

OFFICIAL SUMMARY OF THE CITY OF KEEWATIN CODE OF ORDINANCES
TITLE XI (BUSINESS REGULATIONS), CHAPTER 111 (ALCOHOLIC BEVERAGES)

AN ORDINANCE AMENDING AND REPLACING TITLE XI, CHAPTER 111 OF THE
CITY OF KEEWATIN CODE OF ORDINANCES REGARDING THE REGULATION
OF THE POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2
PERCENT MALT LIQUOR WITHIN THE CITY OF KEEWATIN, MINNESOTA

The following is the official summary of Ordinance No. 111, which was passed by the city Council of Keewatin, Minnesota on January 11, 2023.

A printed copy of this ordinance is available for inspection by any person at the office of the city clerk during normal business hours, and at the community library, if there is one, or if not, in any other public location which the council designates.

The ordinance regulating the possession, sale and consumption of intoxicating and 3.2 percent malt liquor within this city contains the following provisions:

Section 1 adopts Minn. Stat. Ch. 340A, as it may be amended from time to time, by reference.

Section 2 permits the city to be more restrictive than state law concerning the sale and possession of alcoholic beverages.

Section 3 defines "liquor" and "restaurant" as those terms are used in the ordinance.

Section 4 makes it unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a non-transparent material. A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine or 3.2 percent malt liquor license or the imposition of a civil penalty under the provisions of Section 29(B) of this ordinance.

Section 5 provides that no person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this ordinance, in a municipal liquor dispensary if one exists in the city, or where the consumption and display of liquor is lawfully permitted.

Section 6 requires persons holding a raffle, silent auction or fundraising event where wine, beer or intoxicating liquor is awarded as a prize to register with the city ten days prior to conducting the event.

Section 7 limits the number of licenses which may be issued.

Section 8 establishes the term and expiration dates for licenses.

Section 9 establishes the kinds of licenses which may be issued.

Section 10 authorizes the establishment of license fees by ordinance or resolution.

Section 11 permits the Council, in its sound discretion, to grant or deny applications for licenses, or for the transfer or renewal of any license.

Section 12 describes the information required in an application for a license and what is needed for proof of financial responsibility.

Section 13 requires a specific description of the premises to be licensed.

Section 14 provides that applications for renewal of licenses must be filed at least 90 days before the date of expiration, and permits the Council in its sound discretion to renew or not renew a license.

Section 15 prohibits the transfer of a license without Council approval.

Section 16 requires background and financial investigations of applicants for a license, renewal of a license or transfer of a license.

Section 17 provides for a hearing on the issuance of a license.

Section 18 establishes restrictions on the issuance of a license.

Section 19 establishes the conditions of a liquor license that a licensee must follow to avoid suspension or revocation. The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met:

- Within 90 days after employment, every person selling or serving liquor in an establishment which has an "on-sale" license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the Council. Proof of training of the servers shall be provided by the licensee.
- Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.
- Every licensee shall allow any peace officer, health officer, city employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.
- No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.
- Compliance with financial responsibility requirements of state law and of this ordinance is

a continuing condition of any license.

- Compliance with the provisions an off-sale intoxicating liquor license fee reduction pursuant to Minn. Stat. § 340A.408, subd. 3(c).

Section 20 establishes the hours and days of sale, which are consistent with those established by state law. In addition, the ordinance provides that:

- No person shall consume, nor shall any on-sale licensee permit, any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
- No on-sale licensee shall permit any glass, bottle or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.
- No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

Section 21 prohibits minors and underage persons on licensed premises except under certain conditions:

- No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians, or to perform the duties of a bus person or perform dishwashing services in places defined as a restaurant, hotel, motel or other multipurpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.
- No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

Section 22 prohibits persons from mixing or preparing liquor for consumption in any public place of business unless it has a license or permit.


Section 23 establishes the circumstances and procedures for suspension and revocation of a license. The Council is required to either suspend for a period not to exceed 60 days, or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation or provision of this ordinance relating to liquor. Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this ordinance or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. A schedule of minimum periods of suspension and for revocation is established.

Section 30 provides for penalties for violating this ordinance, including a schedule of civil penalties.

Section 31 establishes the effective date of the ordinance which is the date of the publication of this summary of the ordinance.


Section 32 approves this summary of the ordinance.

This summary was approved by the City Council of Keewatin, Minnesota, on January 11, 2023.



Mayor

Attested:



City Clerk