

ORDINANCE NO. 131

AN ORDINANCE AMENDING ORDINANCE NO. 108: "REGULATING THE SALE OF INTOXICATING LIQUOR WITHIN THE CITY OF NEW YORK MILLS, MINNESOTA, AND ESTABLISHING A MUNICIPAL LIQUOR STORE"

THE CITY COUNCIL OF THE CITY OF NEW YORK MILLS DOES ORDAIN AS FOLLOWS:

SECTION 1.

All the provisions of the State Law as passed by the State Legislature in Special Session concluding January 6th, 1934, and all acts amendatory thereof and all acts set out in Chapter 16 pertaining to intoxication liquors, Volume 3, Mason's 1938 Supplement of the 1927 Statutes, Chapter 395 of Minnesota Sessions Laws for 1939, and Minnesota State Statute 340 relating to the sale of intoxication liquor, including construction of terms, definitions, rules and regulations, and enabling municipalities to establish and operate exclusive liquor stores, except as modified by this Ordinance, are hereby adopted and approved for the regulation and control of the sale of intoxication liquor within the City of New York Mills.

SECTION 2.

The previous ordinance 108, establishing an exclusive liquor store, both 'on sale' and 'off sale', is hereby amended to recognize the City of New York Mills as a split liquor city for on premise sale and consumption of intoxicating liquor, referred to as "on sale". The City of New York Mills will follow Minnesota State Statute 340 for the issuance of "on sale" licensing. The City of New York Mills will remain an exclusive Liquor Store for the purpose of selling, vending, and dispensing of intoxicating liquor for retail sale, referred to as "off sale".

SECTION 3.

The said Liquor Store shall be as such location as may be determined by the Council and may be either leased or owned by the Municipality. It shall be in charge of a person known as the Manager who shall be appointed by the City Council and shall be paid such compensation as the Council shall determine, subject to the approval of the Council and under such rules and regulations as it may adopt, the said Manager shall have charge of the operation of such liquor store, shall purchase such supplies as are necessary and employ such additional help as may be needed and fix the compensation of such employees. The manager and employees shall furnish surety bonds conditioned upon the faithful performance of their duties in such amounts as may be determined by the Council. All employees, including the Manager shall hold their positions at the pleasure of the Council. No minor person shall be employed in the Municipal Liquor Store.

SECTION 4.

A Municipal Liquor fund is hereby established into which all revenue received from the operation of the Liquor Store shall be paid, and from which all operating

expenses shall be paid; provided that the initial cost of rent, fixtures, salaries, stock, and general operating expenses may be paid out of the general fund of the City; but such amounts shall be reimbursed to the said general fund out of the first money coming into the liquor fund not needed for carrying on said business. Any surplus accumulation in this fund may be transferred to a debt service fund, general fund, or any fund deemed necessary by the Council and expended for any municipal purpose.

SECTION 5.

It shall be the duty of all police officers of the City to enforce the provisions of this Ordinance and to search premises and seize evidence of law violations and preserve the same as evidence against any person alleged to be violating this Ordinance.

SECTION 6.

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor.

SECTION 7.

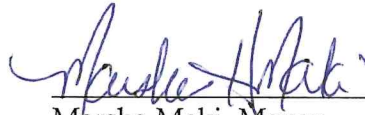
The Mayor, with the consent of the Council shall appoint a Liquor Committee of two members of said Council; and it shall be the duty of said Liquor Committee to advise and direct the manager, generally.

It shall be the duty of the City Clerk to report monthly on the financial status of the business of the Liquor Store.

SECTION 8.

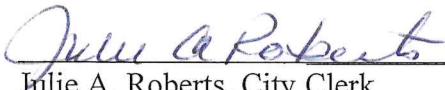
This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 13th day of July, 2021.



Marsha Maki, Mayor
City of New York Mills, Minn.

Attest:



Julie A. Roberts, City Clerk