

**CITY OF HAMBURG
ORDINANCE NUMBER 168**

AN ORDINANCE AMENDING CHAPTER 112 TO ALLOW THE ISSUANCE OF ON-SALE WINE AND ON-SALE MALT LIQUOR LICENSES TO TOWN BASEBALL TEAMS, TO ELIMINATE THE 21-YEAR MINIMUM AGE AT A BALLPARK THAT SELLS INTOXICATING LIQUOR, AND AMEND THE REGULATION OF CONSUMPTION IN PUBLIC.

THE CITY COUNCIL OF THE CITY OF HAMBURG, CARVER COUNTY, MINNESOTA, ORDAINS:

Section 1.

The City Council of the City of Hamburg (“the City”) finds that the State of Minnesota has amended its statutes to grant cities with the authority to issue on-sale wine and on-sale malt liquor licenses to baseball teams playing within the Minnesota Baseball Association. The City is home to the Hamburg Hawks, a town baseball team playing in the Crow River Valley League of the Minnesota Baseball Association. The City Council finds that the community is interested in the issuance of licenses that would allow on-sale service of alcoholic beverages at town baseball games in accordance with the laws of the State of Minnesota. The Code of Ordinances for the City of Hamburg (the “City Code”) currently sets 21-years of age as the minimum age to enter an establishment licensed for on-sale intoxicating liquor. The City Council finds it necessary to amend the City Code to allow for the application, issuance, and regulation of such licenses and eliminate the 21-year age minimum at ballparks licensed for on-sale intoxicating liquor. The City finds that amending the City Code is in the best interest of the community. Therefore, the City Code §§ 112.22, 112.34, and 112.05 shall be amended to allow for the issuance of on-sale wine and on-sale malt liquor licenses to town baseball teams, to eliminate the minimum age of 21-years to enter the license premises at the ballpark, to restrict the consumption of alcohol in public to only those alcoholic beverages provided by a licensee on the premises, and to create special event liquor permits for consumption of alcohol in public spaces.

Section 2.

Title XI, Chapter 112, Section 112.22 of the City Code relating to KINDS OF LIQUOR LICENSES is hereby amended to include a new paragraph (L):

(L) On-sale wine and on-sale malt liquor licenses may be issued to a person who is the owner of a summer collegiate league baseball team or baseball team competing in a league established by the Minnesota Baseball Association, or to a person holding a concessions or management contract with the owner, for beverage sales at a ballpark or stadium located within the municipality for the purposes of summer collegiate league baseball games, town ball games, and any other events at the ballpark or stadium. A

license issued under this paragraph authorizes sales on all days of the week to persons attending baseball games and any other events at the ballpark or stadium.

Section 3.

Title XI, Chapter 112, Section 112.34 of the City Code relating to MINORS ON PREMISES is hereby amended as follows:

112.34 MINORS ON PREMISES.

(A) No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person or dishwashing services in places defined as a restaurant, hotel, motel, ballpark, or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.

(B) No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold. Penalty, see § 112.99. This paragraph B shall not apply to an establishment licensed under § 112.22(L) or § 112.05(b).

Section 4.

Title XI, Chapter 112, Section 112.05 of the City Code relating to CONSUMPTION IN PUBLIC PLACES is amended as follows:

112.05 CONSUMPTION IN PUBLIC PLACES.

(a) Public consumption. No person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than liquor provided by the licensee on the premises of an establishment licensed under this chapter, in a municipal liquor dispensary if one exists in the city, where the consumption and display of liquor is lawfully permitted, or pursuant to a special event liquor permit. Penalty, see § 112.99.

(b) Special event liquor permits. The City Council may issue, in its discretion, special event liquor permits to allow the consumption of intoxicating liquor or 3.2 percent malt liquor in public places. Alcohol consumed at special events permitted under this subsection must be provided by a person who holds either a temporary liquor license under this chapter or caterer's permit issued by the State of Minnesota. Such special event liquor permit shall not be considered for approval until a complete application is received. A complete application are must include the following:

1. The name and address of the applicant(s).
2. The name and contact information of the licensee who will be serving alcohol.
3. A copy of the licensee's temporary license or caterer's permit.

4. Applications must identify a compact and contiguous area in which the alcohol will be consumed which may include portions of the sidewalk or street if the application is accompanied by an application for a roadway obstruction permit.
5. A statement identifying the types of alcohol to be served .
6. A statement indicating the approximate number of individuals expected to be in attendance.
7. A liability agreement requiring the applicant to indemnify the City for any liability incurred in connection with the use of the public space, the sale or distribution of liquor, or the public consumption of liquor to be permitted.
8. The correct application fee.

Prior to the issuance of the special event liquor permit, the applicant must also provide to the City certificates of liability insurance and liquor liability insurance and each certificate must endorse the City as an additional insured. Applicants must also provide any other assurances as the City Council may reasonably require. A special event liquor permit is valid for a single calendar day and shall expire at 10:00 p.m. The area in which alcohol will be served must be clearly marked and fenced, roped, or otherwise partitioned from other public areas. Special event liquor permits may not be issued to a person who is prohibited from holding a liquor license under state law.

Section 5.

This Ordinance shall be in full force effective upon its adoption and publication according to the law.

Passed and adopted by the City Council of the City of Hamburg this 13th day of September, 2022.

Chris Lund, Mayor

ATTEST: _____
Jeremy Gruenhagen, City Clerk

(City Seal)

M/ _____	Buckentin	_____
	Lund	_____
S/ _____	Poppler	_____
	Tracy	_____
	Weber	_____

A summary of this ordinance may be published upon approval by a four-fifths majority of the City Council.

M/ _____

Buckentin _____

S/ _____

Lund _____

Poppler _____

Tracy _____

Weber _____

Published in _____ on _____, 2022.