

ORDINANCE NUMBER 521

CITY OF DETROIT LAKES, MINNESOTA

AN ORDINANCE AMENDING SECTION 702 OF THE CITY CODE

The City Council of the City of Detroit Lakes Ordains:

- 1) Section 702.02 Subd. 2 of the City Code is hereby amended as follows:

Subd. 2. On-Sale Liquor Licenses. “On-sale” liquor licenses may be issued to hotels, motels, restaurants, bowling centers and theaters as defined by Minn. Stat. 340A.101 and to the owner of the lodging establishment located at 1200 East Shore Drive, and shall permit “on-sale” of liquor only. Any restaurant licensed hereunder must regularly prepare meals on the premises to be served to the general public at tables and have a minimum seating capacity of 25 persons in its dining area. Except for the lodging establishment located at 1200 East Shore Drive, any hotel-motel licensed hereunder must furnish food and lodging regularly to transients with food served to the general public in a dining room at tables with a minimum seating capacity of 30 guests at one time and have at least 10 lodging rooms available for guests.

- 2) Section 702.02 Subd. 3 of the City Code is hereby amended as follows:

Subd. 3. On-Sale Wine Licenses. “On-sale” wine licenses may be issued to restaurants meeting the qualifications of Minn. Stat. 340A.404, Subd. 5, licensed bed and breakfast facilities and to theaters as defined by Minn. Stat. 340A.101 and shall permit only the sale of wine not exceeding twenty-four percent (24%) alcohol by volume for consumption on the licensed premises. Any restaurant licensed hereunder shall have seating capacity for no fewer than 25 guests at one time.

- 3) Section 702.02 Subd. 5 of the City Code is hereby amended as follows:

Subd. 5. Sunday On-Sale. A special license authorizing sales on Sunday in conjunction with the serving of food may be issued to any hotel, motel, restaurant, club or bowling center that has an on-sale license.

- 4) Section 702.02 Subd. 6 of the City Code is hereby amended as follows:

Subd. 6. Temporary on-sale license. Temporary on-sale licenses may be granted to:

- (a) a club or charitable, religious or other nonprofit organization in existence for at least three years, political committee registered under Minn. Stat. 10A.14 or state university for the on-sale of wine or intoxicating liquor;
- (b) to a brewer who manufactures fewer than 3,500 barrels of malt liquor in a year or a micro distillery for the on-sale of intoxicating liquor, provided that such temporary on-sale licenses are granted in connection with a

social event within the City sponsored by the licensee. The license may authorize the on-sale of wine or intoxicating liquor for not more than four (4) consecutive days, and may authorize on-sales on premises other than the premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full-year on-sale intoxicating liquor license issued by any municipality.

5) Section 702.10 Subd. 1 of the City Code is hereby amended as follows:

Subd. 1. Special License. (a) A holder of an on-sale intoxicating liquor license issued by the City or by an adjacent municipality may apply to the council for a Special License to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair conducted on the premises of a sports, convention or cultural facility owned by the City and located within the City.

(b) A holder of an on-sale intoxicating liquor license issued by the City may apply to the council for a Special License to dispense intoxicating liquor off premises in a specified area at a community festival held within the City.

6) Section 703.02 Subd. 2 of the City Code is hereby amended as follows:

Subd. 2. Regular On-Sale. Regular on-sale licenses shall be granted only to drug stores, restaurants, hotels, clubs, golf courses, establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks, and bowling centers. On-sale licenses shall permit the sale of beer for consumption on the premises only.

7) Section 702.13 is hereby added to the City Code:

702.13. Hours and days of sale.

Subd. 1. The hours of operation and days of sale shall be those set by Minn. Stat. §340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than State law allows.

Subd. 2. No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in any on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

Subd. 3. No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain on any table, bar, stool, or other place where customers are served,

more than 30 minutes after the time when a sale can legally occur.

Subd. 4. No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

Subd. 5. Any violation of any condition of this Section may be grounds for suspension or revocation of the license in addition to any other penalty provided for by law.

First Reading approved by the City Council _____, 20_____:

Second Reading and Ordinance adopted by the City Council _____, 20_____.

Matt Brenk, Mayor

ATTEST:

City Clerk