**Ordinance No. \_\_\_\_\_ -24**

**Ordinance amending St. Louis Park City Code chapter 3, sections 57(m) and (o) and section 70(g) related to alcoholic beverages**

**The city council of the City of St. Louis Park, Minnesota does ordain:**

Section 1. St. Louis Park City Code chapter 3 is amended as follows by deleting strikethrough language and adding underlined language:

**St. Louis Park City Code section 3-57. Types of licenses.**

m. *Brewer taproom license.* Brewer taproom licenses may be issued to the holder of a brewer’s license under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) as it may amended from time to time and subject to the conditions of this chapter. A brewer’s taproom license authorizes the sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may have only one taproom license and may not have an ownership interest in a brewer licensed under Minn. Stat. § 340A.301, subd. 6(d) as it may be amended from time to time. A brewer taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually. Within ten days of issuing a brewer taproom license the city clerk will inform the Commissioner of Public Safety of the licensee’s name, address, trade name and the effective date and expiration date of the license. The city clerk will inform the Commissioner of Public Safety of a license transfer, cancellation, suspension, or revocation during the license period.

1. ~~A restaurant is not allowed at a brewery with a taproom license.~~
2. (i) On-sale of liquor shall be limited to the legal hours for on sale pursuant to Section 3-105.

o. *Micro distillery cocktail room license.* A micro distillery cocktail room license may be issued to the holder of a micro distillery license issued under Minn. Stat. § 340A.22. A micro distillery cocktail room license authorizes the on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller subject to the following requirements:

1. The city shall, within ten days of the issuance of a micro distillery cocktail room license inform the Commissioner of Public Safety of the licensee’s name and address and trade name, and the effective date and expiration date of the license. The city shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.
2. No single entity may hold both a micro distillery cocktail room and taproom license, and a cocktail room and taproom may not be co-located.
3. ~~A restaurant is not allowed at a micro distillery with a cocktail room license.~~
4. (iii) On-sale of liquor shall be limited to the legal hours for on-sale pursuant to Section 3-105.

**St. Louis Park City Code Section 3-70. Ineligibility.**

1. No on-sale intoxicating liquor license, except a club license for a congressionally chartered veterans’ organization, shall be issued unless at least ~~50~~ 40 percent of the gross receipts of the establishment will be attributable to the sale of food. This requirement shall be regulated as follows:

(i) Each on-sale intoxicating liquor license, except a club license for a congressionally chartered veterans’ organization, shall have the continuing obligation to have at least ~~50~~ 40 percent of gross receipts from the establishment during the preceding business year attributable to the sale of food.

(ii) In the case of a new restaurant, the applicant must make a bona fide estimation that at least ~~50~~ 40 percent of the gross receipts from the sale of food and beverages of the establishment during its first year of business will be attributable to the sale of food.

(iii) For the purpose of this section, the term "establishment" shall include the food and beverage portion of a multiservice establishment. Financial records for the food and beverage portion must be maintained separately from the records of the remainder of the establishment.

(iv) For the purpose of this section, the term "sale of food" shall include gross receipts attributable to the sale of food items, soft drinks, and nonalcoholic beverages. It shall not include any portion of gross receipts attributable to the nonalcoholic components of plain or mixed alcoholic beverages, such as ice, soft drink mixes or other mixes.

(v) The city may require the production of such documents or information, including, but not limited to, books, records, audited financial statements or pro forma financial statements as it deems necessary or convenient to enforce the provisions of this section. The city may also obtain its own audit or review of such documents or information, and all licensees shall cooperate with such a review, including prompt production of requested records.

(vi) In addition to other remedies that it may have available, the city may place the license of any on-sale intoxicating liquor license holder on probationary status for up to one year, when the sale of food is reported, or found to be, less than ~~50~~ 40 percent of gross receipts for any business year. During the probationary period, the licensee shall prepare any plans and reports, participate in any required meetings, and take other actions that the city may require to increase the sale of food.

Section 2. This ordinance shall take effect fifteen days after its passage and publication.

|  |  |
| --- | --- |
| First Reading | January 16, 2024 |
| Second Reading | February 5, 2024 |
| Publication date | February 15, 2024 |
| **Effective date** | **March 1, 2024** |

Reviewed for administration: Adopted by the city council February 5, 2024

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

       Kim Keller, city manager            Nadia Mohamed, mayor

Attest: Approved as to form and execution:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Melissa Kennedy, city clerk Soren M. Mattick, city attorney