



Request for City Council Committee Action from the Department of Regulatory Services

Date: February 14, 2011

To: Council Member Elizabeth Glidden, Chair - Regulatory, Energy & Environment Committee

Subject: Regulation of outdoor areas in on-sale liquor, wine, and beer establishments

Recommendation: That the Regulatory, Energy and Environment Committee approve amending MCO 360.100, related to outdoor areas, to include maximum customer capacity, signage, license holder responsibilities, hour restrictions for sound amplification, and City Council authority to limit hours of operation and impose license conditions.

Previous Actions: None

Department Information

Prepared by: Linda Roberts, District Supervisor of Licenses & Consumer Services

Approved by:

Rocco Forté, Director of Emergency Preparedness & Regulatory Services

Dana Banwer, Director of Licenses & Environmental Management

Grant Wilson, Interim Deputy Director of Licenses & Consumer Services

Presenters in Committee: Grant Wilson, 673-3902

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification: Public hearing notices were posted on the Business Licenses website and sent to all neighborhood organizations, business associations, and beverage alcohol establishments. An Informational Meeting was held on Wednesday, February 9, 2011 at the Central Library, 300 Nicollet Ave.
- City Goals: Jobs and Economic Vitality: Businesses — big and small — start here, stay here, thrive here.

Supporting Information

On April 1, 2005 the Minneapolis Indoor Smoking Ban was implemented which prompted many Minneapolis businesses to add an outdoor area for customers to smoke. Most of the city's 605 licensed alcohol establishments have either a sidewalk café or an outdoor area.

There has been a substantial increase in complaints from residents and neighborhood organizations related to behaviors in outdoor areas. In 2010 staff issued 3,987 violation orders regarding noise and other issues at licensed establishments and special events.

Staff recommends a proactive strategy to effectively manage neighborhood concerns before they escalate. The proposed amendment addresses four primary sources of complaints related to behaviors in outdoor areas: 1) customer capacity 2) restricting the use of outdoor speakers after 10 p.m. 3) requiring a sign with a contact number to report complaints and 4) requiring establishments to monitor outdoor areas and respond promptly to complaints.

Other major cities including Boston, Chicago, Denver, San Francisco, and Seattle impose strict regulations on outdoor patios including restrictions on hours of operation, outdoor sound amplification, and occupancy. Other requirements include minimum food service and recommendations from sound engineers. Finally, in Toronto, for example, all outdoor cafes near residential areas are required to close at 11 pm.

This amendment intends to strike a healthy balance for both businesses and neighborhoods to thrive and encourage good neighbor practices by implementing reasonable standards.

Recommendation: That the Regulatory, Energy and Environment Committee approve amending MCO 360.100, related to outdoor areas, to include maximum customer capacity, signage, license holder responsibilities, hour restrictions for sound amplification, and City Council authority to limit hours of operation and impose license conditions.