

CITY OF WINONA WINONA, MINNESOTA ADMINISTRATIVE PROCEDURE	NUMBER: 110-2	REVISED: 2	PAGE <u>1</u> OF <u>4</u>
	SUBJECT: LICENSE PROCESSING: TEMPORARY 3.2% MALT LIQUOR LICENSES		

1.0 POLICY:

The procedure herein established provides the City's administration with appropriate control over the policies of evaluation and issuance of temporary 3.2% malt liquor licenses pursuant to W.C.C. Chapter 55.14. This procedure further defines what city-owned property is considered to be suitable or non-suitable for temporary 3.2% malt liquor licenses.

2.0 ORGANIZATIONS AFFECTED:

City Clerk, Police Department, Park Rec. Department.

3.0 PROCEDURE:

3.1 Application

3.1.1 A temporary on-sale license for the sale of 3.2% malt liquor may be granted by the City Council only to a bonafide club, charitable organization or non-profit organization, pursuant to M.S. 340A.403.

3.1.2 Applications shall be obtained from the City Clerk.

3.1.3 The applicant shall file a verified application not less than twenty (20) days prior to the time it is anticipated action will be taken by the City Council.

3.1.4 Upon payment of the appropriate processing fee to the Finance Department as evidenced by receipt, the City Clerk shall contact the Police Department for an investigative report.

3.2 Police Investigation

3.2.1 The Police Chief shall cause an investigation to be made into the background of the applicant or any person having authority in the organization. The police report shall include any recommendation the department may deem important and shall be forwarded to the City Clerk for dissemination to the City Council. The investigation and report shall be

DEPARTMENT: CITY CLERK	SUPERSEDES: 1/16/02	PREPARED BY: MHM	APPROVED BY: EBS	DATE:1/5/04 REVIEWED: 05/16/2006
----------------------------------	-------------------------------	----------------------------	----------------------------	--

CITY OF WINONA WINONA, MINNESOTA ADMINISTRATIVE PROCEDURE	NUMBER: 110-2	REVISED: 2	PAGE <u>2</u> OF <u>4</u>
	SUBJECT: LICENSE PROCESSING: TEMPORARY 3.2% MALT LIQUOR LICENSES		

completed within four (4) working days from notification by the City Clerk that application has been made.

3.3 Use of Public Property

3.3.1 The City Council may grant a license which will permit the use of public property owned by the city. An applicant who wishes to use city-owned public property shall first schedule tentative use of the property through the Park/Recreation Department and shall present evidence of conditional approval by the Park/Recreation Department of said use to the City Clerk with the application for temporary 3.2% license. The City Clerk shall notify the Park/Recreation Department promptly of the approval, denial, or withdrawal of said application.

3.3.2 An applicant shall agree in his application to the following conditions pertaining to use of city-owned public property:

- (1) At the time the application for the license is submitted to pay a clean up charge of \$250 refundable only if the premises used are cleaned to the satisfaction of the City Manager or his designated representative;
- (2) Clean up the premises within 12 hours after use;
- (3) State the name of the distributor(s) from whom purchases shall be made of 3.2% malt beverages.

3.3.3 Insurance

3.3.3.1 A license shall not be issued for the use of public property owned by the city until there is filed with the City Clerk a liability and property damage insurance certificate protecting the licensee and city and with limits of at least \$100,000 for one person, \$300,000 for more than one person, and property damage of at least \$10,000.

3.3.3.2 The insurance policy or certificate of insurance provided by the applicant must be reviewed and approved by the City Clerk before the application is presented to the City Council for approval.

DEPARTMENT: CITY CLERK	SUPERSEDES: 1/16/02	PREPARED BY: MHM	APPROVED BY: EBS	DATE:1/5/04 REVIEWED: 05/16/2006
----------------------------------	-------------------------------	----------------------------	----------------------------	--

CITY OF WINONA WINONA, MINNESOTA ADMINISTRATIVE PROCEDURE	NUMBER: 110-2	REVISED: 2	PAGE <u>3</u> OF <u>4</u>
	SUBJECT: LICENSE PROCESSING: TEMPORARY 3.2% MALT LIQUOR LICENSES		

3.4 Use of Non-City Owned Property

3.4.1 The City Council may grant a temporary 3.2% malt liquor license which will permit the temporary sale of malt liquor on privately owned property. No license will be granted, however, until the owner of the property, or responsible official acting on behalf of the property owner, provides the City Clerk with written consent allowing the temporary sale of beer on said property. The written consent must be presented to the City Clerk and approved by the City Council before a license may be issued.

3.5 License Issuance

3.5.1 The license fee shall be as specified in the Winona City Code.

3.5.2 The license shall be issued for one day or more, but not exceeding seven (7) days. A license for more than one day shall be issued for consecutive days.

3.5.3 The City Clerk shall issue the license only when all the following conditions are fulfilled:

- a. City Council has formally approved the license.
- b. All fees have been paid to the Finance Department.
- c. Insurance requirements have been met.

3.6 Consumption in the Park System

The following locations are determined by the City Council as those suitable for temporary 3.2% malt liquor sales licenses.

AREA

- 1. Prairie Island
Latsch Island
Lake Park
- 2. Ball Parks

DEPARTMENT: CITY CLERK	SUPERSEDES: 1/16/02	PREPARED BY: MHM	APPROVED BY: EBS	DATE: 1/5/04 REVIEWED: 05/16/2006
----------------------------------	-------------------------------	----------------------------	----------------------------	---

CITY OF WINONA WINONA, MINNESOTA ADMINISTRATIVE PROCEDURE	NUMBER: 110-2	REVISED: 2	PAGE <u>4</u> OF <u>4</u>
	SUBJECT: LICENSE PROCESSING: TEMPORARY 3.2% MALT LIQUOR LICENSES		

3. Special Area (must have excellent reason for license)

- a. Levee Park
- b. Holzinger Lodge
- c. Other Parks

3.7 Consumption Prohibited-Certain Parks

The City Council has determined that the following park locations are not suitable for temporary beer sales licenses. Therefore, city administration shall not process temporary 3.2% malt license applications for any of the property listed below:

Prohibited Areas - Consumption of alcoholic beverages is prohibited in the following parks, unless a permit allowing such consumption is granted by the City Council.

- (1) Lake Lodge and 100 feet surrounding
- (2) Tillman Lodge and Park
- (3) Windom Park (First Ward Park)
- (4) Central Park (Second Ward Park)
- (5) Sinclair Park (Third Ward Park)
- (6) Sobieski Park (Fourth Ward Park)
- (7) Glenview Park
- (8) Wincrest Park
- (9) East End Recreation Center & Park
- (10) Thurley Playground
- (11) Belmont - Whitten Park
- (12) Knopp Valley Park
- (13) West End Recreation Center - bounded on the west, north and east sides by the fence and on the south side by the sidewalk adjacent to Fifth Street
- (14) Valley Oaks Park
- (15) In Garvin Heights Park and parking lot
- (16) At the Aquatic Center

DEPARTMENT: CITY CLERK	SUPERSEDES: 1/16/02	PREPARED BY: MHM	APPROVED BY: EBS	DATE:1/5/04 REVIEWED: 05/16/2006
-----------------------------------	--------------------------------	-----------------------------	-----------------------------	---