

Ordinance No. 868

2nd Series

**An Ordinance Amending Alexandria City Code Chapter 3,
Section 3.17, Off-Sale Malt Liquor Licenses**

WHEREAS, Minnesota Laws 2022, Chapter 86, Section 5 modified the malt liquor off-sale packaging requirements for certain small brewers; and

WHEREAS, the City of Alexandria may, but is not required to allow the off-sale of malt liquor in accordance with said new packaging requirements; and

WHEREAS, the City Council for the City of Alexandria, Minnesota, deems it to be in the public interest to amend portions of Alexandria City Code Chapter 3, Beer and Liquor Licensing and Regulation, to make the City Code consistent with Laws 2022, Chapter 86, Section 5.

NOW, THEREFORE, the City Council for the City of Alexandria, Minnesota hereby ordains that Alexandria City Code Chapter 3, Section 3.17 shall be and hereby is amended as follows:

Section 3.17. Off-Sale Malt Liquor Licenses

Subd. 1. **Definitions.** A brewer licensed under Minn. Statutes, Chapter 340A.301, Subd. 6(d), (i), or (j) may be licensed for the "off-sale" of malt liquor produced and packaged on the licensed premises in accordance with Minn. Statutes, Chapter 340A and meeting the criteria established by Minn. Stat. § 340A.29 as may be amended from time to time. Unless otherwise stated, the definitions of Minn. Statutes, Chapter 340A, as the same shall be amended from time to time, shall apply herein.

Subd. 2. Conditions of License.

1. The annual license fee for an off-sale malt liquor license, as established in the fee schedule set by ordinance by the City Council, shall be paid.

2. Off-sale of malt liquor may only be made during the hours that "off-sale" of liquor may be made at the Municipal Liquor Dispensary as described in Section 3.07, Subdivision 17 of the Alexandria City Code, except that malt liquor sold pursuant to this section may be sold at off-sale on Sunday until 10:00 p.m. The amount of malt liquor sold at off-sale under this license may not exceed 128 ounces per customer per day.

3. Malt liquor sold at off-sale under this section shall be packaged in containers sealed in accordance with state law, including Minnesota Rules, parts 7515.1080 to 7515.1120, as the same may be amended from time to time. Without limiting the foregoing, if malt liquor is sold in sixty-four ounce containers commonly known as "growlers" or in bottles, the container or bottle must be sealed in the manner as described in Minn. Statutes, Chapter 340A.285.

4. The malt liquor sold at off-sale, except growlers sold on Sundays, must be removed from the licensed premise before the applicable closing time at the Municipal Liquor Dispensary.

5. All other provisions of this article shall be applicable to such licenses and licensees unless inconsistent with the provisions of this section.

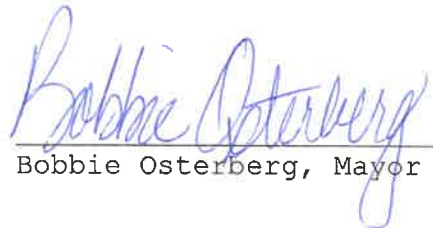
This Ordinance shall be effective immediately upon its passage and publication.

Adopted by the City Council for the City of Alexandria, Minnesota this 27th day of June, 2022 by the following vote:

YES: FRANZEN, THALMAN, ALLEN, BENSON

NO: NONE

ABSENT: WIENER


Bobbie Osterberg, Mayor

ATTEST: 
Marty Schultz, City Administrator

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA

ss.

COUNTY OF DOUGLAS

Janine Sponsler, being first duly sworn, on oath states as follows:

1. I am the publisher of the ECHO PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Friday July 1, 2022.

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$20.00 per column inch.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in DOUGLAS County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Dated this 1st day of July, 2022.

Janine Sponsler
Legals Clerk

Roxann L. Maloney
Notary Public

Janine Sponsler
Subscribed and sworn before me this
1 day of July, 2022
Roxann L. Maloney
Notary Public
Douglas County, Minnesota
My Commission Expires 1-31-2023



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Publish July 1, 2022

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