



## Legislation Details (With Text)

**File #:** Ord 15-73      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**In control:** City Council

**Final action:** 12/9/2015

**Title:** Amending Chapter 409.03 of the Legislative Code exempting restaurants from total license limits.

**Sponsors:** Chris Tolbert

**Indexes:**

**Code sections:**

**Attachments:** 1. 1707charterresolution, 2. ProposedRestaurantOn-SaleLiquorCharterAmendment (002), 3. ProposedCharterAmendmentExecutiveSummary (003), 4. District 5 Letter, 5. Meeting Packet 11-10-15, 6. Highland District Council Resolution, 7. Minnesota Licensed Beverage Association Letter, 8. memo to charter commission on petition signatures, 9. Business Review Council letter of support, 10. District 1 Letter of Support, 11. Highland District Council Letter, 12. Chamber of Commerce Letter of Support, 13. Email Exchange, 14. 2015RestaurantOn-SaleLiquorLaws, 15. LiquorRestaurantDefintionComparison9-20151, 16. ProposedRestaurantDefintionOrdinanceChange, 17. November 10, 2015 Charter Commission Meeting Packet, 18. City Clerk Transmittal Letter, 19. RES 15-1801, 20. Cervantes Email to Charter Commission, 21. Hendrickson Memo Suspending the Rules, 22. Availability-FullOnSaleLiquorLicenses (002), 23. O'Brien Opposition email

Date	Ver.	Action By	Action	Result
12/15/2015	2	Mayor's Office	Signed	
12/9/2015	2	City Council	Adopted	Pass
12/2/2015	2	City Council	Laid Over to Final Adoption	Pass
11/18/2015	2	City Council	Laid Over to Third Reading/Public Hearing	
11/12/2015	2	City Council	Laid Over to Second Reading	

Amending Chapter 409.03 of the Legislative Code exempting restaurants from total license limits.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN

### Section 1

That **Sec. 409.03. - Number of Licenses** is amended as follows:

(a) In the downtown business district, and in all commercial development districts as defined in section 17.07.1 of the City Charter, on-sale licenses shall be issued only to hotels, clubs, restaurants and establishments for the sale of on-sale liquors exclusively. In all other areas of the city, licenses shall be issued only to hotels, restaurants and private nonprofit colleges, provided however, that establishments holding licenses on August 16, 1995 shall not be affected by this limitation, but shall be entitled to have such licenses renewed so long as they are in compliance with all other requirements of law and there exist no grounds for adverse actions against such licenses. Notwithstanding the foregoing, the following exceptions shall apply:

(1) A new license may be issued for a location in such other areas of the city if there had previously been an on-sale intoxicating liquor license issued for that location, unless:

- a. The previous license had been revoked by the council for any reason other than nonpayment of license fees within the previous fifteen (15) years; or
  - b. The previous license had terminated or expired more than two (2) years before the new license had been first applied for; or
- (2) An existing on-sale intoxicating liquor license may be allowed to move into another location in the city if the previous location of the license was acquired by purchase or condemnation by a public body having the power of eminent domain, and if the distance between the old and new locations is less than one-half (½) mile.
- (b) Off-sale licenses shall be granted subject to the approval of the liquor control commissioner only to proprietors of exclusive liquor stores, and but one (1) such license shall be issued for every five thousand (5,000) inhabitants in the city.
  - (c) Notwithstanding any other provision of law to the contrary, the city shall not issue any on-sale intoxicating liquor licenses in excess of two hundred (200). This limitation shall not apply to on-sale intoxicating liquor licenses issued to restaurants, as defined in Section 409.03 of the Legislative Code.

## Section 2

These ordinance amendments shall take effect and be in force thirty (30) days from and after their passage, approval and publication.