



TO: Members of the Alcohol Ordinance Review and Rewrite Committee

FROM: Mikayla McWilliams

DATE: April 22, 2024

SUBJECT: SPECIAL EVENT PERMITS (SECTION 5-40 OF CITY OF MINOT CODES OF ORDINANCE)

I. RECOMMENDED ACTION

Staff recommendation would be for the committee to consider adding a late fee for any applications submitted under 7 days prior to the event date, add into the ordinance the requirements of a site map, and discuss state law on the two week duration of a permit.

II. DEPARTMENT CONTACT PERSONS

Mikayla McWilliams 857-4752

III. DESCRIPTION

City of Minot
Section 5-40 Special Permit; Fees

(a)A permit issued pursuant to Section 5-02-01.1, N.D.C.C. to allow a licensee to operate at premises other than the licensed premises to which the license relates, shall be issued administratively by the city clerk upon the following terms and conditions:

(1)The payment by the applicant of a nonrefundable fee of twenty-five dollars (\$25.00).

(2)The submission of an application to the city clerk, at least seven (7) days prior to the event (not including the day of the event), by the applicant, with any information required by the city clerk and a brief narrative explaining: a.The nature of the occasion for the permit (e.g., wedding dance, trade show or promotion, etc.); andb.The steps which will be undertaken by the permittee to restrict the sale to, and consumption of, alcoholic beverages by person under twenty-one (21) years of age at such occasion.

(3)The written approval by the chief of police of the issuance of the permit. The chief of police may police the event(s) covered by the special permit. The chief of police may determine the number, if any, of police officers or licensed private security officers needed to police the event(s). If the chief of police determines police officer or licensed private security officers are needed to police the event(s), the licensee shall hire the required number of off-duty police officers or licensed private security officers to police the event(s). If the licensee retains off-duty police officers to police the event(s), the written approval for the special permit shall be contingent on the licensee paying the Minot Police Department the expense of any off-duty police officer required for the proper policing of the event(s) prior to the event(s) occurrence. No special event(s) shall be permitted to proceed unless the required number of police officers or licensed private security officers are present.

(4)A permit issued pursuant to this subsection may not be used for the off-sale of alcoholic beverages.

(5)The city council may authorize an individual under twenty-one (21) years of age to attend the special event, but may not authorize the consumption or

possession of an alcoholic beverage by an individual under twenty-one (21) years of age.

Each month the chief of police shall submit a report to the city council concerning the permits allowed and the permits denied under this subsection subsequent to the last prior such report. Applications, whether granted or not, shall be retained by the city clerk for no less than three (3) years.

City of Bismarck

Section 5-01-13 Event Permits to Sell at Designated Locations.

1. Pursuant to N.D.C.C. 5-02-01.1, the City Administrator, acting under the authority of the Board of City Commissioners, may by special permit authorize a licensee to engage in the "on-sale" of alcoholic beverages at events on licensed premises designated by the permit. Except for events at the Bismarck Event Center, the permit shall not be valid for a period of greater than fourteen days. The City Administrator may issue up to 14 permits from one application if the application covers a reoccurring event for consecutive days at one location. For events at the Event Center conducted by the City's liquor vendor, the City Administrator may issue one permit for multiple events for up to one month. For the purposes of this section, the Event Center shall include the Arena, the Exhibit Hall and the Belle Mehus Auditorium.

2. An application for a special permit must be filed by a licensee in the office of City Administration. The application shall contain the name of the licensee, the type of event for which the permit is desired, the specific location at which the event will take place including a diagram of the area to be licensed, and the dates and times for which the permit is desired. Before approval by the City Administrator, the application must first be approved by the Chief of Police. The Board of City Commissioners may establish rules to regulate and restrict the operation of event permits. If the City Administrator denies the application for a special permit, the denial may be appealed to the Board of City Commissioners.

3. The licensee is responsible for posting, at all entrances and exits, a sign informing the public of the general content of N.D.C.C. Section 5-01-08 and City of Bismarck ordinance 6-07-07.

