

ORDINANCE NO. 903
2ND SERIES

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CITY OF ALEXANDRIA CITY
CODE RELATING TO ON AND OFF SALE LIQUOR LICENSES**

The City Council of the City of Alexandria does **ORDAIN**:

SECTION I. That Chapter 3 of the Alexandria City Code is hereby amended by adding the following:

Section 3.01 **Definitions.**

Add: Subd 6. **Compliance Checks.** "Compliance checks" shall mean the system the city uses to investigate and ensure that those authorized to sell and/or serve beer, wine, malt liquor, and liquor are following and complying with the requirements of this ordinance. Compliance checks shall involve the use of those under the age of 21 as authorized by this ordinance. Compliance checks shall also mean the use of persons under 21 years of age who attempted to purchase beer, wine, malt liquor, and liquor for educational, research and training purposes as authorized by State and Federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or local laws and regulations relating to beer, wine, malt liquor and liquor.

Re-number existing Subdivision 6 thru 21 to 7 thru 22.

Section 3.02 **Applications and Licenses – Procedure and Administration.**

Add: Subd. 7. **Compliance Checks and Inspections.** All licensed premises shall be open to inspection by the City police or other authorized City official during regular business hours. From time to time, but at least once per year, the City shall conduct compliance checks by engaging persons over the age of eighteen (18) years but less than twenty-one (21) years, to enter the licensed premise to attempt to purchase beer, wine, malt liquor, or liquor. Persons who are used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel. Persons under 21 years of age who are used for compliance checks shall not be guilty of unlawful possession of beer, wine, malt liquor, or liquor when such items are obtained as a part of the compliance check. No person under 21 years of age who is used in compliance checks shall attempt to use a false identification misrepresenting the person's age, and all persons lawfully engaged in a compliance check shall answer all questions about the person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

Subd. 8. Penalties for Failure of Compliance Check.

A. Licensee. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance, shall be subject to the following penalties:

1. First Compliance Check Failure - \$500 fine and certification demonstrating completion of training for all employees regarding sale to those under the age of 21. Said certificate shall be provided to the City within 60 days of the violation.

2. Second Compliance Check within 36 months of initial violation - \$1,000 fine and certification demonstrating completion of training for all employees regarding sale to those under the age of 21. Said certificate shall be provided to the City within 60 days of the violation.

3. Third Compliance Check Failure within 36 months of initial violation - \$2,000 fine and seven day suspension of license by City Council. Within 30 days of the violation, the licensee shall install point-of-sale equipment that is able to electronically verify age of all customers who attempt to purchase beer, wine, and liquor.

4. Fourth Compliance Check Failure within 36 months of initial violation – Revocation of license by City Council

B. Other Individuals. Other individuals found involved in the sale to those under the age of 21 shall be subject to the following penalties:

1. First Sale to those under the age of 21 - \$500 administrative fine

2. Second and all subsequent sales to those under the age of 21 within 36 months – Subject to criminal citation

Renumber existing Subdivision 7 to 9.

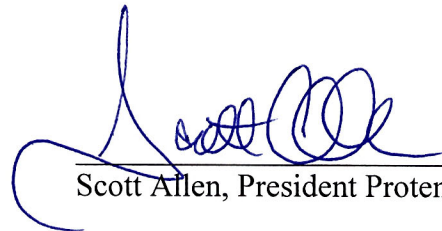
SECTION II. This ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the City Council of the City of Alexandria this 26th day of February 2024, by the following vote:

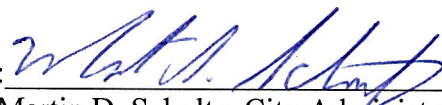
YES: FRANZEN, THALMAN, ALLEN, MACE

NO: NONE

ABSENT: WIENER, OSTERBERG



Scott Allen, President Protem

ATTEST: 

Martin D. Schultz, City Administrator