



**Request for City Council Committee Action
From the Department of Regulatory Services
Licenses and Consumer Services Division**

Date: September 19, 2005

To: Public Safety & Regulatory Services Committee

Subject: Amending Title 14, Chapter 368.60 relating to hours of operation of 'off-sale' beer licenses.

Recommendation

The Department of Operations and Regulatory Services recommends that the City Council not approve the proposed ordinance amendment.

Previous Directives

None

Prepared or Submitted by: Kenneth Ziegler, Inspector, Licenses and Consumer Services Division

Approved by _____ Ricardo Cervantes, Deputy Director,
Licenses
And Consumer Services Division

Presenters in Committee: Kenneth Ziegler, Inspector, Licenses and Consumer Services Division

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

Community Impact

City Goals

Background/Supporting Information Attached

A recent amendment to Minnesota Statutes deleted the requirement that “off-sale” liquor licensees located within a city of the first class must close for business at 8:00 PM, Mondays through Thursdays, unless otherwise permitted by law. As a result of this statute change, the City of Minneapolis proposed a “housekeeping” ordinance change to bring the Minneapolis ordinance relating to hours of “off-sale” liquor into conformance with statute and a public hearing was held on September 14, 2005. At this public hearing representatives of the “off-sale” liquor industry voiced no support for the proposed amendment.

The City of Minneapolis does have the ability to restrict the hours of sale of “off-sale” liquor in accordance with the provisions of Minnesota Statute 340A.504, subd. 6 which states: “A municipality may further limit the hours of sale of alcoholic beverages, provided that further restricted hours must apply equally to sales of 3.2 percent beer and intoxicating liquor. A city may not permit the sale of alcoholic beverages during hours when the sale is prohibited by this section.”

Thus, an ordinance has been introduced that will reduce the hours that licensees can sell, at “off-sale”, 3.2% beer on Mondays through Thursdays with sales to be discontinued on those days at 8:00 PM instead of the present 2:00 AM.

At present there are 86 “off-sale” beer licensees and 15 identified “on-sale” 3.2% beer licensees who also have the ability to sell at “off-sale”. An unknown number of “on-sale” liquor and wine licensees also sell 3.2% beer at “off-sale”.

The Licenses and Consumer Services Division and Police License Investigation Division do not recommend adoption of this amendment because it will add enforcement responsibilities to an already strained workforce.