

THE CITY COUNCIL WILL DISCUSS THIS ORDINANCE ON JUNE 27, 2022

ORDINANCE NO.

**CITY OF CHAMPLIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE I, SECTION 6-8, KINDS OF
LIQUOR LICENSES**

The City Council of the City of Champlin does hereby ordain the following:

Sec. 6-8. Kinds of liquor licenses.

- (a) On-sale 3.2 percent malt liquor licenses, which may be issued only to golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks.
- (b) Off-sale 3.2 percent malt liquor license.
- (c) Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization.
- (d) Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores or drug stores that have an off-sale license which was first issued on or before May 1, 1994. The fee for an off-sale intoxicating liquor license is established by the council under chapter 22, which may be amended from time to time.
- (e) On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by Minn. Stats. § 340A.101, as it may be amended from time to time, and this chapter: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, movie theaters that meet the definition of a restaurant under state law and city Code section 6-3 and exclusive liquor stores. Club licenses may be issued only with the approval of the commissioner of public safety. The fee for club licenses established by the council under chapter 22 of this Code shall not exceed the amounts provided for in Minn. Stats. § 340A.408, subd. 2(b) as it may be amended from time to time. The council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at a community festival held within the city under the provisions of Minn. Stats. § 340A.404, subd. 4(b) as it may be amended from time to time. The council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the city, under the provisions of Minn. Stats. § 340A.404, subd. 4(a) as it may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.
- (f) On-sale Sunday intoxicating liquor licenses, as may be amended from time to time. Sunday on-sale intoxicating liquor licenses may be issued only to: (i) a restaurant as defined in section 6-3 of this chapter; (ii) the following establishments as defined by Minn. Stats. § 340A.101; a restaurant, a movie theater that meets the definition of a restaurant under state law and city Code section 6-3; a club, bowling center, or hotel which has a seating capacity of at least 30 persons, which holds an on-sale intoxicating liquor license, and which serves

liquor only in conjunction with the service of food, and (iii) a holder of an on-sale brewer taproom license. The maximum fee for this license is established by the council under the provisions of chapter 22.

- (g) On-sale temporary intoxicating liquor licenses, with the approval of the commissioner of public safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious, or other nonprofit corporation that has existed for at least three years; a political committee registered under state law; or a state university. No license shall be for longer than four consecutive days, and the city shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year.
- (h) On-sale wine licenses, with the approval of the commissioner of public safety to: theaters, restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of Minn. Stats. § 340A.404, subd. 5, as it may be amended from time to time, and which meet the definition of restaurant in section 3; to licensed bed and breakfast facilities which meet the criteria in Minn. Stats. § 340A.4011, subd. 1, as it may be amended from time to time and to theaters that meet the criteria of Minn. Stat. § 340A.404, subd. 1(b) as it may be amended from time to time. The fee for an on-sale wine license is established by the council under the provisions of chapter 22.
- (i) One day consumption and display permits with the approval of the commissioner of public safety to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.
- (j) Consumption and display permits by the commissioner of public safety. The maximum amount of the additional fee which may be imposed by the council on a person who has been issued a consumption and display permit under the provisions of chapter 22 which may be amended from time to time. Consumption and display permits shall expire on March 31 of each year.
- (k) On-sale culinary class limited licenses may be issued to a business establishment not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.
- (l) On-sale brew pub intoxicating liquor or on-sale 3.2 percent malt liquor licenses, with the approval of the commissioner of public safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at Minn. Stats. § 340A.24, as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a license for off-sale under section (m) below, the brew pub's total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.
- (m) Off-sale brewer malt liquor licenses, as provided in Minn. Stats. 340A.301, subd. 6d, may be issued to a brewer licensed under Minn. Stats. 340A.301, subd. 6, (c) (i), or (j), and issued on an on-sale brewer taproom license for the off-sale of malt liquor subject to the following conditions:
 - (1) An off-sale license may be issued solely for the malt liquor produced and packaged on the licensed premises.
 - (2) Off-sale of malt liquor shall be limited to the legal hours of off-sale pursuant to the section 6-19 and malt liquor sold off-sale must be removed from the licensed premises

before the applicable off-sale closing time requirements. Notwithstanding any prohibition found in section 6-19, sale of off-sale malt liquor shall be permitted on Sundays during the hours of 8:00 a.m. to 10:00 p.m.

- (3) The amount of malt liquor sold at off-sale may not exceed the amount set forth in Minn. Stats. 340A.301, subd. 6d.
- (4) The malt liquor sold off-sale shall be packaged in 64-ounce containers commonly known as "growlers" and shall have the following requirements for packaging:
 - a. The containers shall bear a twist-type closure, cork, stopper or plug.
 - b. At the time of sale, a paper or plastic adhesive band, strip or sleeve shall be applied to the container and extend to the top of the twist-type closure, cork, stopper or plug or forming a seal that must be broken upon opening of the container.
 - c. The adhesive band, strip or sleeve shall bear the name and address of the brewer/licensee selling the malt liquor.
 - d. The containers shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer/licensee selling the malt liquor, and the contents in the container packaged as required herein shall be considered intoxicating liquor unless the alcoholic contents is labeled as otherwise in accordance with the provisions of the Minnesota Rules, part 575.1100 7515.1100

Off-sale brewer malt liquor licenses may also be issued, with approval of the commissioner, to a holder of a brewer's license under Minn. Stats. § 340A.301, subd. 6(c), (i) or (j) and meeting the criteria established by Minn. Stats. § 340A.28 as may be amended from time to time. The amount of malt liquor sold at off-sale may not exceed 500 750 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises.

Off-sale brewer malt liquor licenses may also be issued, with approval of the commissioner, to a holder of a brewer's license under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) and meeting the criteria established by Minn. Stat. § 340A.29 as may be amended from time to time. The amount of malt liquor sold at off-sale under this license may not exceed 128 ounces per customer per day. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. Packaging of malt liquor for off-sale under this license must comply with the provisions of Minnesota Rules, parts 7515.1080 to 7515.1120.

- (n) On-sale brewer temporary intoxicating liquor licenses may be issued, with the approval of the commissioner of public safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.
- (o) A brewer taproom license, may be issued to the holder of a brewer's license under Minn. Stats. § 340A.301 subd. 6(c), (i) or (j) as it may be amended from time to time. A brewer's taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may have only one taproom license and may not have an ownership interest in a brewer licensed under Minn. Stats. § 340A.301 subd. 6(d) as it may be amended from time to time. A brewer

taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually. Within ten days of issuing a brewer taproom license the city clerk will inform the commissioner of public safety of the licensee's name, address, trade name and the effective date and expiration date of the license. The city clerk will inform the commissioner of public safety of a license transfer, cancellation, suspension, or revocation during the license period.

Effective Date. This ordinance shall become effective upon its passage and publication in accordance with applicable law.

Ryan Karasek, Mayor

Attest:

Julie Tembreull, City Clerk

First Reading: June 27, 2022

Second Reading: July 11, 2022

Adopted:

Deletions: ~~strike through~~

Additions: underlined