Legislation Text

File #: Ord 16-39, **Version:** 1

Amending Saint Paul Legislative Code section 409.07(b), expanding the allowable hours of liquor off-sale to 10:00 p.m. Monday - Saturday.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN
Section 1
For the purpose of expanding the allowable hours of liquor off-sale to 10:00 p.m. Monday-Saturday, Saint Paul Legislative Code section 409.07 is hereby amended to read as follows:
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, or after 8:00 p.m. on Christmas Eve, December 24. ~~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 (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 8:00 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.
(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.
(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.

(5) An off-sale brewery may sell growlers, as defined in section 409.08(18), at off-sale between the hours of 8:00 a.m. and 8:00 p.m. on Sundays.

(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 nonintoxicating 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.

Section 2

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