

§ 110.15 LICENSE REQUIRED.

(A) No person, except a wholesaler or manufacturer to the extent authorized under state license, shall directly or indirectly deal in, sell, or keep for sale in the city any alcoholic beverage without a license to do so as provided in this subchapter.

(B) The Council may authorize the issuance of the following types of licenses: brewer taproom, small brewer, on-sale intoxicating liquor, on-sale wine, on-sale 3.2% malt liquor, off-sale intoxicating liquor, off-sale 3.2% malt liquor, Sunday intoxicating liquor, club licenses and temporary 3.2% malt liquor licenses.

(C) On-sale licenses permit the sale of alcoholic beverages for consumption on the licensed premises only. On-sale licenses may be issued only to hotels, restaurants, bowling centers and exclusive liquor stores.

(D) On-sale wine licenses may be issued to restaurants having facilities for seating at least 25 guests at one time and to licensed bed and breakfast facilities under the conditions specified in M.S. § 340A.404, Subdivision 5, as it may be amended from time to time. A wine license permits the sale of wine of up to 14% alcohol by volume for consumption with the sale of food. The holder of a wine license who is also holder of an on-sale 3.2% malt liquor license and whose gross receipts are at least 60% attributable to the sale of food may sell intoxicating malt liquor at on-sale without an additional license.

(E) Off-sale licenses permit the sale of alcoholic beverages in original packages for consumption off the licensed premises only. Off-sale licenses may be issued only to drug stores and exclusive liquor stores.

(F) A club license may be issued only to clubs or congressionally chartered veterans' organizations which have been in existence for at least three years.

(G) (1) A special license authorizing sales of intoxicating liquor on Sunday in conjunction with the serving of food may be issued to any hotel, restaurant, bowling center or club which has facilities for seating at least 30 guests at one time, and which has an on-sale license.

(2) A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and 1:00 a.m. on Mondays.

(3) To the extent permitted by the Zoning Ordinance, a restaurant, as defined in M.S. Chapter 340A, with seating capacity for at least 30 persons that operates at the place of malt liquor manufacturing may be issued an on-sale intoxicating liquor or 3.2% malt liquor license for consumption on the premises in conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and 1:00 a.m. on Mondays.

(H) A temporary on-sale license to sell 3.2% malt liquor may be issued to a club or charitable, religious or nonprofit organization.

(I) A brewer taproom license may be issued to any brewer for on-sale consumption of the malt liquor manufactured at the adjoining brewery pursuant to the requirements of M.S. Chapter 340A, and specifically M.S. § 304A.301, Subdivision 6(b) and Subdivision 7(b), but only to the extent permitted by the city code and Zoning Ordinance, and only during the hours permitted for on-sale intoxicating liquor consumption.

(J) A small brewer license may be issued to any brewer for off-sale retail purchases of the malt liquor manufactured at the adjoining brewery pursuant to the requirements of M.S. Chapter 340A, and specifically M.S. § 304A.301, Subdivision 6(d), but only to the extent permitted by the city code and Zoning Ordinance. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city.

(K) No license shall be issued until the applicant can provide sufficient evidence to the satisfaction of the city that the applicant has complied with the requirements of state law, city code, and the Zoning Ordinance.

(Ord. 179, passed 5-3-93; Am. Ord. 215, passed 10-16-06; Am. Ord. 264, passed 5-20-13; Am. Ord. 272, passed 3-17-14; Am. Ord. 308, passed 12-16-19) Penalty, see § 10.99

§ 110.20 CONDITIONS OF LICENSE.

(A) Every license is subject to the conditions of this section, all other provisions of this subchapter, and of any other applicable ordinances, state laws or regulations.

(B) Continuing compliance with the financial responsibility requirements of state law and of this subchapter is a condition of any license granted pursuant to this subchapter.

(C) Every licensee is responsible for the conduct in the licensed establishment, and any sale of alcoholic beverages by any employee authorized to sell the beverages in the establishment is the act of the licensee.

(D) Every licensee shall allow any peace officer, health officer, or properly designated officer or employee of the city to enter, inspect, and search the premises of the licensee during business hours without a warrant.

(E) No on-sale establishment shall display liquor to the public during hours when the sale of intoxicating liquor is prohibited. Although M.S. § 340A.504, Subdivision 7 authorizes on-sale licensees to sell intoxicating liquor or 3.2% malt liquor between the hours of 1:00 a.m. and 2:00 a.m. by permit, the on-sale of intoxicating liquor or 3.2% malt liquor after 1:00 a.m. is prohibited.

(F) It shall be unlawful for any licensee to permit or allow any person or persons from being on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a non-transparent material.

(Ord. 179, passed 5-3-93; Am. Ord. 179A, passed 3-16-95; Am. Ord. 308, passed 12-16-19) Penalty, see § 10.99