

CITY OF CRYSTAL

ORDINANCE #2015 - 05

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER XII OF THE CITY CODE REGARDING THE SALE, CONSUMPTION AND DISPLAY OF LIQUOR AND BEER

The City of Crystal ordains:

Section 1. Chapter XII, Section 1200.01 of the Crystal city code is hereby amended by adding the double underlined material as follows:

“Brewer taproom” means the on sale of malt liquor produced by a brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. The holder of a brewer taproom license may also hold a license to operate a restaurant at the brewery.

“Brewpub” means a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted by this chapter.

“Off sale brewpub license” means a license that is issued by the city to a brewpub for the off sale of malt liquor produced and packaged on the licensed premises. The brewpub must hold an on sale license and the off sale license must be approved by the commissioner of public safety. Off sale of malt liquor shall be limited to the hours of off sale liquor as set forth in this chapter and the malt liquor sold off sale must be removed from the premises before the off sale closing time. Malt liquor sold at off sale under this license must be packaged in required packaging.

“Off sale microdistillery license” means a license that is issued by the city to a microdistillery for the off sale of distilled spirits. The license may allow the sale of one 375 milliliter bottle per customer per day of product manufactured on-site. Off-sale of distilled spirits is limited to the hours of off-sale liquor as set forth in this chapter. No brand may be sold at the microdistillery unless it is also available for distribution by wholesalers.

“Off sale small brewer” means a license that is issued by the city to a small brewer for the off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. This license must be approved by the commissioner of public safety. The amount of malt liquor sold at off sale may not exceed 500 barrels annually. Off sale of malt liquor shall be limited to the hours of off sale liquor as set forth in this chapter and the malt liquor sold off sale must be removed from the premises before the off sale closing time. Malt liquor sold at off sale under this license must be packaged in the required packaging.

“On sale brewpub license” means an on sale intoxicating liquor license or a 3.2 percent malt liquor license that is issued by the city for a restaurant operated by a brewpub in the place of manufacture.

“On sale brewer taproom license” means a license that may be issued by the city to a brewer who holds a brewer’s license pursuant to Minnesota Statutes Section 340A.301, subdivision 6 (c), paragraph (i) or (ii).

“On sale microdistillery cocktail room” means a license that may be issued by the city only to a holder of an off sale microdistillery license.

“On sale microdistillery cocktail room” means the on-sale of distilled liquor produced by a distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller.

“Required packaging” means malt liquor authorized for off sale pursuant to this chapter must be packaged in 64-ounce containers, commonly known as “growlers” or in 750 milliliter bottles. The containers or bottles must bear a twist-type closure, cork, stopper or plug. At the time of sale, a paper or plastic adhesive band, strip or sleeve must be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper or plug forming a seal that must be broken upon opening the container or bottle. The adhesive band, strip or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, and bear the name and address of the brewpub or brewer selling the malt liquor.

“Small brewer” means a brewer who manufactures fewer than 3,500 barrels in a year.

After the above paragraphs are inserted into this Section, all other paragraphs in this Section shall be renumbered accordingly.

Section 2. Chapter XII, Section 1200.15 of the Crystal city code is hereby amended by adding the double underlined material and deleting the ~~stricken~~ material as follows:

1200.15. Types of licenses; fees. Subdivision 1. License classifications. The council may issue licenses for “on sale”, “on sale club”, “on sale microdistillery cocktail room”, “off-sale microdistillery”, “on sale brewer taproom”, “off sale”, “off sale brewpub”, “on sale brewpub”, “off-sale small brewer”, “on sale wine”, or “Sunday sale” or a combination thereof in such number as permitted by law and as an incident thereof the license may also sell, if licensed to do so by this code and if authorized by state statute, food, cigars, cigarettes, tobacco, 3.2% malt beverages and soft drinks.

Subd. 2. Sunday sale licenses. A “Sunday sale” license must not be issued unless the applicant qualifies as the definition of “restaurant” as set forth in subsection 1200.01 of this chapter and holds a valid “on sale” license, or “on sale” wine” license or the applicant holds on sale brewpub or on sale brewer taproom license and qualifies under the definition of “restaurant” as set forth in subsection 1200.01 of this chapter.

Subd. 3. On sale of 3.2% malt liquor and wine. The holder of an “on sale wine” license issued pursuant to this section must concurrently hold an “on sale” 3.2% malt liquor license issued pursuant to section 1215 to sell 3.2% malt liquors at on sale. The holder of an “on sale wine” license who is also a holder of an “on sale” 3.2% malt liquor license may sell intoxicating malt liquors at on sale without an additional license.

Subd. 4. Intoxicating liquor license holder sale of 3.2% malt liquor and wine. Holders of an “on sale” intoxicating liquor license may sell 3.2% malt liquors and wine at on sale without further license.

Subd. 5. License fees. Fees for licenses issued pursuant to this section are set by appendix IV. The acceptance by the city of one-half installment payment must not be construed as a waiver on the part of the city of the whole license fee which is hereby declared to be one divisible fee.

~~The council may issue an “on sale” liquor license to bona fide clubs in existence for 20 years which are duly incorporated for the sale to members only.~~

Section 3. Chapter XII, Section 1200.37 of the Crystal city code is hereby amended by adding the double underlined material and deleting the ~~stricken~~ material as follows:

1200.37. Hours of sale. The hours of sale for intoxicating liquor are those specified in Minnesota Statutes, chapter 340A ~~and section 1200.43 of this code.~~ No licensee may sell intoxicating liquor or 3.2% malt liquor on sale between the hours of 1:00 a.m. and 2:00 a.m. unless the licensee has obtained a permit from the commissioner of public safety and paid any applicable state or city fees.

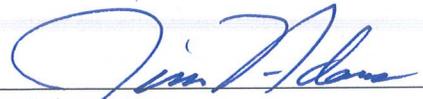
Section 4. Chapter XII, Section 1200.43, Subd. 8 of the Crystal city code is hereby amended by adding the double underlined material and deleting the ~~stricken~~ material as follows:

Subd. 8. Hours of Sunday sales. ~~Pursuant to Minnesota Statutes, section 340A.503, subdivision 3(b), Sunday sales may be conducted between the hours of 10:00 a.m. on Sundays and 1:00 a.m. on Mondays.~~ The hours of sale for intoxicating liquor are those specified in Minnesota Statutes, chapter 340A. Holders of on sale brewpub and on sale brewer taproom licenses are authorized to conduct on sale business on Sundays if they hold a Sunday sales license. Malt liquor in growlers only may be sold by brewpubs, brewer taprooms and small brewers at off sale on Sundays between the hours of 8:00 a.m. on Sunday and 2:00 a.m. on Monday, if approved by the city council.

Section 5. This ordinance is effective upon adoption and 30 days after publication.

First Reading: June 16, 2015
Second Reading: July 14, 2015
Council Adoption: July 14, 2015
Publication: July 23, 2015
Effective Date: August 22, 2015

BY THE CITY COUNCIL



Jim Adams, Mayor

ATTEST:



Christina Serres, City Clerk