

SCOTT COUNTY ORDINANCE, CHAPTER NO. 21

PERMITTING EXTENDED HOURS OF SUNDAY ON-SALE
INTOXICATING LIQUOR SALES

1. Purpose

Minnesota Statutes, Section 340A.504 authorizes counties to issue on-sale Sunday permits allowing the sale of intoxicating liquors beginning at 10:00 o'clock Sunday morning to qualifying and licensed establishments. There are a growing number of restaurants in the townships of Scott County offering a Sunday brunch to their patrons. Pursuant to the authority granted it by the Minnesota Liquor Act, Minnesota Statutes Chapter 340A, and the Twenty-first Amendment to the United States Constitution, the Board of Commissioners of Scott County prescribes the following licensing procedures and regulations governing the extension of hours for the sale and/or consumption of alcoholic beverages on Sundays.

2. Definitions

Bowling center. An establishment under the control of a single proprietor or manager, where the game of bowling occurs and meals are regularly prepared on the premises and served at tables to the general public, and having a minimum seating capacity of thirty (30) guests at one time.

Club. An incorporated organization organized under the laws of the State of Minnesota for civic, fraternal, social, or business purposes, intellectual improvement, the promotion of sports, or a congressionally chartered veterans' organization, which:

- a. Has more than thirty members; and
- b. Has owned or rented a building or space in a building for more than one (1) year that is suitable and adequate for the accommodation of its members; and
- c. Is directed by a board of directors, an executive committee, or other similar body chosen by the members at a meeting. No member, officer, agent, or employee shall receive any profit from the distribution or sale of beverages to the members of the club or their guests, beyond a reasonable salary or wages fixed and voted each year by the governing body.

Hotel. An establishment where food and lodging are regularly furnished to transients and which has a dining room serving the general public at tables with facilities for seating at least thirty (30) guests at one time and at least ten (10) guests rooms.

Intoxicating liquor. Ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing more than 3.2 percent of alcohol by weight.

Licensed premises. The premises described in the approved license application. In the case of a restaurant, club or exclusive liquor store, licensed for on-sale of alcoholic beverages and located on a golf course, “licensed premises,” means the entire golf course, except for areas where motor vehicles are regularly parked or operated.

Restaurant. An establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises and served at tables to the general public, and having a minimum seating capacity of thirty (30) guests at one time.

Sale and sell. All barbers and all manners or means of furnishing or providing intoxicating liquor.

3. Permit to Licensed Establishments

An on-sale Sunday liquor permit may be issued to a restaurant, hotel, bowling center, or public or private club, to which an on-sale intoxicating liquor license has been issued, on the following conditions:

- a. The licensed premises has facilities for serving not less than thirty (30) guests at one time;
- b. The sale of intoxicating liquor must be in conjunction with the serving of food or consumption on the premises;
- c. The township in which the applicant establishment is located has held an election, on the day of the annual election of township officers, at which the Sunday on-sale liquor licenses have been approved by the voters of the township and verification of the authorizing vote has been filed with the County.

4. 10:00 a.m. Sunday Sales

A restaurant, hotel, bowling center, or club that has a Sunday on-sale liquor license may sell intoxicating liquor for consumption on the premises, in conjunction with the sale of food, between the hours of 10:00 a.m. on Sundays and 1:00 a.m. on Mondays, provided that it is compliance with the Minnesota Clean Indoor Air Act, Minnesota Statutes Section 144.411, et seq.

5. General License Restrictions

- a. A license issued under this ordinance is only effective for the compact and contiguous space specified in the approved license application.

b. A licensee under this ordinance shall be responsible for the conduct of the business being operated and shall maintain conditions of sobriety and order.

6. Period of License for Extended Sunday Sales

The license allowing for extended hours of Sunday on-sale intoxicating liquor shall be issued for a period of one (1) year.

7. Permit Fee

The fee for an extended Sunday on-sale liquor license shall be set by Scott County Board of Commissioners and shall not exceed an amount allowed by statute.