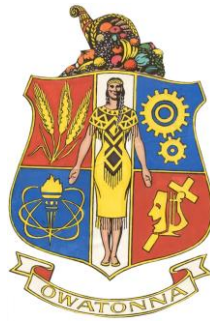


THE CITY OF



OWATONNA

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TO: Mayor, City Council, and City Administrator
FROM: Mark M. Walbran
DATE: May 7, 2021
RE: Code Amendments for Alcohol in Central Park

Purpose: City Council to approve Proposed Ordinance 21-6 to allow beer and wine in Central Park under a Temporary License and Proposed Ordinance 21-7, an amendment changing the number of Temporary Liquor Licenses an organization may be allowed within one year.

Background: Presently intoxicating liquor is prohibited in Central Park. The proposed Ordinance amendment provides for the sale of beer and wine in Central Park under a Temporary On-Sale Liquor License during events sponsored by the City or other non-profit organizations with an approved City Special Event Permit. Given the emerging home-town brewery industry and popularity of local brew pubs and regional wine vintners the proposed ordinance limits sales in Central Park to beer and wine only. Council approved the first reading of these proposed ordinances during the May 4th Council Meeting and there have been no changes since.

Authority: Temporary On-Sale licenses are authorized under Minnesota State Statute Section 340A.404, subd. 10. Owatonna City Ordinance incorporates the State Statute by reference. Code Section 113.052(E) authorizes temporary On-Sale Licenses. Our ordinance limits the duration of a temporary license to no more than three (3) days. (Under the state statute the license duration may be four (4) consecutive days). Further the ordinance provides that the licensee must provide a certificate of liquor liability insurance required under Section 113.053(B) with liability limits of \$50,000/per person and \$100,000/two or more persons. Alternatively the qualifying organization may contract with a vendor with a current cater's license with alcohol endorsement to cater and provide the serving of intoxicating liquors provided the catering licensee provides the necessary liquor liability insurance coverage. The City Ordinance currently limits the issuance of such temporary license to one (1) per organization in the course of a 12-month span. Finally, the temporary license must be approved by the State Commissioner of Public Safety. (Under the state statute there is no limitation on the number of licenses issued to any one organization. It has been suggested the number be limited to 3).

Budget Impact:

Temporary Liquor License Fees are \$50/event. The Police and Park and Rec Departments may incur impact to their budgets when events are held.

Recommendation:

Staff recommends approval Proposed Ordinances 21-6 and 21-7.

Proposed Ordinance No. 21-7

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XI OF THE 2015 ORDINANCE CODE OF THE CITY OF OWATONNA, AS AMENDED, BY AMENDING CHAPTER 113 ENTITLED "ALCOHOLIC BEVERAGES" BY AMENDING §113.052(11)(E)(3) PROVIDING FOR THE NUMBER OF TEMPORARY LICENSES.

THE CITY COUNCIL OF THE CITY OF OWATONNA DO ORDAIN:

Section 1. Title XI of the 2015 Ordinance Code of the City of Owatonna, as amended, is hereby amended by amending § 113.052(11)(E)(3) to read as follows:

(3) No more than ~~one~~three such temporary licenses will be allowed an organization in the course of any 12-month span.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this ____ day of _____, 2021, with the following vote:

Aye ____; No ____; Absent; ____.

Approved and signed this _____ day of _____, 2021.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk/Treasurer

UNDERLINING INDICATES NEW LANGUAGE. ~~STRIKEOUTS~~ INDICATE DELETIONS.