

ORDINANCE NO. _____, SECOND SERIES
An Ordinance allowing Alcoholic beverages at City-owned facilities and parks.

The City Council of Marshall, Minnesota ordains:

SECTION 1: Chapter 6 of the Marshall City Code is hereby amended to create Article VI, which shall read as follows:

ARTICLE VI – ALCOHOLIC BEVERAGES AT CITY-OWNED FACILITIES AND PARKS.

Section 6-219.

Subdivision 1. Definitions. The following definitions shall apply to this section:

A. "Private event" shall mean an event at which all attendees are specifically invited and no general or public invitation has been issued, and at which all alcoholic beverages are provided by the sponsoring individual or organization or by the attendee consuming the alcoholic beverage, and at which neither the sponsor nor any other person or entity imposes any direct or indirect charge (including admission charge) or accepts any payment for alcoholic beverages consumed by guests.

B. "Public event" shall mean an event for which a general or public invitation has been issued, or at which any direct or indirect charge (including admission charge) is made or payment is accepted for alcoholic beverages.

Subd. 2. Alcoholic beverages at City-owned facilities and parks for private events.

No permit shall be required under this section to dispense alcoholic beverages at a private event. Sponsors of private events shall, however, be subject to all other rules, procedures, and conditions for use of the facility or park. If the attendance at a private event is 500 persons or more, the requirements of Subdivision 3(H) of this section shall apply. Security requirements for private events of fewer than 500 persons shall be determined by the Community Services Department in accordance with its policies and procedures.

Subd. 3. Alcoholic beverages at City-owned facilities and parks for public events. In addition to all other rules, procedures, and conditions for use of the facilities or parks, alcoholic beverages may be sold or dispensed at a public event at a City-owned facility or park only if a permit therefor has been granted by the City Council; such permit, if granted, shall be issued jointly to the sponsor of the event and the holder of an on-sale intoxicating liquor license issued by the City. The sponsor and the on-sale intoxicating liquor licensee shall both be responsible for adherence to all laws and requirements of this section, including the following:

A. Single event. Each permit to sell or dispense alcoholic beverages shall be limited to a specific, single event consisting of no more than 3 days.

B. Qualified sponsor. The permit to sell or dispense alcoholic beverages shall be granted only upon the application of the sponsoring individual or organization.

C. Rental of City-owned facility or park. Prior to issuance of a permit under this section, the sponsoring individual or organization must have made arrangements to rent space in the City-owned facility or park for the event.

D. Procedure for application. Application for a permit to sell or dispense alcoholic beverages shall be made by the sponsoring individual or organization and shall include the following:

1. The name, address, and nature of the sponsoring individual or organization.
2. A description of the event at which alcoholic beverages will be sold or dispensed, including probable number of people in attendance, dates and hours of sale or dispensing of alcoholic beverages, facts showing compliance with paragraph C of this subdivision, and such other information as may be required.
3. The name and address of the holder of an on-sale intoxicating liquor license issued by the City who will sell or dispense alcoholic beverages at the event.
4. That the applicant is familiar with all the terms and provisions of this section and will comply with the same.
5. Applications shall be accompanied by a fee as determined by ordinance or resolution of the City Council for each day of the event during which alcoholic beverages will be sold or dispensed.

E. Dispensing by on-sale licensee. Alcoholic beverages may be sold or dispensed at the event only by the on-sale liquor licensee named on the permit or its bona fide employees.

F. Prohibitions. The sale or dispensing of alcoholic beverages shall not be allowed:

1. To any person who is not attending the event (no uninvited guests at “private events”).
2. To any minor person as defined by Minnesota Statutes.
3. To any person attending or participating in a youth amateur athletic event held on the premises, in which any participant is 18 years of age or younger.
4. To any person attending, participating in or in any way being a part of a Minnesota State High School League (MSHSL) related or sponsored function, which includes students of any age, such as athletic or other activities, banquets or celebrations.

G. Insurance. The sponsoring individual or organization and proposed permit holder shall submit certificates of insurance as required by the City Attorney 15 days prior to the event, which shall list the City as a named insured. The level and type of insurance required for an

event shall be such as are established by the City Attorney on a case by-case basis depending upon the scope and type of event proposed. In no case shall the limits of insurance be less than that of the City's comprehensive liability policy and the minimum limits prescribed by law for liquor liability insurance.

H. Law enforcement officers. As determined by the Director of Public Safety, such number of law enforcement officers as the Director of Public Safety may require, or other security personnel as approved by the Director of Public Safety, shall be on duty at the event during all times that alcoholic beverages are sold or dispensed. The sponsoring individual or organization shall be responsible for securing and compensating such law enforcement officers or approved security personnel at the prevailing rates.

I. Hours of sale. All laws and City Code provisions governing the time when alcoholic beverages may be sold or dispensed shall apply to the sale or dispensing of alcoholic beverages under this section, except that in each instance more restrictive time limitations may be prescribed by the City Council.

J. Additional requirements. The City Council may impose additional requirements or conditions on the granting of a permit as it deems reasonable and appropriate.

The ordinance shall become effective _____.

Passed by the Common Council of the City of Marshall, Minnesota this _____ day of Month, Year.

Mayor

Attested:

City Clerk