



Legislation Details (With Text)

**File #:** Ord 15-16      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**In control:** City Council  
**Final action:** 4/8/2015

**Title:** Amending Chapter 245 of the Saint Paul Legislative Code to delete obsolete references and to allow tailgating at parking lots within a defined area for attendees of professional baseball games and other events at CHS Field.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. CHS tailgating draft amendment language

Date	Ver.	Action By	Action	Result
4/13/2015	1	Mayor's Office	Signed	
4/8/2015	1	City Council	Adopted	Pass
4/1/2015	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
3/25/2015	1	City Council	Laid Over to Third Reading/Public Hearing	
3/18/2015	1	City Council	Laid Over to Second Reading	Pass

Amending Chapter 245 of the Saint Paul Legislative Code to delete obsolete references and to allow tailgating at parking lots within a defined area for attendees of professional baseball games and other events at CHS Field.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Section 245.01 of the Paul Legislative Code is hereby amended to read as follows:

**Sec. 245.01. - Drinking in public prohibited.**

No person shall drink ~~intoxicating liquors~~ alcoholic beverages in any place open to the public within the City of Saint Paul, nor shall the proprietor or manager of any such public place, if such public place is a building structure, permit such drinking upon his premises.

Section 2

Section 245.02 of the Saint Paul Legislative Code is hereby amended to read as follows

**Sec. 245.02. Exceptions.**

~~This chapter shall not be considered as prohibiting the drinking of intoxicating liquors in a building structure open to the public, if such building is one within which sales of intoxicating liquors for consumption on the premises where sold are permitted by duly licensed persons under the ordinances of this city; provided, however, that drinking in such a building shall be permitted only in that portion of the building constituting the~~

licensed premises, and only within the hours when sales of intoxicating liquors are permitted and for a period of one-half hour thereafter. Notwithstanding the prohibitions of section 245.01, the sale and service of alcoholic beverages within a sidewalk cafe by a food establishment which is licensed as a restaurant under Chapter 331A of the Legislative Code and which is in compliance with the provisions of section 106.01 of the Legislative Code, is permitted.

**Sec. 245.02. Definitions. of liquor.**

"Alcoholic beverages" For the purpose of this chapter, "intoxicating liquor" "alcoholic beverages" is hereby defined to mean and include ethyl alcohol and any distilled, fermented, spirituous, vinous or malt liquid of any kind, potable as a beverage, which liquid contains an alcoholic content in excess of three and two-tenths (3.2) percent thereof by weight. any beverage containing more than one-half of one percent alcohol by volume.

For the purpose of this chapter, "alcoholic beverages" shall include beverages containing 3.2 malt liquor as well as wine and intoxicating liquor.

Section 3

Section 245.03 of the Saint Paul Legislative Code is hereby amended to read as follows:

**Sec. 245.03. Exceptions.**

(a) This chapter shall not be considered as prohibiting the drinking of alcoholic beverages in a building structure open to the public, if such building is one within which sales of alcoholic beverages for consumption on the premises where sold are permitted by duly licensed persons under the ordinances of this city; provided, however, that drinking in such a building shall be permitted only in that portion of the building constituting the licensed premises, and only within the hours when sales of alcoholic beverages are permitted and for a period of one-half hour thereafter. Notwithstanding the prohibitions of section 245.01, the sale and service of alcoholic beverages within a sidewalk cafe by a licensed food establishment which is in compliance with the provisions of section 106.01 of the Legislative Code, is permitted.

(b) This chapter does not prohibit the purchase or consumption of alcohol at a community festival subject to Saint Paul Legislative Code Chapter 366 provided the alcoholic beverage is purchased from a duly licensed on-sale establishment participating in the festival.

(c) This chapter shall not apply to parking lots owned, leased, or managed by the primary tenant of the CHS Field and which are located within the area bounded by Kellogg Boulevard on the south, Willius Street and Lafayette Boulevard on the west, Fourth Street on north, and the BNSF railroad tracks on the east, when used by attendees beginning no earlier than three hours prior to of professional baseball games or other events taking place at the CHS Field, with a security plan approved by the Director of Parks and Recreation. This exclusion does not include youth high school or intercollegiate athletics which take place at the CHS Field.

Section 4

Section 245.04 of the Saint Paul Legislative Code is hereby amended as follows:

**Sec. 245.04. Exceptions for annual festivals.**

(a) ~~Taste of Minnesota Festival.~~ No person shall have in his possession or drink intoxicating liquor, nonintoxicating malt liquor or wine at the State Capitol or on its surrounding property at the annual Taste of Minnesota Festival held for the purpose of commemorating the Fourth of July holiday. This prohibition shall not be applicable to nonintoxicating malt liquor or wine purchased and consumed on the Capitol grounds from a duly licensed on-sale establishment.

(b) ~~Riverfest Festival.~~ No person shall have in his possession or drink intoxicating liquor, nonintoxicating malt liquor or wine at Harriet Island or on its surrounding property at the annual Riverfest Festival or annual

~~summer festival held on Harriet Island or on its surrounding property. This prohibition shall not be applicable to nonintoxicating malt liquor or wine purchased and consumed on the Harriet Island grounds or surrounding property from a duly licensed on-sale establishment.~~

(e)

~~*Taste of Minnesota Festival.* No person shall have in his possession or drink intoxicating liquor, nonintoxicating malt liquor or wine at Harriet Island or on its surrounding property at the annual Taste of Minnesota held on Harriet Island or on its surrounding property. This prohibition shall not be applicable to nonintoxicating malt liquor, strong beer or wine purchased and consumed on the Harriet Island grounds or surrounding property, including those streets which have been blocked off and included in a block party permit, providing the nonintoxicating malt liquor, strong beer or wine have been purchased from a duly licensed on-sale establishment participating in the Festival.~~

## Section 5

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.