

TO: Mayor Robinson and City Council

FROM: Jeffrey L. McCormick, Chief of Police

SUBJECT: Proposed Modifications of Section 111 of City Code

DATE: April 11, 2017

BACKGROUND

I received requests for clarification from two of our liquor license holders regarding differences between the City Code and State Statutes. In reviewing the applicable areas it appears that the City Code is more restrictive than State Statutes and if changed would allow our businesses more flexibility in determining how best to run their business.

The first revision deals with food service and items that must be offered. State Statutes require that food preparation occur on the premises and served at tables, but does not require a specific list of items on the menu. The proposed change would bring our City Code in line with that, leaving the choice of menu items to the business to determine.

Further revisions are proposed to address employment of persons under 18, since all of our liquor licenses are required to be restaurants, they employ persons under 18. Our current City Code is restricted to what positions person under 18 can fill. The change would allow of persons under 18 to work in any position within the business, provided they do not serve or sell liquor.

Police Commission Recommendation will review these changes before the April 18, 2017 City Council Meeting and Commission members will provide their recommendation at the City Council Meeting.

REQUESTED COUNCIL ACTION

Motion and approval for first reading of the attached ordinance changing the following provisions of Section 111 regulating sales of alcoholic beverages.

CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 111 OF THE
CANNON FALLS CITY CODE ALCOHOL LICENSING AND
REGULATION**

THE CITY COUNCIL OF THE CITY OF CANNON FALLS ORDAINS:

Section 1. Section 111.089 (D) (3) NUMBER OF LIQUOR LICENSE RESTRICTED; STANDARDS, of the Cannon Falls City Code is amended to read as follows:

Section 111.089 (D) (3) The licensed restaurant shall serve food on all days when on-sale liquor is sold/served ~~at least two meals at tables, including entrees, salads and sandwiches, on all days when on-sale liquor is sold.~~ The licensed restaurant must also be licensed ~~by the State Department of Health~~ as a medium establishment or large food and beverage establishment by the Minnesota Department of Health or Minnesota Department of Agriculture with oversight and control of the licensee restaurant.

Section 2. Section 111.139 EMPLOYMENT OF PERSONS UNDER 18 YEARS OF AGE, of the Cannon Falls City Code is amended to read as follows:

Section 111.139 EMPLOYMENT OF PERSONS UNDER 18 YEARS OF AGE.
No person under 18 years of age ~~may be~~ employed in a place where liquor is sold for consumption on the premises, ~~except persons under 18 years of age may be employed as musicians or in bussing or washing dishes in a restaurant or hotel that is licensed to sell liquor and may be employed as waiters or waitresses at a restaurant or hotel where only wine is sold, provided that the person under the age of 18 may not serve or sell any wine.~~ may serve or sell intoxicating liquor.

Section 3. Section 111.178 ENTERING LICENSED PREMISES, of the Cannon Falls City Code is amended to read as follows:

111.178 ENTERING LICENSED PREMISES.

It is unlawful for any minor, as defined in this chapter, to enter licensed premises for the purpose of purchasing or consuming any alcoholic beverage. It is not unlawful for

any person who has attained the age of ~~18~~ 16 years to enter licensed premises for the following purposes:

- (A) To perform work for the establishment, including the serving of alcoholic beverages, unless otherwise prohibited by statute;
- (B) To consume meals; and
- (C) To attend social functions that are held in a portion of the establishment where liquor is not sold.

Section 4. Effective Date. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, **2017**, by the City Council of the City of Cannon Falls.

CITY OF CANNON FALLS

BY: _____
Robby Robinson, Mayor

ATTEST:

Ronald S. Johnson, City Administrator

CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA

ORDINANCE NO. 352

**AN ORDINANCE AMENDING SECTION 111 OF THE
CANNON FALLS CITY CODE ALCOHOL LICENSING AND
REGULATION**

THE CITY COUNCIL OF THE CITY OF CANNON FALLS ORDAINS:

Section 1. Section 111.089 (D) (3) NUMBER OF LIQUOR LICENSE RESTRICTED; STANDARDS, of the Cannon Falls City Code is amended to read as follows:

Section 111.089 (D) (3) The licensed restaurant shall serve food on all days when on-sale liquor is sold/served. The licensed restaurant must also be licensed as a medium establishment or large food and beverage establishment by the Minnesota Department of Health or Minnesota Department of Agriculture with oversight and control of the licensee restaurant.

Section 2. Section 111.139 EMPLOYMENT OF PERSONS UNDER 18 YEARS OF AGE, of the Cannon Falls City Code is amended to read as follows:

Section 111.139 EMPLOYMENT OF PERSONS UNDER 18 YEARS OF AGE. No person under 18 years of age employed in a place where liquor is sold for consumption on the premises, may serve or sell intoxicating liquor.

Section 3. Section 111.178 ENTERING LICENSED PREMISES, of the Cannon Falls City Code is amended to read as follows:

111.178 ENTERING LICENSED PREMISES.

It is unlawful for any minor, as defined in this chapter, to enter licensed premises for the purpose of purchasing or consuming any alcoholic beverage. It is not unlawful for any person who has attained the age of 16 years to enter licensed premises for the following purposes:

- (A) To perform work for the establishment, including the serving of alcoholic beverages, unless otherwise prohibited by statute;
- (B) To consume meals; and

(C) To attend social functions that are held in a portion of the establishment where liquor is not sold.

Section 4. Effective Date. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, **2017**, by the City Council of the City of Cannon Falls.

CITY OF CANNON FALLS

BY: _____
Robby Robinson, Mayor

ATTEST:

Ronald S. Johnson, City Administrator