

ORDINANCE NO. 1007

AN ORDINANCE AMENDING SECTION 6-130 OF THE CITY CODE REGARDING LIQUOR LICENSES AND ADDING PROVISIONS RELATED TO THE IMPOSITION OF CONDITIONS UPON LIQUOR LICENSES IN ACCORDANCE WITH STATE LAW

The Maplewood City Council ordains as follows:

Section I. The city council of the city of Maplewood hereby amends Article III, Division 2, section 6-130, of the Maplewood code of ordinances as follows:

Sec. 6-130. - Suspension or revocation of licenses; imposition of conditions.

- (a) The city council may revoke the license or permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to \$2,000.00 for each violation, or impose any combination of these sanctions on a finding that the license or permit holder has:
 - (1) Sold alcoholic beverages to another retail licensee for the purpose of resale;
 - (2) Purchased alcoholic beverages from another retail licensee for the purpose of resale;
 - (3) Conducted or permitted the conduct of gambling on the licensed premises in violation of the law;
 - (4) Failed to remove or dispose of alcoholic beverages when ordered by the state commissioner of public safety to do so under Minn. Stats. § 340A.508, subd. 3; or
 - (5) Failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages.
- (b) No suspension or revocation takes effect until the license or permit holder has been given an opportunity for a hearing under Minn. Stats. §§ 14.57—14.69, but nothing in this section requires the city to conduct the hearing before an employee of the state office of administrative hearings. Imposition of a penalty or suspension by either the city or the state commissioner of public safety does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum. Imposition of civil penalty does not preclude charging under appropriate criminal statutes by city, county, state or federal agencies.
- (c) When a basis is found to impose reasonable conditions and/or restrictions on a license or permit issued or held under this code, one or more such reasonable conditions and/or restrictions may be imposed on such license or permit for the purpose of promoting public health, safety and welfare; advancing public peace; eliminating conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of life; or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to the following:
 - (1) A limitation on the hours of operation of the licensed business or establishment or on particular types of activities conducted in or on said business or establishment;
 - (2) A limitation or restriction as to the location within the licensed business or establishment where particular types of activities may be conducted;
 - (3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent areas, including requiring the use of appropriate security measures for ingress and egress;

- (4) A requirement to provide off-street parking in excess of other requirements of law as well as providing adequate evidence of the right to use parking that is not located on the licensee's property;
- (5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;
- (6) Conditions related to the required security elements and procedures necessary for continued operations;
- (7) Requirements related to ensuring adequate training and staffing for security and alcohol service by any person employed by or under contract with the licensee; and
- (8) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located or to prevent the development or continuation of a nuisance.

The city council may impose such conditions on any license or permit holder with the consent of the license or permit holder, or upon notice and an opportunity for hearing in accordance with the provisions of paragraph (b) above. The city council may impose such conditions upon a license or permit at the time of issuance, renewal, or at any time during the term of the license or permit. Conditions imposed upon a license or permit shall remain on such license or permit when renewed and shall continue thereafter until removed by an action of the city council. A license or permit holder may request that the city council remove any conditions imposed on a license or permit, except that the license or permit holder shall have no right to make such request for six months from the date the conditions are imposed.

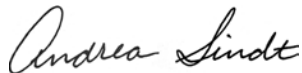
SECTION II. This ordinance shall be effective following its adoption and publication.

Approved by the city council of the city of Maplewood this 12th day of November, 2019.



Marylee Abrams
Mayor

Attest:



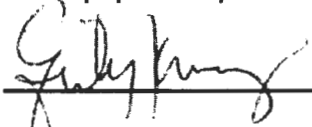
Andrea Sindt
City Clerk

**AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA
COUNTY OF RAMSEY**


Emily Kunz, being duly sworn on oath, says:
that she is, and during all times herein states
has been, Clerk of Northwest Publications, Inc.,
Publisher of the newspaper known as the
Saint Paul Pioneer Press, a newspaper of
general circulation within the Counties of
Chisago, Dakota, Ramsey and Washington in
Minnesota and Pierce and St. Croix in
Wisconsin.

That the notice hereto attached was from
the columns of said newspaper and was
printed and published therein on the
following date(s):

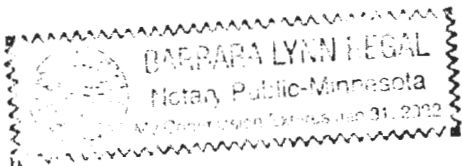
November 15th 2019
Newspaper Ref./Ad #0071444618



Subscribed and sworn to before me this
15 of November 2019

Barbara L. Regal


NOTARY PUBLIC
Ramsey County, Minnesota
My commission expires January 31, 2022



Public Notice

The Maplewood city council has adopted Ordinance No. 1007, which amends section 6-130 of city code regarding suspension or revocation of liquor licenses. The ordinance authorizes the city to place conditions on liquor licenses, either by agreement with the licensee or imposition by the city. Licensees are given an opportunity for a hearing before the city council if they object to conditions. The ordinance also makes clear that conditions may be attached to licenses whenever the need arises, not only at the time of issuance or renewal.

The ordinance shall be effective upon adoption and publication. A full copy of the ordinance is available in the office of the city clerk, 1830 County Road B East Maplewood, MN

ATTEST: Andrea Sindr, City Clerk