



## Legislation Details (With Text)

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|-----------------------|---|----------------------|---------------|
| <b>File #:</b>        | 17-011-O  | <b>Name:</b>         |               |
| <b>Type:</b>          | Ordinance   | <b>Status:</b>       | Passed        |
| <b>File created:</b>  | 3/3/2017  | <b>In control:</b>   | Public Safety |
| <b>On agenda:</b>     | 3/13/2017   | <b>Final action:</b> | 3/27/2017     |
| <b>Title:</b>         | AN ORDINANCE AMENDING SECTION 8-46, CHAPTER 8 OF THE DULUTH CITY CODE TO ALLOW ESTABLISHMENTS WITH SUNDAY LICENSES TO BEGIN SELLING INTOXICATING LIQUOR ON SUNDAY AT 8:00 A.M. INSTEAD OF 10:00 A.M., TO ELIMINATE THE REQUIREMENT THAT CLUBS SERVE MEALS ON A DAILY BASIS, AND TO ADD BOWLING CENTERS AS ELIGIBLE FOR SUNDAY LICENSES. |                      |               |
| <b>Sponsors:</b>      | Jay Fosle   |                      |               |
| <b>Indexes:</b>       |   |                      |               |
| <b>Code sections:</b> |   |                      |               |
| <b>Attachments:</b>   |   |                      |               |

| Date      | Ver. | Action By    | Action                  | Result |
|-----------|------|--------------|-------------------------|--------|
| 3/27/2017 | 1    | City Council | adopted                 |        |
| 3/13/2017 | 1    | City Council | read for the first time |        |

AN ORDINANCE AMENDING SECTION 8-46, CHAPTER 8 OF THE DULUTH CITY CODE TO ALLOW ESTABLISHMENTS WITH SUNDAY LICENSES TO BEGIN SELLING INTOXICATING LIQUOR ON SUNDAY AT 8:00 A.M. INSTEAD OF 10:00 A.M., TO ELIMINATE THE REQUIREMENT THAT CLUBS SERVE MEALS ON A DAILY BASIS, AND TO ADD BOWLING CENTERS AS ELIGIBLE FOR SUNDAY LICENSES.

### BY COUNCILOR FOSLE:

The city of Duluth does ordain:

Section 1. That Section 8-46, Chapter 8 of the Duluth City Code be amended to read as follows:

Sec. 8-46. Same--same--Special Sunday license.

A special license may be issued to hotels, restaurants, bowling centers and clubs, with a seating capacity for at least 30 persons, and which hold an on-sale intoxicating liquor license permitting such establishments to may sell intoxicating liquor on-sale for consumption on the licensed premise between the hours of 8:00-10:00 a.m. on Sundays and 1:00 a.m. on Mondays in conjunction with the serving of food; provided, however, that no such license shall be issued to or held by a club unless such club serves meals to its members on a daily basis.

Such The Sunday license shall be issued in accordance with the statutes and ordinances applicable to the issuance of on-sale intoxicating liquor licenses in the city of Duluth.

Such license shall be deemed to be a part of the regular on-sale intoxicating liquor license held by the licensee for purposes of sections 8-53, 8-58 and 8-67 of this Chapter.

The annual fee for such license shall be set in accordance with Section 31-6(a) of this Code; however, such fee may not exceed \$200; which fee shall not or be prorated in case of issuance for a period of less than one year.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: In 2015 the Minnesota state legislature adopted a new law allowing restaurants and other establishments holding a Sunday license to begin the sale of intoxicating liquor at 8:00 a.m. instead of 10:00 a.m. See, Minn. Stats. 340A.504 Subd. 3 (2017). State law also authorizes the issuance of a Sunday license to bowling centers and limits the fee for the license to \$200.00. State law does not require clubs to serve meals every day of the week in order to be eligible for a Sunday license; thus, this requirement in the city's code is being eliminated. This ordinance amends the Duluth City Code to mirror the state statute on the Sunday sale of intoxicating liquor and updates this section of the code.