



CITY OF DULUTH
CITY CLERK'S OFFICE
 330 City Hall • 411 West First Street
 Duluth, Minnesota 55802-1189
 Phone (218) 730-5500
 Fax (218) 730-5923

| | |
|---------------------|-------|
| FOR OFFICE USE ONLY | |
| DATE | _____ |
| LICENSE # | _____ |

Type in your information by tabbing through the boxes below.
 Print all forms, sign and submit to the address listed above.

LICENSE APPLICATION

| LICENSE | FEE |
|--|-----------------|
| TEMPORARY EXPANSION OF LICENSED PREMISES = | \$358.00 |
| PLUS \$178.00 EACH ADDITIONAL DAY = | \$ |
| TOTAL: | \$ |

LICENSEE CORP NAME & BUSINESS ADDRESS:

D/B/A OR TRADE NAME: _____

CELL OR BUSINESS PHONE NO. _____

MANAGER'S NAME & ADDRESS & PHONE #

EVENT LICENSE PERIOD: _____

RAIN DATE? YES NO

IF YES, DATE: _____

NEW INFORMATION

- PLEASE NOTE:** All applications must be completed and submitted to the City Clerk's Office by the last Wednesday of the month in order to be placed on the agenda for the next meeting of the city's Alcohol, Gambling & Tobacco (AGT) Commission. The AGT Commission meets on the first Wednesday of every month. Incomplete applications or applications submitted without the corresponding application fee will be rejected.
- SECURITY:** Applications are subject to review by the Duluth Police Department
- HEALTH DEPT:** An application must be on file with the Minnesota State Health Department for the serving of food and alcohol (218-302-6166 or 218-302-6184).

I HEREBY STATE THAT ALL INFORMATION HERE IS TRUE AND CORRECT AND THAT I SHALL COMPLY WITH ALL PROVISION OF THE ORDINANCES OF THE CITY OF DULUTH AND LAWS OF THE STATE OF MINNESOTA AND THEIR AMENDMENTS.

 Signature of Applicant

MAILING ADDRESS:

EMAIL: _____

Would you like notifications via email? YES NO

| |
|---------------------------|
| Date of Application _____ |
| License No. _____ |

TEMPORARY EXPANSION OF LICENSED PREMISES (DIAGRAM)

Owner: _____ (d/b/a) Trade Name: _____

Date of Event: _____ Address: _____

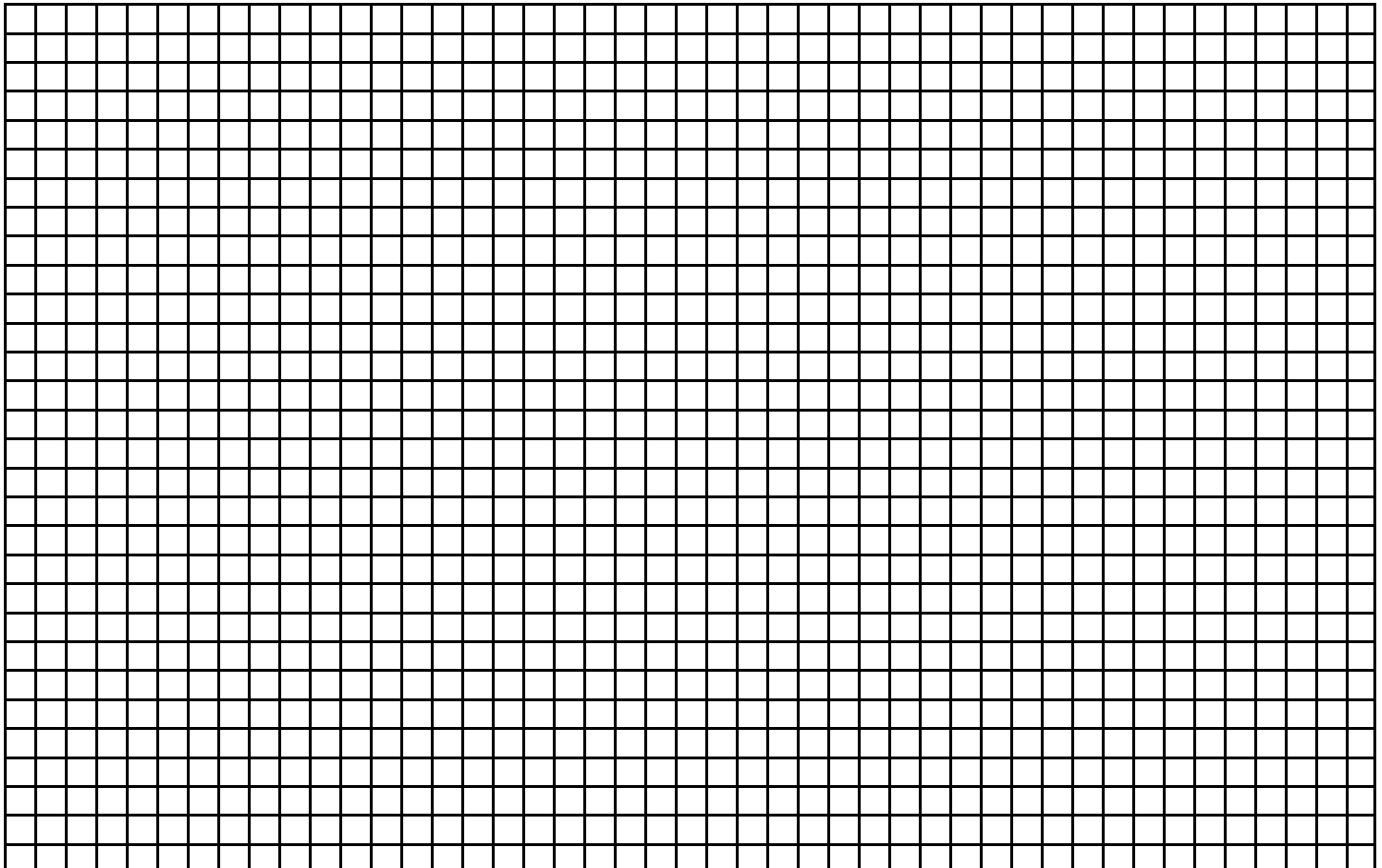
Name of Event: _____ Time of Event: _____

