

# CITY OF MITCHELL

City Council Meeting  
Agenda Item Request



*The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting*

Meeting Date Requested:  Requested By:

Desired Action of City Council:  Authorization  Approval  Resolution  
 Ordinance  Citizen Request  Discussion

Amount Budgeted in current fiscal year for this item (if applicable):

Agenda Item:

Explanation/Background of Agenda Item Requested:

This ordinance will update several provisions of our liquor control ordinances.

The first amends our approach to open containers of alcohol. This reorganizes and clarifies the areas where open containers are allowed, disallowed, or allowed under certain conditions. It starts by broadly prohibiting the sale service for consumption, consumption and possession of alcoholic beverages in public places. The next portion lays out a number of exceptions for that general rule.

After that, the ordinance prohibits the use of glass alcoholic beverage containers in most instances, but does have some exceptions. This was not previously in our ordinance but was added in an effort to reduce potentially dangerous broken glass from accumulating in public places.

Section 4-2-4(B) is mostly carryover from existing ordinance. It sets a general requirement that open alcohol containers stay on the premises where they were purchased. It also references the consumption permit process and council's ability to designate a container for those events.

The next section is new and is an attempt to address some covid era issues. During the shutdowns, many bars and restaurants had customers interested in purchasing an alcoholic beverage with their to go meals. This section would potentially allow that to happen along with a couple other narrow situations. Basically, we would allow the licensee to seal an alcoholic beverage container for to go purposes and we would not consider that to be a violation of our ordinance. The seal needs to prevent consumption and show clear evidence for if it is broken. The licensee would also need to do this in a way that does not violate state law.

The last change deals with allowing bars to have staff members who are 18 or older but not yet 21. This has been allowed under state statute but our existing ordinance would not allow for it. This change just makes our ordinance consistent with state law on that point.