders or on-site manager, if applicable, has been convicted of a felony or two (2) misdemeanors relating to or arising from the operation of the business or similar businesses within the previous five (5) years.
- (5) The applicant or licensee, including any partners, directors, officers, identified shareholders or on-site manager, if applicable, has prior revocations of licenses or adverse license actions related to the operation of the business or similar businesses within the previous five (5) years.
- (6) Operation outside of allowed hours would unreasonably disturb the peace, quiet or repose of surrounding neighborhood.
- (7) Operation outside of allowed hours would contribute to crime, disorderly behavior, noise, traffic, litter or parking problems in the area surrounding the business location.
- (8) Any other good cause related to the operation of the business.

**309.70. Existing conditional use permits for extended hours of operation.** Uses with conditional use permits for extended hours of operation issued prior to April 9, 2011 shall be allowed to be open to the public during the

hours approved by the conditional use permit, provided the use complies with all conditions of the original approval and the hours of operation are not discontinued for a continuous period of more than one (1) year.