

CITY OF DULUTH GUIDELINES AND PROCEDURES FOR THE ISSUANCE OF CITY HELD OFF-SALE INTOXICATING LIQUOR LICENSES

A. LICENSE

An off-sale intoxicating liquor license allows the sale of intoxicating liquor in its original container for consumption off the licensed premises and is only issued to liquor stores. The City of Duluth (“City”) may issue up to 20 off-sale intoxicating liquor licenses.

B. PROCEDURE

1. The City will issue a Request for Proposals (“RFP”) to receive a City held off-sale intoxicating liquor license.

2. The responses to the RFP will be reviewed on the criteria set forth herein by a committee made up of one (1) representative from the Clerk’s Office, one (1) representative from the Police Department, and one (1) representative selected by the Chief Administrative Officer (“CAO”). The committee will rank the proposals using the criteria set forth below. The committee will report its ranking to the CAO.

3. The CAO will then ask the Alcohol Gaming and Tobacco Commission (“AGT”) to review the committee’s RFP ranking and make an advisory recommendation to the City Council.

4. The report and recommendation of the committee and AGT will be forwarded to the City Council. The City Council may select one or more successful proposals by resolution, which will then proceed to the formal licensing process. The number of off-sale intoxicating liquor licenses issued by the City will depend on the quality of the submitted proposals.

C. SELECTION CRITERIA

The selection of the individual or entity receiving the off-sale intoxicating liquor licenses will be based on the following criteria. The criteria are listed from highest to lowest priority and will be weighted as such in the review process.

1. **Economic Impact.** The economic impact of the proposed business on the City is the primary criteria. This includes a review of the number of jobs created and maintained and the level of investment in the business.

2. **Community Impact.** The proposed business should be providing a needed or advisable service at its location and should be appropriately sized (neither too large nor too small) to provide this service. Its location should be properly zoned for off-sale liquor business. Its design and decor should be compatible with existing uses in the neighborhood or business community where it is located. If it is in a historic district or design review district, it must meet all applicable design criteria. There should be adequate parking to meet customer needs and ingress and egress from parking areas should not cause unacceptable traffic congestion. The business should not cause neighborhood disturbances or an increased burden on the police or fire department.

3. **Owner Qualifications.** The owner/operator of the establishment must be qualified in all respects and have a solid management track record. The owner/operator of the establishment should be experienced in the liquor business or be willing to hire experienced staff for day-to-day management. Staff should be trained to handle problems with minors, intoxicated persons, proper closing hours, etc. The owner/operator should be able to pass a criminal background check and should be financially able to implement a business plan. Staffing levels should be sufficient to provide customers good service and to keep the establishment safe and secure.

4. **Added Value to the Community.** In addition to the creation and maintenance of jobs, other economic values to the community should be considered. Temporary construction jobs created, increases to the property tax base, increased sales tax revenues, and enhancement of existing tourist facilities should be considered.

5. **Transferability of License.** Consideration will be given to whether the applicant is willing to agree to a restriction on the license that restricts its transfer of location or ownership within the first five years of ownership.