



## Legislation Text

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**File #:** Ord 14-29, **Version:** 2

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Amending Chapter 409 of the Saint Paul Legislative Code pertaining to Sunday Sales and Brewer Taproom licenses, and Microdistillery Cocktail Room licenses.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### SECTION 1

Sections 409.07 and 409.28 of the Saint Paul Legislative Code are hereby amended to read as follows:

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#### **Sec. 409.07. Hours of sale; Sunday sales, etc.**

(a) On-sale hours of sale.

(1) Intoxicating liquor on-sale. No sale of intoxicating liquor shall be made after 1:00 a.m. on Sunday nor until 8:00 a.m. on Monday. No on-sale shall be made between the hours of 1:00 a.m. and 8:00 a.m. on any weekday.

(2) Sales after 1:00 a.m. Establishments holding only on-sale wine and/or on-sale malt liquor licenses shall not be eligible to sell wine and/or malt liquor after 1:00 a.m. An establishment holding on-sale licenses other than on-sale wine and/or on-sale malt which has received a permit from the state which authorizes sale of intoxicating liquor or three and two-tenths (3.2) percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. may make such sales if it has provided a copy of the permit to the director of the department of safety and inspections. An establishment holding only on-sale wine and/or on-sale malt liquor licenses which also has a state 2:00 a.m. permit on January 1, 2009 may continue to make such sales until 2:00 a.m. unless or until the on-sale wine and/or on-sale malt liquor license is discontinued for any reason.

(b) Off-sale hours of sale. No off-sale shall be made before 8:00 a.m. or after 8:00 p.m. of any day except off-sale shall be permitted on Friday and Saturday until 10:00 p.m. No off-sale shall be made on Thanksgiving Day or Christmas Day, December 25. If the sale of liquors is not otherwise prohibited on July 3, the date preceding Thanksgiving Day or on December 31, off-sale may be made until 10:00 p.m.

(c) Sunday sales.

(1) Notwithstanding the provisions of paragraph (b) (a), establishments to which on-sale licenses have been issued or hereafter may be issued for the sale of intoxicating liquors which are hotels or restaurants and which have facilities for serving no fewer than fifty (50) guests at one (1) time may serve intoxicating liquors between the hours of 10:00 a.m. on Sundays and 1:00 a.m. on Monday in conjunction with the serving of food, but no liquor shall be served on Sundays other than to persons who are seated at tables; provided, that the licensed establishment is in conformance with the Minnesota Clean Indoor Air Act. Notwithstanding the foregoing, an establishment with has received a permit from the state which authorizes sale of intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. may make such sales if it has provided a copy of the permit to the director of the department of safety and inspections.

(2) Notwithstanding the provisions of paragraph (a), establishments to which brewer taproom licenses have been issued or may hereafter be issued, and that have obtained a special license as set forth in subparagraph (3), may serve malt liquor between the hours of 10:00 a.m. on Sundays and 1:00 a.m. on Monday.

(2) (3) It is unlawful for any such establishment, directly or indirectly, to sell or serve intoxicating liquors as provided in subparagraph (1) or (2) above without having first obtained a special license therefor. Such special license may be issued by the council for a period of one (1) year and for which the fee shall be two hundred dollars (\$200.00). Application for said special license shall be made to the council in the same manner as application for other licenses to sell intoxicating liquor are made.

(3) (4) Private nonprofit colleges which have obtained an on-sale license may serve intoxicating liquors between the hours of 10:00 a.m. on Sundays and 1:00 a.m. on Monday to patrons attending events at the private nonprofit college.

(d) No consumption or display when prohibited. No person shall consume or display or allow consumption or display of liquor upon the premises of an on-sale licensee at any time when the sale of such liquor is not permitted.

(e) Private Christmas parties. Notwithstanding any other provision of the Legislative Code, the license holder of premises having an on-sale license may once a year during the Christmas season have a private party at no charge to the guests after the lawful closing hours; provided, that a written request for said party is submitted to the license inspector thirty (30) days prior to the proposed date of the party; and provided further, that no sales as defined by law of intoxicating liquors or non-intoxicating malt liquor shall be made at or during said party. The inspector shall notify the chief of police of the date of each proposed party.

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#### **Sec. 409.28. Brewer taproom licenses.**

(a) Definition. A brewer taproom license shall mean a license authorizing the on-sale of malt liquor produced by a brewer for consumption on the premises of or adjacent to one (1) brewer location owned by the brewer.

(b) Issuance of license; fee; conditions of license. Brewer taproom licenses may be issued to the holder of a brewer's license under Minnesota Stat. § 3409A.301, subd. 6(c), (i) or (j). Said license may be issued without regard to section 409.03 limitations and are subject to the following conditions:

(1) The license fee shall be paid in the amount listed in section 310.18 of this code.

(2) The license shall be valid ~~on all days of the week~~ consistent with the hours of sale provided in section 409.07(a) and (c).

(3) A brewer may only hold one (1) brewer taproom license under this section.

(4) A buyer's card is not required of an applicant for a brewer taproom license under this section.

(5) The only alcoholic beverages sold or consumed on the premises of the taproom will be malt liquor

produced by the brewer upon the brewery premises.

- (6) No taproom shall be located across a public right-of-way such as a street or alley from the brewery location.
- (7) All other provisions of this chapter shall be applicable to such licenses and licensees unless inconsistent with the provisions of this section.
- (c) Public hearing; notices. No new brewer taproom license shall be issued until the council shall have first held a public hearing on the application. The notification requirements applicable to license transfers or change in section 409.11 shall be applicable in the issuance of such new licenses; provided, however, that the notification requirements may be waived by the city council under the procedure described in section 409.06
- (d).
- (d) Nothing in this section shall preclude the holder of a brewer taproom license from also holding a license to operate a restaurant at the taproom location.

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Sec. 409.31. Microdistillery cocktail room licenses.

- (a) Definition. A microdistillery cocktail room license shall mean a license authorizing the on-sale of distilled spirits produced by a microdistillery for consumption on the premises of or adjacent to one (1) microdistillery location owned by the microdistiller.
- (b) Issuance of license; fee; conditions of license. Microdistillery cocktail room licenses may be issued to the holder of a microdistiller's license under Minnesota Stat. § 340A.301, subd. 6c. Said license may be issued without regard to section 409.03 limitations and are subject to the following conditions:
  - (1) The license fee shall be paid in the amount listed in section 310.18 of this code.
  - (2) The license shall be valid consistent with the hours of sale provided in section 409.07(a).
  - (3) A microdistiller may only hold one (1) cocktail room license under this section.
  - (4) A buyer's card is not required of an applicant for a microdistillery cocktail room license under this section.
  - (5) The only alcoholic beverages sold or consumed on the premises of the cocktail room will be distilled spirits produced by the microdistiller upon the microdistillery premises.
  - (6) No microdistillery cocktail room shall be located across a public right-of-way such as a street or alley from the microdistillery location.
  - (7) All other provisions of this chapter shall be applicable to such licenses and licensees unless inconsistent with the provisions of this section.
- (c) Public hearing; notices. No new microdistillery cocktail room license shall be issued until the council

shall have first held a public hearing on the application. The notification requirements applicable to license transfers or change in section 409.11 shall be applicable in the issuance of such new licenses; provided, however, that the notification requirements may be waived by the city council under the procedure described in section 409.06(d).

- (d) Nothing in this section shall preclude the holder of a microdistillery cocktail room license from also holding a license to operate a restaurant at the cocktail room location.

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## SECTION 2

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