

**RESOLUTION AMENDING PENALTY/STRIKE MATRIX FOR
LIQUOR LICENSES**

WHEREAS, on December 12, 2016, the City Council for the City of Mankato adopted an ordinance recreating Chapter 4, relating to Liquor and Beer Licensing and Regulations; and

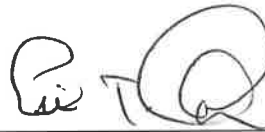
WHEREAS, as part of Section 4.15, Sanctions; Suspension or Revocation, the City adopted the attached matrix for determining penalties and strikes for liquor violations; and

WHEREAS, the attached Penalty/Strike Matrix replaces Resolution 16-1212-272, relating to the Civil Penalties and alcohol compliance violations as it has been amended to include liquor license agreements.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mankato that the attached Penalty/Strike Matrix for Liquor licenses be and hereby is adopted.

This Resolution shall become effective upon its passage and without further publication.

Dated this 14th day of September, 2017



Eric T. Anderson
Mayor

Attest:


Renae Kopischke, CMC
Executive Secretary

Penalty Strike Matrix

Strike	Penalty
1 st Strike within 1 year	\$500 Civil Penalty
2 nd Strike within 1 year	\$1,000 civil penalty and Problem Solving Conference
3 rd Strike within 1 year	\$2,000 civil penalty and City Council review
4 th Strike within 1 year	City Council review

Nothing precludes the City from seeking criminal charges and penalties in addition to civil penalties for violations. Additionally, nothing precludes the licensee from being brought before the council for review at any time based on the severity of the violation(s) of statute, ordinance, rule or the liquor agreement.

Penalty Strike Matrix

Violation Guide

The following violations of a liquor license agreement, city ordinance or state law may result in a review and possible sanctions against the liquor license.

The following violations will result in the following process:

- The first violation of these offenses will result in a warning to the license holder.
- The second violation of these offenses within 12 months of the first violation will result in a ½ strike.
- The third and any subsequent violations within 12 months of the first strike will result in 1 strike.
 - Occupancy Violations
 - Failure to clean rubbish outside of establishment
 - Failure to maintain dumpster/garbage receptacle
 - Non-compliance with conditions for non-enclosed premises license
 - Non-compliance with conditions for temporary non-enclosed premises permit
 - Failure to correct non-life safety Fire or Building Code Violations

The following violations will result in 1 strike:

- The first violation of these offenses will result in 1 strike. *There will be no warnings given.*
 - Allow liquor off premises
 - Allowing an obviously intoxicated employee on duty to be over .04 blood alcohol content
 - Failure to meet required security staffing levels
 - Illegal gambling
 - Failure to pay civil penalty as directed
 - Fail Compliance Check
 - Sale to Minor
 - Serve an obviously intoxicated person
 - Failure to post required signs
 - Fail to make the liquor license agreement available to the employees
 - Failure to notify DPS of high occupancy special event
 - Failure to turn over confiscated driver's licenses to DPS
 - Failure to follow conditions relating to drink specials
 - Failure to obtain a permit to co-mingle, when required
 - Fail to have manager or local contact on premises
 - Violate liquor license agreement, and/or other city ordinance or state law relating to the sale of alcohol

The City reserves the right to assign or not assign strikes and/or to issue warning before a strike at its discretion. Nothing precludes the City from seeking criminal charges in addition to civil penalties for violations.

The City Council may review a liquor license at any time based on the severity or frequency of the violation(s) of statute, ordinance, rule or the liquor agreement.