4. Applications submitted pursuant to this section must be submitted at least 7 days prior to the first day of the event.

5. A fee of \$30.00 must be paid at the time the application is filed. If the application is for more than one permit for a reoccurring event for consecutive days at one location, the fee shall be \$120. For an application by the City's liquor vendor at the Event Center, the fee shall be \$100 per one-month for each event permit. Applications for a special permit submitted less than 7 days prior to the first day of the event may be considered and approved upon payment of a late fee of \$30.00.

Reference: N.D.C.C. 5-02-01.1

6. The permit may authorize an individual under twenty-one years of age to attend the event, but may not authorize the consumption or possession of an alcoholic beverage by an individual under twenty-one years of age provided the area where an individual under twenty-one years of age may remain may not be the qualified alcoholic beverage licensee's fixed or permanent licensed premises as shown on the licensee's state and local alcoholic beverage licenses issued pursuant to NDCC Section 5-02-01 and City Ordinance 5-01-06.

City of Fargo

Section 25-15

A Class "E", in the nature of a special serving permit, shall authorize the holder of an existing "off-sale" license to hold wine and sparkling wine demonstrations and tastings on such premises as may be designated in the Class "E" license subject to the following restrictions and conditions:

- a. A Class "E" license issued under this section may be issued only to persons currently holding a Class "B" license.
- b. A Class "E" license issued under this section may be issued for a period of time not to exceed 14 days, and may include Sundays.
- c. Except as otherwise provided, a Class "E" license shall not include days or times when sale of alcoholic beverages is prohibited by state law and/or city ordinances.
- d. Only wine or sparkling wine may be served under the Class "E" special serving permit.
- e. There shall be no charge of any kind made by the Class "B" license holder.
- f. The Class "E" special serving permit issued hereunder shall be only for events held by governmental, fraternal, or other regularly organized non-profit groups or societies.

City of Grand Forks

Class 11. Special or limited license.

- (1) In accordance with N.D.C.C. § 5-02-01.1, the Grand Forks City Council may issue special or limited licenses to existing on-sale, off-sale, or on- and off-sale license holders authorizing the sale of alcoholic beverages at special events designated by the license. The license may not be valid for a period greater than fourteen(14) consecutive days and may include Sundays. The license issued under this subsection shall be for allocation other than the primary place of business of the license holder. Persons under twenty-one (21)years of age may attend and remain in the area of the event, or a portion thereof only in accordance with the provisions of N.D.C.C. § 5-02-01.1 and City Code section 21-0228 (3).
- (2) In accordance with N.D.C.C. § 5-02-01.1, the Grand Forks City Council may issue special or limited licenses to existing on-sale, off-sale, or on- and off-sale license holders authorizing the sale of alcoholic beverages at a special event held at the license holder's permanent licensed premises when such licensed premises are utilized for a private function and not otherwise open to the public. Persons under twenty-one (21) years of age may attend and remain in the area of the event, or a portion thereof only in accordance with the provisions of N.D.C.C. § 5-02-01.1 and City Code section 21-0228 (3).
- (3) In accordance with N.D.C.C. § 5-02-01.1, the Grand Forks City Council may issue to a domestic winery, brewery, distillery, cidery, or meadery owner or operator a special or limited license under N.D.C.C. Ch. 5-02 to engage in the "off-sale" of wine, beer, liquor, cider, or mead at special events occurring within the City of Grand Forks as designated by the license. The license under this subsection shall be valid for no more than three (3) days per event and no domestic winery, brewery, distillery, cidery, or meadery owner or operator shall be granted more than two (2) licenses under this subsection per year. The license may be issued for a location other than the primary place of business of the license holder and to a domestic winery, brewery, distillery, cidery, or meadery owner or operator whose primary place of business is outside of the city. Any license

holder under this subsection shall be exempt from the provisions contained in Grand Forks City Code subsections 21-0206 (1)(l) and 21-0207 (4).An applicant for license under this subsection shall complete and file such application as provided by the city auditor.