



Legislation Text

File #: Ord 24-22, **Version:** 1

Amending Section 409.01 of the Legislative Code to allow the Union Depot and Science Museum of Minnesota to have unlimited catered events within their spaces for class T-Temporary on-sale liquor license-Caterer and class N-On-sale caterer's license.

Section 1

WHEREAS, there is a market interest for special events serving alcohol in the various spaces within the Union Depot and Science Museum of Minnesota; and

WHEREAS, current on-sale liquor ordinance language does not reflect the unique functioning and use of the Union Depot and Science Museum of Minnesota; and

WHEREAS, Union Depot and Science Museum of Minnesota are controlled by and for the community; and

WHEREAS, proposed ordinance amendment language aligns with Minn. Stat. § 340A.404; and

WHEREAS, catered events at Union Depot and Science Museum of Minnesota premises contribute to and support the financial health of local community assets; and

WHEREAS, the proposed language is viewed as an interim solution until the Union Depot and Science Museum of Minnesota can adopt to Minnesota Statute Special Provision language, like other facilities, (e.g., conventions, or cultural facilities owned by the municipality such as, Fitzgerald Theater, the Great American History Theatre at 30th East 10th Street, and the Palace Theatre at 17 West Seventh Place) including, Walker Art Center, and Museum of Russian Art; Now, therefore be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

Section 2

Section 409.01 of the Saint Paul Legislative Code is hereby amended as follows:

- (a) Unless otherwise allowed under Minn. Stat. ch. 340A, No person may directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise dispose of alcoholic beverages as part of a commercial transaction without having obtained the required license or permit. Rental of or permission to use a public facility is not a commercial transaction for the purposes of this chapter.
- (b) *Class T-Temporary on-sale liquor license.* No person holding a catering permit issued under the provisions of Minn. Stat. § 340A.404, Subd. 12, who does not have an appropriate on-sale liquor license issued by the city shall sell intoxicating liquor at any time or place in the city without first obtaining the required Class T-Temporary on-sale liquor license as prescribed in this chapter. The applicant must follow the procedures for obtaining a Class T license as laid out in Saint Paul Legislative Code Section 310.

The sale of intoxicating liquor must be incidental to food service as required under Minnesota Stat. 340A.404, Subd. 12.

The applicant shall provide adequate security for the event or occasion which must be described in the application. All requirements of law or ordinance relating to the sale and/or service of intoxicating liquor must apply to distribution made pursuant to a state issued caterer's permit and Class T-Temporary on-sale liquor license including, but not limited to, insurance coverages.

- (c) *Class N-On-sale caterer's license.* A holder of a State of Minnesota caterer's permit issued under the provisions of Minnesota Stat. § 340A.404, Subd. 12 to a restaurant that holds an on-sale intoxicating liquor license within the city may apply to sell intoxicating liquor as an incidental part of food service at a place other than the premises for which the holder's on-sale intoxicating liquor license is issued by obtaining a Class N-Caterer's License for the City of Saint Paul. The applicant must follow the procedures for a Class N license application laid out in Saint Paul Legislative Code Chapter 310.02(2). Holders of a Class N on-sale caterer's license must comply with all provisions of the statutes, ordinances, and rules governing the retail sale of alcoholic beverages.
- (d) Class T-Temporary on-sale liquor license and Class N-On-sale caterer's licensees must comply with the following provisions for all events that are catered within the City of Saint Paul:
- (1) A license holder must receive written permission from the director to hold the event, or to provide ongoing catering services at a rental/dance hall, the Union Depot or the Science Museum of Minnesota. The written permission may contain reasonable conditions that must be followed during the event. Grounds for denial of a request for permission to hold an event include, but are not limited to:
 - a. The license holder has had prior adverse actions arising out of a private event;
 - b. The license holder has previously failed to obtain permission to host a private event;
 - c. The license holder has had other violations which relate to the licensed establishment.
 - (2) A license holder must keep a record of each event they cater in Saint Paul. The record must include the location of the event, the date and time, the event contact name(s) and phone number(s). The license holder must provide this register to city staff upon request.
 - (3) The city council may by resolution establish a list of premises for which a liquor caterer may not provide services at an event without explicit approval of city council.
 - (4) A private event cannot last more than one (1) day.
 - (5) Any licensee establishment that is not a licensed rental hall being used for a private event or that is not the Union Depot or the Science Museum of Minnesota may allow ~~provide~~ liquor catering services to the public up to four (4) times per calendar year for the duration of no more than three (3) consecutive days so as not to exceed twelve (12) days in a calendar year at one (1) location. Licensed rental halls, when used for a private event, the Union Depot, or the Science Museum of Minnesota are exempt from the limitation outlined in this section.
 - (6) No sale of beverage alcohol may occur after 1:00 a.m.
 - (7) All servers of alcohol at a catered event must have received alcohol server training as approved by the director and shall be at least eighteen (18) years of age.
 - (8) A license holder shall notify the Saint Paul Police Department and department of safety and inspections at least fifteen (15) full business days prior to any alcohol catered event or prior to the beginning of ongoing catering services at a rental/dance hall, the Union Depot or the Science Museum of Minnesota and provide pertinent details about the event using a form provided by the director.
 - (9) In addition to general grounds for denial of an application for a Class T-Temporary on-sale

liquor license and Class N-On-sale caterer's licensees referenced in chapter 310 of the Saint Paul Legislative Code, a license application may be denied, and an issued Class T-Temporary on-sale license may be suspended or revoked without refund, for any of the following reasons:

- a. The operation of an event does or will unreasonably disturb the peace, quiet or repose of surrounding residential or commercial areas.
 - b. The operation of an event does or will contribute to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the event's location.
 - c. Any violation of the laws relating to the sale or service of alcoholic beverages.
 - d. License holder's refusal to supply books of account and contracts pertaining to an event as set forth in this section.
 - e. Any violation of the terms of this section.
 - f. Any other good cause related to the operation of the business or venue.
- (10) Both state and city permits/licenses must be available for display upon request of any law enforcement officer or investigator designated by the licensing official for any catered event.
- (11) License holders shall maintain adequate security at catered events in Saint Paul. The license holder may coordinate this with the host facility.
- (12) If an event is to be held outside, the applicant shall indicate how the alcohol will be confined to a particular area. Exclusive outdoor events must provide at least one (1) portable toilet per every fifty (50) attendees.
- (13) License holders shall submit to and/or facilitate any site inspections by police, fire, or other regulatory or health agency.
- (d) Adverse action may be taken against a licensed establishment acting as a liquor caterer who provides or serves alcohol at an establishment that is in violation of this chapter.

SECTION 3

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