



Request for City Council Committee Action from the Department of Police

Date 14 February 2006

To
Referral to

Subject: Change 370.10 To reflect the addition of the phrase "authorize another to serve."

Recommendation

(Complete action required in the final report, including fund-agency-org, contract number and amendment number, if applicable)

Previous Directives

Prepared or Submitted by: Robert Skomra, lieutenant, Commander of Police License Investigations Division, (612) 673-5403

Approved by (names, title, signature): Co-sponsors Council Members Ostrow and Hofstede

[Permanent Review Committee](#) Approval _____ Not Applicable _____

Policy Review Group (PRG) Approval _____ Date of Approval _____ Not Applicable _____

Note: The Policy Review Group is a committee co-chaired by the City Clerk and the City Coordinator that must review all requests related to establishing or changing enterprise policies.

Presenters in Committee (name, title)

Financial Impact (Check those that apply)

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

(If checked, go directly to Background/Supporting Information)

Community Impact (use any categories that apply)

Neighborhood Notification: N/A

City Goals:

1. Build communities where all people feel safe and trust the City's public safety professionals and systems
2. Deliver consistently high quality City services at a good value to our taxpayers

Comprehensive Plan: N/A

Zoning Code N/A

Other: Met with Council Member Lisa Goodman, members of the City's liquor industry; representatives of Mothers Against Drunk Drivers; and members of the University of Minnesota's Epidemiology Laboratory to explain the goal and purpose for changing amending Title 14, Chapter 370 relating to Liquor and Beer: Regulations involving minors.

Background/Supporting Information Attached

Background/Supporting Information:

While conducting routine liquor compliance checks, with underage shoppers, members of the Police Department's License Investigations Division (LID) have found a small loophole in the ordinance that may allow the actual person responsible for service of an alcoholic beverage or beer to escape either criminal charges or City administered sanctions.

The current language of the ordinance reads that only the actual server of the alcoholic beverage or beer can be considered for criminal charging or sanctions by the City of Minneapolis. The LID enforcement officers have found that many licensed liquor and beer establishment are relying on their doorman/bouncer to do the checking for underage patrons. Servers and bartenders who work for the establishment, knowing the establishment's policy and based on their confidence in the doorman/bouncer, have illegally served minors. Again, the current ordinance only allows the server to be considered for charges or sanctions.

Adopting the amendment as proposed would allow LID personnel discretion to recommend the person actually "responsible" for the serving to be held responsible.

MOTION

By Council Members Ostrow and Hofsted

Ordinance Introduction:

Motion to introduce the subject matter of an ordinance amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to Liquor & Beer: Regulations Involving Minors, for first reading and referral to the Public Safety & Regulatory Services Committee (to amend Section 370.10, Sale to minors, to prohibit a liquor licensee or the licensee's agents or employees from authorizing other agents or employees of the licensee to serve liquor or beer to a minor).

2006-
AN ORDINANCE
of the
CITY OF
MINNEAPOLIS

By Council Members Ostrow and Hofstede

**Amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to
Liquor and Beer: Regulations Involving Minors.**

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

That Section 370.10 of the above-entitled ordinance be amended to read as follows:

370.10. Sale to minors. No person licensed under Chapters 362, 363 or 366, or such licensee's agent or employees, shall serve, authorize another to serve or dispense upon the licensed premises any liquor or beer to any person under the age of twenty-one (21) years; nor shall such licensee, or the licensee's agent or employee, permit any person under the age of twenty-one (21) years to be furnished with any liquor or beer on the licensed premises. For purposes of this section, the term "authorize another to serve" means:

- (a) Verbally affirming or otherwise representing to another agent or employee of the licensee that a person under the age of twenty-one (21) years may be served any liquor or beer upon the licensed premises; or

- (b) Affirming to another agent or employee of the licensee, by means of granting admittance to the licensed premises or affixing, placing or directing the affixing or placing of a mark, stamp, wristband or other identifiable sign, symbol or object upon a person under the age of twenty-one (21) years that said person may be served any liquor or beer upon the licensed premises.