

ORDINANCE NO. 2017-9

AN ORDINANCE PERTAINING TO HOURS OF BUSINESS FOR ESTABLISHMENTS SELLING NON-INTOXICATING MALT LIQUOR AND INTOXICATING LIQUOR, INCORPORATING STATE LAWS AND PROVIDING FOR PENALTIES FOR VIOLATIONS, THE CITY OF RUTLEDGE, MN

The City Council of the City of Rutledge does ordain as follows:

Section I. Closing Hours:

A. No premises licensed for the sale of intoxicating liquor and/or non-intoxicating malt liquor shall remain open for any business, between the hours of 1:30 o'clock A.M. And 8:00 o'clock A.M, on any day except as provided in this Ordinance. No person other than licensee or his employees and one person for safety as deemed by said employee or owner shall be permitted to enter or remain on the premises between the hours of 1:30 o'clock A.M. And 8:00 o'clock A.M.

B. In addition, no premises licensed for the sale of intoxicating liquor and/or non-intoxicating malt liquor shall remain open for any business between the hours of 1:30 o'clock A.M. Sunday and 8:00 o'clock A.M. Monday, and no person other than the licensee and his employees shall be permitted to enter or remain upon the premises between the hours of 1:30 o'clock A.M. Sunday and 8:00 o'clock A.M. Monday, except that if licensee has a special Sunday on-sale license such premises may remain open for business and be open to the public between the hours of 8:00 o'clock A.M. on Sunday and 1:30 o'clock A.M. Monday morning.

C. Further, no intoxicating liquor and/or non intoxicating malt liquor shall be available for consumption and/or consumed by any person in an establishment licensed to sell non-intoxicating malt liquor and /or intoxicating liquor between the ours of 1:30 o'clock A.M. And 8:00 o'clock A.M. on any day. In addition, no intoxicating liquor and/or non-intoxicating malt liquor shall be available for consumption or consumed by any person between the hours of 1:30 o'clock A.M. Sunday and 8:00 o'clock A.M. Monday, except that if licensee has a special Sunday on-sale license intoxicating liquor and/or non-intoxicating malt liquor may be available for consumption and consumed between the hours of 8:00 o'clock A.M. on Sunday and 1:30 o'clock A.M. Monday morning.

D. All hours and days of sale shall be in accordance with MN Statute 340A.504

Section II. Inspection

A. Licensee shall allow any peace officer, health officer, or properly designated officer or agent of the City, County or State to enter, inspect and search, without a warrant, the premises of the Licensee during business hours and/or during or at any time when Licensee, employees of Licensee or other persons are anywhere in the premises.

Section III. Statutes Adopted by Reference:

A. Except as may be modified by this Ordinance or other City of Rutledge Ordinances, Minnesota Statutes, Section 340A Liquor, relating to the matters of retail sale, distribution and consumption of alcoholic beverages, and providing for penalties for violation of said statutes, are adopted by reference and made a part of this Ordinance.

Section IV- Penalty:

A. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor unless a greater punishment is provided by Minnesota Statutes Chapter 340, and upon conviction thereof, shall be punishable according to state law. Further, imposition of a penalty shall not in any way limit the right of the City of Rutledge to suspend or revoke a license.

This ordinance shall take effect and be in force from and after passage and publication.

Rick Holm, Mayor

Passed: June 7, 2017

Attest: Lynnette Hischer, Clerk

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