

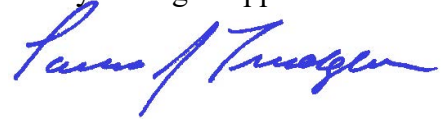
ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: January 6, 2020
Item No.: 7.b

Department Approval



City Manager Approval



Item Description: Consider a Consumption and Display Permit for Blume Brauhaus, LLC dba Bent Brewstillery located at 1744 Terrace Drive

BACKGROUND

The City has received an application for a Consumption and Display Permit from Blume Brauhuas, LLC. Consumption and Display permits are addressed in MN Statute 340A. Staff has reviewed the request with representatives from the Minnesota Alcohol and Gambling Enforcement Department (AGED), and determined the applicant meets the criteria for the permit. The state requires approval from the local entity prior to submitting to AGED.

POLICY OBJECTIVE

The regulation of establishments that sell and permit alcoholic beverages has been a long-standing practice by the State and the City.

FINANCIAL IMPACTS

The revenue that is generated from the license fees is used to offset the cost of police compliance checks, background investigations, enforcement of liquor laws, and license administration.

STAFF RECOMMENDATION

The applicant meets all requirements set forth under state statutes. Staff recommends approval of a Consumption and Display Permit, valid through March 31, 2021.

REQUESTED COUNCIL ACTION

Motion to approve Blume Brauhaus' request for a Consumption and Display Permit at 1744 Terrace Dr.

Prepared by: Katie Bruno, Deputy City Clerk
Attachments: A: Application from Blume Brauhaus, LLC.
B: MN Statutes 340A.414



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 222
St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TDD651-282-6555

ATTACHMENT A

NOTE: ALL CLUB 'ON-SALE' INTOXICATING LIQUOR LICENSEES ARE EXEMPT FROM APPLYING.

APPLICATION FOR CONSUMPTION AND DISPLAY (Set Up) PERMIT
PERMIT FEE \$250 (Permits expire March 31st of each year)

Workers Comp. Ins. Co. A409881

Policy No. A416192

Dates of Coverage 3/3/2019 - 3/3/2020

Amount Received

Licensee's MN Sales & Use Tax ID # 2723601

To apply for MN Tax ID# 651-296-6181

Licensee's Federal Tax ID # 45-2650832

A \$30.00 service charge will be added to all dishonored checks. You may also be subjected civil penalty of \$100 or 100% of the value of the check, whichever is greater, plus interest and attorney fees.

Main application form containing fields for Applicant Name (Blume Brauhaus, LLC), Business Address (1744 Terrace Dr, Roseville, MN), Manager (Bartley R Blume), and various checkboxes for permit type and application status.

340A.414 CONSUMPTION AND DISPLAY PERMITS.

Subdivision 1. **Permit required.** No business establishment or club which does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit from the commissioner. Rental of a public facility does not make a subdivision or the facility a "business establishment" for the purposes of this chapter.

Subd. 1a. **Additional authorization.** A holder of a consumption and display permit under this section who wishes to allow the consumption and display of intoxicating liquor between the hours of 1:00 a.m. and 2:00 a.m. must obtain authorization to do so from the commissioner. The authorization may be provided in a document issued to the permit holder by the commissioner, or by a notation on the permit holder's permit. Authorizations are valid for one year from the date of issuance. The annual fee for obtaining authorization is \$200. The commissioner shall deposit all fees received under this subdivision in the alcohol enforcement account in the special revenue fund. A person who holds a consumption and display permit and who also holds a license to sell alcoholic beverages at on-sale at the same location is not required to obtain an authorization under this subdivision.

Subd. 2. **Eligibility for permit.** (a) The commissioner may issue a permit under this section only to:

(1) an applicant who has not, within five years prior to the application, been convicted of a felony or of violating any provision of this chapter or rule adopted under this chapter;

(2) a restaurant;

(3) a hotel;

(4) an establishment licensed for the sale of 3.2 percent malt liquor;

(5) a resort as defined in section 157.15;

(6) a club as defined in section 340A.101, subdivision 7, or an unincorporated club otherwise meeting that definition; and

(7) a bed and breakfast facility as defined in section 340A.4011, subdivision 1.

(b) The commissioner may not issue a permit to a club holding an on-sale intoxicating liquor license.

Subd. 3. **Only authorized to permit the consumption and display.** A permit issued under this section authorizes the establishment to permit the consumption and display of intoxicating liquor on the premises. The permit does not authorize the sale of intoxicating liquor.

Subd. 4. **Permit expiration.** All permits issued under this section expire on March 31 of each year.

Subd. 5. **Local consent required.** A permit issued under this section is not effective until approved by the governing body of the city or county where the establishment is located.

Subd. 6. **Permit fees.** The annual fee for issuance of a permit under this section is \$250. The governing body of a city or county where the establishment is located may impose an additional fee of not more than \$300.

Subd. 7. **Inspection.** An establishment holding a permit under this section is open for inspection by the commissioner and the commissioner's representative and by peace officers, who may enter and inspect

during reasonable hours. Intoxicating liquor sold, served, or displayed in violation of law may be seized and may be disposed of under section 297G.20.

Subd. 8. **Lockers.** A club issued a permit under this section may allow members to bring and keep a personal supply of intoxicating liquor in lockers on the club's premises. All bottles kept on the premises must have attached to it a label signed by the member. No person under 21 years of age may keep a supply of intoxicating liquor on club premises.

Subd. 9. **One-day city permits.** A city may issue a one-day permit for the consumption and display of intoxicating liquor under this section to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization. The permit must be approved by the commissioner and is valid only for the day indicated on the permit. The fee for the permit may not exceed \$25. A city may not issue more than ten permits under this section in any one year.

History: 1985 c 305 art 6 s 14; 1Sp1985 c 16 art 2 s 3 subd 1; 1987 c 152 art 1 s 1; 1989 c 209 art 1 s 34; 1991 c 249 s 17,18,31; 1995 c 198 s 11; 1995 c 207 art 9 s 60; 1997 c 179 art 2 s 4; 1Sp2003 c 19 art 2 s 58,79; 2005 c 136 art 8 s 17; 2006 c 210 s 12; 2007 c 13 art 3 s 24; 2009 c 120 s 10