

Department of Safety and Inspections

2015 – Proposed On-Sale Liquor Law Changes

Proposed “Restaurant” Definition

An establishment serving food and beverages, meeting the definition in Minnesota Statutes Section 157.15, subd. 12, and classified as a high or medium risk establishment under Minnesota Statutes 157.20, subd.2a which meets the following criteria:

1. Derives a substantial amount of its income from the sale of foods and non-alcoholic beverages.
2. Has a full-service kitchen, including all of the following:
 - a. At least one cooking line with required ventilation:
 - b. One(1) or more ovens and ranges or sufficient approved cooking equipment:
 - c. Food preparation areas having sinks:
 - d. Refrigerators/coolers for the safe storage of food:
 - e. all meeting relevant NSF International standards
3. Maintains all food and health related licenses and permits necessary to operate as a high or medium risk establishment and defined in Minnesota Statutes section 157.20.
4. Seating for not less than thirty (30) guests.
5. Prepares meals on-premises, which are served to guests seated at tables or other eating surfaces.
6. Does not sell intoxicating liquors to patrons who are not seated at an eating surface, unless the patron being served is on a bona fide waiting list for available seating.

Current “Restaurant” Definition

An establishment other than a hotel, whose food and liquor service are under the control of a single proprietor or manager.

1. An establishment whose gross receipts are at least sixty (60) percent attributable to the sale of food during each and every calendar month.
2. A full service kitchen for the purpose of this chapter shall include at the least a cooking line with mechanical ventilation, having two (2) or more ovens and ranges; food preparation areas having sinks, cutting boards, and facilities and equipment for the preparation, holding at safe temperatures, and processing of food on site; refrigerators and/or coolers for the safe storage of food; and mechanical dishwashing facilities and equipment; all of the foregoing meeting the requirements of Chapter 331 of the Legislative Code and NSF International standards.
3. No fewer than fifty (50) guests.

Department of Safety and Inspections

2015 – Proposed On-Sale Liquor Law Changes

Proposed “Restaurant” Definition (Cont.)

7. End all food and beverage service no later than 12:00 a.m. (mid-night) and closes no later than 12:30am.
8. Offers a menu including at least 4 entrees or as otherwise approved by DSI.
9. Offers full menu service during all hours of operations, with the exception of the hour prior to closing.
10. Actively promotes food sales to all guests within the licensed premises of the restaurant during all hours of full menu service.
11. Maintains a kitchen open for meal service, which is appropriately staffed and supplied to fulfill orders from the menu in effect during all hours of full menu service.
12. Up to 10% of the public area of the licensed establishment may be for the exclusive use of entertainment, for the enjoyment of customers of seated tables.
13. Makes business records, including, but not limited to, federal and state tax returns, available for inspection by the Director or the Director’s designee at all reasonable times.

Current “Restaurant” Definition (Cont.)

4. No sale of intoxicating liquor shall be made after 1:00 a.m. (unless a 2:00am license is obtained.)
5. Offering meals and a full menu service on a daily basis to at least 11:00 p.m. or to the closing time of the entire establishment.
6. Having appropriate facilities for the serving of meals.