

# City Council Item

March 13, 2023



<b>Item</b>	Ordinance XXX: Amending City Code Chapter 2, Administration, adding Code Enforcement Specialists to Enforcement of City Code, Chapter 10, Licenses, Permits and Miscellaneous Business Regulations removing the 30-day period for temporary liquor licenses, and Chapter 14, Parks and Recreation Concerning Animals in City Parks	
<b>File No.</b>		<b>Item No:</b> E.10
<b>Agenda Section</b>	<b><u>CONSENT AGENDA</u></b>	
<b>Prepared By</b>	Kim Meuwissen, City Clerk	
<b>Reviewed By</b>	Laurie Hokkanen	

<b><u>SUGGESTED ACTION</u></b>	
"The Chanhassen City Council adopts an ordinance amending City Code Chapter 2, Administration, Chapter 10, Licenses, Permits and Miscellaneous Business Regulations, and Chapter 14, Parks and Recreation."	
<b>Motion Type</b>	Simple Majority Vote of members present
<b>Strategic Priority</b>	N/A

## **SUMMARY**

## **BACKGROUND**

### **City Code Section 2-20 Enforcement of City Code.**

With the addition of the Code Enforcement Specialist position, Law Enforcement requested that Section 2-20 of the City Code be amended to include *code enforcement specialists* in the list of personnel authorized to institute in the name of the city any appropriate actions, civil or criminal, including the issuance of a citation in lieu of arrest against a person, firm or corporation who violates any provision

of this City Code or the Minnesota Statutes. The proposed amendment reads as follows:

The city manager or city manager's designee, peace officers, part-time peace officers, reserve officers, **code enforcement specialists**, community service officers, community development director, building official, public works director, fire inspector officers within their job descriptions or as otherwise authorized by ordinance, are expressly authorized to institute in the name of the city any appropriate actions, civil or criminal, including the issuance of a citation in lieu of arrest against a person, firm or corporation who violates any provision of this City Code or the Minnesota Statutes. Pursuit of one remedy shall not bar or act as a limitation on any other remedy the city may have at law.

#### **City Code Section 10-19(h)(3)(c) Temporary On-Sale Intoxicating Liquor Licenses.**

In 2022, the legislature passed a [new law that makes changes to liquor licenses and rules](#). Prior to this change, municipalities were restricted from issuing more than one temporary license for any one organization or political committee, or for any one location within a 30-day period. The 30-day restriction has now been removed and city code needs to be amended to align with this change as follows:

~~**e. — Not more than one temporary license may be issued to any one organization or registered political committee, or for any one location, within any 30-day period.**~~

#### **City Code Section 10-29(l) Small Brewer Off-Sale License.**

As part of 2022 liquor law changes referenced above, references to state statutes were added for Small Brewer Off-Sale Licenses. City code needs to be amended to add those references as shown below:

(l) Small Brewer Off-Sale License. May be issued to a brew pub or brewery licensed under Minn. Stat. Section 340A.301, subdivision 6, clause (c), **(d)**, (i), or (j) for the off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer as provided in Minn. Stat. 340A.24, 340A.28, **and** 340A.285 **and 340A.29**.

(1) Small Brewer Off-Sale License holders are allowed Sunday off-sale as provided in Minn. Stat. 340A.24, **and** 340A.28, **and** 340A.285, **and 340A.29**. No Sunday off-sales are allowed before 10:00 a.m. or after 10:00 p.m.

#### **City Code Section 14-65(a) Animals.**

A resident brought to our attention that the language in this section of the city code was unclear. The proposed amendment changes the word "excluding" to "including" as shown below.

(a) Except as provided in subsection (b) below, no person shall be permitted to take any animal, **excluding including** but not limited to dogs and cats, into a park. This prohibition shall not apply to properly harnessed or leashed service animals, from a recognized service training program, assisting totally or partially blind or deaf persons or persons with a physical or sensory disability, or to a dog used by law enforcement officers, or persons training a dog or other animal to be a service animal or in rescue action.

#### **DISCUSSION**

**BUDGET**

N/A

**RECOMMENDATION**

Staff recommends city council adopt the subject ordinance as outlined in the above staff report.

**ATTACHMENTS**

[Draft Ordinance](#)