

Server Licensing

WHY REQUIRE SERVER LICENSES?

- Employees at alcohol outlets often sell and serve alcohol to underage youth and to intoxicated patrons.
- By requiring that individuals who serve or sell alcohol be licensed, the city gains additional authority to regulate, revoke, or suspend the license if the employee sells to underage youth.

SUMMARY: SERVER LICENSE ORDINANCE

The proposed ordinance requires that all persons employed to serve, deliver or sell alcoholic beverages possess a personal server license. This places responsibility directly on the employee to comply with state and local laws regarding alcohol since the license may be suspended or revoked if the server violates these laws. This license is granted to the employee and is not attached to a specific employment situation. If a person changes employers the license remains valid in the new position.

This ordinance is based on Minnesota Statute §340A.50 and Bloomington, MN Ordinance §13.56.

Proposed Ordinance

SERVER LICENSING

Section 1. Requirements.

1. No person shall work as a manager, bartender, waiter, waitress, clerk, delivery person, or in any other capacity where such person may sell, serve or deliver alcoholic beverages in or from premises licensed under [insert citation to all municipal liquor licenses], and no licensee shall permit any such person to be so employed, unless such person, within seven (7) days after being first employed, shall apply for a license to engage in such business. No person may be so employed for any length of time if the applicant's license is denied or revoked.

Section 2. Application and Fees.

1. An application for such license shall be submitted to the issuing authority upon forms provided by the issuing authority, and such application shall be verified under oath and shall contain the following information:
 1. A concise history of the applicant's previous employment, including employer's name, address, and dates of employment;
 2. Residence addresses for past two (2) years;
 3. Present employer for liquor sales and dates of employment;

4. Conviction of crimes other than traffic offenses;
 5. Social security number;
 6. Home phone number;
 7. Personal information: A. Weight; B. Height; C. Color of eyes; D. Color of hair;
 8. Date of birth;
 9. The city-approved server training class applicant intends to complete within the following ninety (90) days.
1. Within one hundred (100) days of the initial application for a server license the licensee shall provide evidence of completion of the server training class. The licensing authority shall revoke the license after one hundred (100) days of the initial application if such evidence is not provided. The licensing authority may grant a probationary extension for hardship reasons.
 2. The original license and renewal fees shall be fifteen dollars (\$15) and shall be paid at the time of application. The licenses shall expire on every second anniversary of the date of application and shall be renewed at that time.
 3. All original and renewal applications shall be referred to the issuing authority, which shall investigate the facts. If the issuing authority denies the license, the applicant, upon request to the issuing authority within thirty (30) days of receipt of the denial notice, shall be entitled to a hearing before the City Council and may offer evidence to prove the license should be issued.
 4. The City may deny issuance of a license if it appears that the applicant has been convicted of any crime that is directly related to the occupation herein licensed, as defined by Minnesota Statutes Section 364.03(2), and if the person has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of the occupation to which this license applies, as defined by Minnesota Statutes Section 364.03(3).

Section 3. Penalties.

1. Any license issued hereunder may be suspended or revoked for any violation of this ordinance or Minnesota Statutes Section 340A.101 - 340A.907, or for any conviction of a crime deemed to be directly related to the occupation licenses as defined by Minnesota Statutes Section 364.03(2). This ordinance shall take effect within _____.