

ORDINANCE 24-130

Introduced by Councilor Baker

AN ORDINANCE AMENDING CHAPTER 4 ALCOHOLIC BEVERAGES

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

ARTICLE IV. LIQUOR

Sec. 4.104. Consumption and display.

- (a) *Permit required.* No business establishment or club which does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of intoxicating liquor or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit in accordance with state law.
- (b) The maximum number of annual permits issued shall be limited to a total of two (2)
- (c) *Eligibility for permit approval.*
 - (1) The city shall approve permits issued by the commissioner of public safety to:
 - a. An applicant who has not, within five (5) years prior to the application, been convicted of a felony or of violating any section of this chapter or rule adopted under this chapter;
 - b. A restaurant;
 - c. A hotel;
 - d. An establishment licensed for the sale of three and two tenths (3.2) percent malt liquor;
 - e. A resort, as defined in Minn. Stats. § 157.15;
 - f. A club, as defined in Minn. Stats. § 340A.101, or an unincorporated club otherwise meeting that definition;
 - g. A bed and breakfast facility, as defined in Minn. Stats. § 340A.4011, subd. 1.
 - (2) A club holding an on-sale intoxicating liquor license shall not be eligible for a permit.
- (d) *Authorization of permit.* A permit approved under this section authorizes the establishment to permit the consumption and display of intoxicating liquor on the premises. The permit does not authorize the sale of intoxicating liquor.
- (e) *Permit expiration.* All permits approved under this section expire on March 31 of each year.
- (f) *Permit approval by city required.* A permit for consumption and display issued by the commissioner of public safety is not effective until approved by the city council.
- (g) *Inspection.* An establishment holding a permit under this section is open for inspection by peace officers who may enter and inspect the establishment during reasonable hours. Intoxicating liquor sold, served or displayed in violation of law may be seized and may be disposed of in accordance with state law.

- (h) *Lockers.* A club holding a permit approved under this section may allow members to bring and keep personal supplies of intoxicating liquor in lockers on the club's premises. Every bottle kept on the premises must have attached a label signed by the member. No person under twenty-one (21) years of age may keep a supply of intoxicating liquor on the club premises.
- (i) *One (1) day city permits.* The city council may issue a one (1) day permit for the consumption and display of intoxicating liquor under this section to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization. The permit must be approved by the commissioner and is valid only for the day indicated on the permit. The city shall not issue more than ten (10) permits under this section in any one (1) year.
- (j) *Hours.* No establishment approved under this section shall permit a person to consume or display intoxicating liquor or three and two tenths (3.2) percent malt liquor, and no person shall consume or display intoxicating liquor or three and two tenths (3.2) percent malt liquor between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, nor between 2:00 a.m. and 10:00 a.m. on Sunday.

Sec. 4.106. - Limited Off-Sale Liquor Stores

The maximum number of licensed Off-Sale Liquor stores within the City of Albert Lea shall be limited to a total of eight (8):

- (1) A currently licensed off-sale liquor store may be sold to another owner and continue operating as an off-sale liquor store in the same location.

Secs. 4.107—4.123. Reserved.

That the motion for the adoption of the foregoing ordinance was duly seconded by Councilor Olson, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, Howland, Olson, Anderson, and Mayor Murray;

And, the following voted against the same: None. Councilor Rasmussen was absent.

Introduced and read the first time on the 12th day of November, 2024

Introduced and read the second time on the 25th day of November, 2024

Mayor Rich Murray

Filed and attested on the 26th day of November, 2024

Secretary of the Council