Security Personnel: _____ Firm: _____

DIAGRAM MUST SHOW:

- A. Area that will be used.
- B. Streets and intersections bordering the area.
- C. Where fencing surrounding the area will be located and what type of fencing will be used (snow fence is preferred).
- D. Where the bar will be located in the "serving area."
- E. Exits and entries to and from the "serving area."

Sketch location and dimensions of area to be occupied. Indicate north on diagram as "NORTH."



I hereby agree that I shall comply with all of the ordinances of the City of Duluth and laws of the State of Minnesota and their amendments. I further agree to comply with any special restrictions which may be imposed by resolution of the Duluth City Council and not to allow any services or consumption outside of the approved "designated serving area" identified here.

Signature of owner/authorized representative



CITY OF DULUTH SUPPLEMENTAL FORM

Additional information is being required by the Duluth Police Department. An incomplete application will result in the delay or rejection of your application.

1. Is this the first time for this event? Yes No
If No, how many people attended this event _____
If Yes, how many people are you expecting to attend? _____

2. What kind of advertisement have you done? _____

3. What is the age of the target group for this event? _____

4. Will alcohol be sold or given away at this event? _____

5. Will dancing be allowed at this event? _____

I understand that as the applicant for this permit/license, I am responsible for the Police/Security for this event. I will provide proof of hired security two weeks prior to the scheduled event.

Applicant Signature

Date

For office use only

Is a licensed Peace Officer needed for this event? _____

If yes, how many licensed peace officers will be required? _____

DULUTH LEGISLATIVE CODE.

CHAPTER 8.

BEVERAGES.

Article 1. Alcoholic Beverages.

Subdivision II. Licenses.

Sec. 8-54. License not effective beyond space for which granted; exceptions--sidewalk use permit.

