



## Legislation Details (With Text)

**File #:** RES 13-893    **Version:** 2

**Type:** Resolution    **Status:** Passed

**In control:** City Council

**Final action:** 6/26/2013

**Title:** Approving a Liquor Outdoor Service Area (Sidewalk) license for The Buttered Tin, LLC, d/b/a The Buttered Tin (License ID #20130001235) at 237 Seventh Street East.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/27/2013	2	Mayor's Office	Signed	
6/26/2013	2	City Council	Adopted	Pass

Approving a Liquor Outdoor Service Area (Sidewalk) license for The Buttered Tin, LLC, d/b/a The Buttered Tin (License ID #20130001235) at 237 Seventh Street East.

WHEREAS, The Buttered Tin, LLC d/b/a The Buttered Tin (License ID #20130001235) applied for a Liquor Outdoor Service Area (Sidewalk) license for the premises located at 237 7<sup>th</sup> Street East Saint Paul; and

WHEREAS, the Department of Safety and Inspections (DSI) has already issued the following licenses: Restaurant (3) -13-50 Seats, Wine On Sale and Malt On Sale (Strong); and

WHEREAS, a notice was sent to the Capitol/River Council District 17 and DSI received no objections to the issuance of a Liquor Outdoor Service Area (Sidewalk) license with the following conditions; and

1. Per City of Saint Paul Legislative Code 409.15(a) (2), On-sale wine license shall mean a license authorizing the sale of wine not exceeding fourteen (14) percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale and service of food (menu item only). The sale of Malt (Strong) will also take place only in conjunction with the sale and service of food.
2. Per City of Saint Paul Legislative Code 409.15(e), licensee must be able to show that gross receipts are at least sixty (60) percent attributable to the sale of food.
3. Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed.
4. Sidewalk seating approved for a maximum of seats as per the approved plan on file with DSI.
5. Each year prior to the placement of tables(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses.
6. No outdoor food and/or beverage preparation is allowed on the public sidewalk without prior approval and additional licensing from DSI.

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of a Liquor Outdoor Service Area (Sidewalk) license; now, therefore, be it,

RESOLVED, that a Liquor Outdoor Service Area (Sidewalk) license is hereby granted to The Buttered Tin, LLC d/b/a The Buttered Tin (License ID #20130001235) for the premises located at 237 7<sup>th</sup> Street East in Saint Paul.