



Legislation Text

File #: 18-357, Version: 1

City Council Meeting Date: July 17, 2018

To: Mayor and City Council
City Administrator

From: Deb Little, City Clerk
Monte Nelson, Chief of Police

Consider Approval of Liquor Licenses for The Ole Store Restaurant, LLC at 1011 St. Olaf Ave.

Action Requested:

The Northfield City Council is being asked to consider approval of On-sale Intoxicating and Sunday Liquor Licenses for The Ole Store Restaurant, LLC dba The Ole Store located at 1011 St. Olaf Ave., Northfield subject to:

- Department of Public Safety Alcohol & Gambling Enforcement Approval

Summary Report:

The Ole Store Restaurant, LLC dba The Ole Store, has applied for On-sale Intoxicating and Sunday Liquor Licenses for 1011 St. Olaf Ave, Northfield. The Ole Store currently holds On-Sale 3.2 & Wine Licenses. The current licenses permit them to sell wine and intoxicating malt liquor. The license under consideration would permit them to sell intoxicating liquor in addition to wine and intoxicating malt liquor. There are no ownership, management or premises changes involved in the license request. The only change is the liquor types. The application for liquor license has been checked for compliance, which covers the provisions of Minnesota State law and City Code. A public hearing is not required per City Code for this new license as the premises is a currently licensed business. Staff recommends approval of the licenses with the condition as noted.

Since this is an existing licensed establishment, the issuance of this license will not increase the total number of liquor licenses. Upon approval and issuance of this license, there will be a total of 36 liquor licenses issued in the City of Northfield in the following categories:

- 1 - Club license
- 18 - On-Sale Intoxicating licenses
- 9 - On-Sale Wine/3.2 licenses
- 5 - Off-Sale 3.2 licenses
- 1 - Cocktail Room license
- 2 - Taproom licenses

Periodically questions are raised regarding statutory restrictions on the number of on-sale intoxicating liquor licenses that may be issued in Northfield. Currently Northfield has 16 on-sale intoxicating liquor license holders. Northfield is a city of the second class and therefore may issue not more than 18 on-sale intoxicating liquor licenses, subject to very broad exclusions. The applicable statute is 340A.413, Subd. 1 (3). However,

340A.413, Subd. 4, excludes the following from the restrictions stated in Subd. 1:

- clubs
- restaurants
- establishments that are licensed to sell wine under section 340A.404, Subd. 5
- theaters that are issued licenses under section 340A.404
- hotels, and
- bowling centers

The existing on-sale intoxicating liquor licenses in Northfield all fall into those categories that are noted above. Therefore, they are excluded from the restriction.

Alternative Options:

N/A

Financial Impacts:

The City will receive a prorated amount of \$1,550.00 for the licenses (prorated on-sale intoxicated and Sunday license fees less the prorated refund for the Wine/3.2 licenses).

Tentative Timelines:

If approved, certification will be sent to the Department of Public Safety Alcohol & Gambling Enforcement Division for review and approval. Once the Alcohol & Gambling Division approves the license, the liquor licenses will be issued.