

**Request for City Council Committee Action
from the Department of Police**

Date: 16 September 2005

To: Council Member Dan Niziolek, Chair Public Safety and Regulatory Services Committee

Subject: Amend ordinance 360.100(k) to allow malt beverages to be served outside, in their original containers, until 11:00 p.m.

Recommendation: Approve amendment to ordinance 360.100(k)

Prepared or Submitted by: Robert Skomra, lieutenant, commander Police License Investigations Division

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.

Community Impact (use any categories that apply)

City Goals: See Attached

Background/Supporting Information:

Brief Historical Perspective of the Glass Container issue (ordinance adopted 23 June, 2000):

In response to incidents involving the use of glass containers (beer bottles) as weapons (thrown missiles) a request from the Police Department was made asking for an ordinance prohibiting original malt beverage containers from outdoor expansion areas after 9:00 p.m.

The requested 9:00 p.m. time was arbitrary and was made, erring on the side of caution, even though the requesting party knew that the problem was manifesting itself in conjunction to the bar closing time of 2:00 a.m.

Enforcement of this ordinance has led to some discussions with management of some of the downtown liquor establishments. These managers/owners/license holders stated that the current time of 9:00 p.m. has led to a strain of the customer relationship with the bar, especially with visitors from outside of Minnesota (many times convention attendees). The

deterioration of the relationship comes when bar employees attempt to enforce the ordinance and 1) attempt to have the customers move inside with the container; or 2) the employee attempts to remove the container from the outside area and this upsets the customer.

These discussions ultimately resulted in my staff and I having a conversation some of the staff at the First Precinct and ultimately with the commander Inspector R. Allen.

Inspector Allen and his staff affirmed that the problem with the original malt beverage containers is near the closing time of 2:00 a.m.

All of the parties involved believe that changing the 9:00 p.m. time to 11:00 would have no effect on officer safety and would enforce the viewpoint that the City of Minneapolis does listen to its license holders and makes reasonable accommodations when it makes sense.