

## AMENDMENT TO ORDINANCE SECTION 112

### AN ORDINANCE DEALING WITH LIQUOR REGULATIONS IN THE CITY OF BROWNS VALLEY

#### Findings.

1. The existing Ordinance concerning liquor regulations contains provisions concerning the number of liquor licenses that can be issued, as well as provisions for the City operating a municipal liquor store.
2. The City is in the process of selling the City's municipal liquor store, requiring these provisions to be changed or rendering them obsolete.
3. The Browns Valley City Council believes that it is in the best interests of the residents of the City of Browns Valley to modify its Ordinance in order to reflect the regulation of liquor within the City of Browns Valley.

#### **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS AS FOLLOWS:**

1. That Browns Valley City Ordinance Section 112.20 is hereby amended to read as follows:

“State law establishes the number of liquor licenses that a city may issue. However, the number of licenses which may be granted under this chapter for the next five years is limited to two, even though a larger number of licenses are authorized by law or election. This limitation does not apply to temporary licenses for malt beverages or wine, which are governed by M.S. §340A.410, Subd. 10, as it may be amended from time to time. At the expiration of the five years, the Council in its sound discretion may provide by ordinance that a larger number of licenses may be issued up to the number of licenses authorized by M.S. Ch. 340A, as it may be amended from time to time. If a larger number of licenses in a particular category has been authorized by a referendum held under the provisions of M.S. §340A.413, Subd. 3, as it may be amended from time to time, but not all of them have been issued, the larger number of licenses is no longer in effect until the Council by ordinance determines that any or all of the licenses may be issued. The Council is not required to issue the full number of licenses that it has available.”

2. That the first paragraph of Browns Valley City Ordinance Section 112.22 is hereby amended to read as follows:

“The Council is authorized to issue the following licenses and permits, up to the number specified in §112.20.”

3. That Browns Valley City Ordinance Sections 112.50 through 112.55, which pertain municipal liquor stores, is hereby repealed.

PASSED AND ADOPTED this 14<sup>th</sup> day of April, 2014.

BROWN VALLEY CITY COUNCIL

Brenda Bartz  
Brenda Bartz, Mayor

ATTEST:

Thomas Schmitz  
Thomas Schmitz, City Administrator

Adoption: 4/14/14 4-0  
Motion: Warren  
Seconded: Dusing  
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