

**410.13 Bottle Clubs.**

- (A) **Permit required.** No person, business establishment or club which does not hold a license described in §410.02 may directly or indirectly allow the consumption and display of intoxicating liquor or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit from the Department of Public Safety as provided in M.S. §340A.414, as it may be amended from time to time, and the approval of the City Council.
- (B) **Permit fee.** Every establishment or club desiring to allow consumption or display of intoxicating liquor, as provided in division (A) of this section, shall on or before December 10 of the year prior to the calendar year for which the permit is sought, pay to the City Treasurer an annual fee in the amount of \$300.00 and shall be issued a written receipt therefore. The written receipt shall be posted in some conspicuous place upon the premises alongside the permit issued by the Department of Public Safety.

**410.14 Sunday licenses.** By authorization of a special election held on September 12, 1995, the governing body of the City of Princeton may by this chapter authorize a holder of an on-sale intoxicating liquor license to apply for a special license allowing the sale of intoxicating liquor on Sunday for consumption on premises in accordance with M.S. §340A.504, Subd. 3, as it may be amended from time to time.

**Chapter 411 - Consumption of Liquor – Social Hosting**

**411.01 Authority.** This ordinance is enacted pursuant to Minn. Stat. §145A.05 Subdivision 1.

**411.02 Definitions.** For purposes of this ordinance, the following terms have the following meanings:

- (A) “Alcohol” means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled or fermented spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
- (B) “Alcoholic beverage” means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- (C) “Event or gathering” means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (D) “Host or Allow” means to aid, conduct, entertain, organize, supervise, control, or permit a gathering or event.

- (E) "Parent" means any person having legal custody of a juvenile:
  - (1) As natural, adoptive parent, or step-parent;
  - (2) As a legal guardian; or
  - (3) As a person to whom legal custody has been given by order of the court.
- (F) "Person" means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.
- (G) "Residence" or "premises" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for an event, gathering, party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
- (H) "Underage person" is any individual under twenty-one (21) years of age.

**411.03 Prohibited Acts.**

- (A) It is unlawful for any person(s) to;
  - (1) host or allow an event or gathering;
  - (2) at any residence, premises, or on any other private or public property;
  - (3) where alcohol or alcoholic beverages are present;
  - (4) when the person knows or reasonably should know that an underage person will or does:
    - (i) consume any alcohol or alcoholic beverage; or
    - (ii) possess any alcohol or alcoholic beverage with the intent to consume it; and
  - (5) the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
- (B) A person is criminally responsible for violating Chapter 411.03, (A) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.

- (C) A person who hosts an event or gathering does not have to be physically present at the event or gathering to be liable for prosecution under this Ordinance, provided their conduct falls within Section 411.03 (A) or (B).

**411.04 Exceptions.**

- (A) This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
- (B) This ordinance does not apply to legally protected religious observances.
- (C) This ordinance does not apply to duly licensed on-sale or off-sale liquor licensees, 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. §340A.503 Subd.1 (a) (1).
- (D) This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and within the scope of his or her employment.

**411.05 Enforcement.** This ordinance shall be enforced by any duly licensed law enforcement officer.

**411.06 Severability.** If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

**411.07 Penalty.**

- (A) Violation of Subdivision 411.03 is a misdemeanor, punishable by up to 90 days in jail and a fine in the amount of \$1,000.00, and
- (B) A social host shall be liable for the costs of providing enforcement services in response to an event in which minors have obtained, possessed, or consumed alcoholic beverages. Such costs include, but are not limited to, attorney's fees in the event of litigation.

**CHAPTER 412 – SALE OF LIQUOR BY CATERERS**

**412.01 Illegal Sale.** It shall be unlawful for the holder of a Caterer's Permit to sell alcoholic beverages off the holder's licensed premises in the City of Princeton, except as an incidental part of the service of prepared meals at an event sponsored by a person with whom the holder has contracted for such prepared meal service.