(a) Licensed premises. No license shall be effective beyond the compact and contiguous space named therein for which the same was granted. In addition, the following standards and procedures apply:

(1) If any part of the serving area of the licensed premises is outside of a fully enclosed building, that part must comply with all the conditions set out in Section 8-54(b) or (c) or (d) that apply to the area;

(2) At the time of application or at any time an outdoor area is licensed, its operation is subject to the power of the chief of police to approve the operation, set hours of operation, set days of operation, based upon an administration review and application of uniform regulatory criteria established by the police department, which pertains to public safety, convenience, compliance with laws, neighborhood conditions, noise, parking and health;

(3) Licensed premises shall include the entire parcel of land on which the establishment is located; however, no sales or service shall take place outside the designated serving areas approved by the city council in the licensing procedure unless such sales and/or service is authorized on a temporary basis for a special event by city council resolution and shall be subject to any conditions and limitations the council deems appropriate;

(4) Before any temporary service area is authorized, the licensee shall make application to the city clerk. The application shall include the following:

- (A) Payment of the appropriate fee;
- (B) A diagram of the proposed area;
- (C) Specification of the time and date of the event; and
- (D) Fencing, signage and security measures proposed to be taken;

(5) The alcohol, gambling and tobacco commission shall review the application for temporary service area and make any recommendation(s) it deems appropriate to the city council;

(6) The fee for temporary expansions shall be set in accordance with Section 31-6(a) of this Code for the first day of the event and for each day thereafter. If the application is denied, all but a portion of the fee, set in accordance with Section 31-6(a) of this Code, shall be refunded to the applicant;

(7) No temporary expansion of service area shall be granted for a period of time greater than three consecutive days;

(b) Sidewalk use permit for licensed premises. The licensed premise shall not include those areas of the business premise for which a sidewalk use permit has been issued pursuant to Section 50-37.12 unless the licensee complies with the following:

(1) The area may be part of the licensed premises only if no privately-owned property is reasonably available to the licensee that could be used, instead, as an outdoor licensed premises;

(2) The licensee has a food and beverage service establishment license under M.S.A. Sec. 157.16, subd. 3(d)(3)(i) or (ii), or subd. 3(d)(4) and subd. 3(d)(6) or (7), and whatever food service is available anywhere else in the licensed premises is available in the permitted area;

(3) No alcoholic beverage can be served, consumed or possessed in the permitted area by any person unless he or she is seated at a table;

(4) The permitted area shall not exceed 500 square feet in area, must have an impervious surface, must, when in use, have an approved continuous perimeter barrier or fence. The fence must be approved by the police chief and the building official as meeting administrative criteria as to safety, security, regulated access and restricted means to transfer alcoholic beverages on or off the premises. The design, appearance, lighting, decoration, signage and use of the facility shall be reasonably compatible with the

surrounding area, as determined by the land use supervisor;

(5) The permitted area shall be capable of being constantly observed by serving or security personnel of the licensee. Licensee shall furnish a minimum staff of one person for a permitted area of up to 20 patron capacity and one additional staff for each additional unit of up to 20 patron capacity;

(6) The permitted area shall leave at least a six foot wide area of sidewalk that is not subject to the sidewalk use permit;

(c) Licensed premises outdoors on private property. If any part of the licensed premises is on privately-owned property that is not subject to an ownership or easement interest of the city of Duluth, or any other government, and that part of the licensed premises is not an "indoor area" as defined in M.S.A. Sec. 144.413, subd. 1(a), or its successor, then the use of that part of the licensed premises shall comply with all of the following:

(1) Any condition or limitation imposed by any law, ordinance, government regulation, code, license or permit, including restrictions on configuration or use that are set by the city council by ordinance or resolution;

(2) That part of the licensed premises shall not exceed in area the area of the rest of serving area of the licensed premises;

(3) That part of the licensed premises shall have an improved surface suitable for all weather pedestrian traffic, must, when in use, have a continuous perimeter barrier or fence. The barrier or fence must be approved by city clerk, police chief and the building official as meeting administrative criteria as to safety, security, regulated access and restricted means to transfer alcoholic beverages on or off the premises. The appearance, lighting, signage, visual barriers of the facility shall be reasonably compatible with the surrounding area, as determined by the chief administrative officer or his/her designee;

(4) Any food service available anywhere in the licensed premises shall be available in that part of the licensed premises. Every type of seating for dining anywhere on the licensed premises shall be available on that part of the licensed premises. In that part of the licensed premises, no alcoholic beverage shall be served, consumed or possessed by any person unless he or she is seated at a table;

(d) Pre-existing uses. Outdoor areas that were included in a licensed premises on January 1, 2008, shall be allowed to continue as a nonconforming use under, and subject to, Section 50-38, to remain in the same configuration and subject to the same restrictions of use, including hours of operation, as existed at that date, subject, however, at all times to the government's police power to control a license and sanction activities at establishments that dispense alcoholic beverages, as provided by any law, including (a) above.