

Home Delivery of Alcohol

Why regulate or ban the home delivery of alcohol?

- Home delivery of alcohol allows underage youth and intoxicated persons to obtain alcohol without risking public exposure.
- Employees of liquor retailers may have less incentive to check for proper identification and follow other responsible beverage service practices when they are away from the licensed establishments.

SUMMARY: HOME DELIVERY OF ALCOHOLIC BEVERAGES ORDINANCE

There are two optional ordinances.

1. The first proposed ordinance bans all delivery of alcoholic beverages to a residential address.
2. The second proposed ordinance regulates home delivery by requiring that the person making the delivery record specific information that must be maintained on the premises of the licensed liquor establishment for one year.

The second ordinance is based on Chapter 7517.0580 of Rules of the Minnesota Department of Public Safety Liquor Control Division and Bloomington, MN Ordinance §16.15(e).

Proposed Ordinance

HOME DELIVERY OF ALCOHOLIC BEVERAGES

[TOTAL BAN]

Section 1. Prohibition.

No licensee authorized under [insert citation to liquor license ordinances] shall deliver any alcoholic beverage to a residential address.

Section 2. Penalties.

The penalties for violation of this ordinance shall be as follows:

1. for the first violation, a fine not exceeding fifty dollars (\$50).
2. for the subsequent violation, a fine not less than one hundred dollars (\$100) but not exceeding seven hundred dollars (\$700), and/or suspension of license(s) granted under [insert citation to on-sale liquor license ordinance] for ten (10) days.

This ordinance shall take effect immediately.

OR

[REGULATORY APPROACH]

Section 1. Prohibition.

No off-sale establishment licensed under [insert citation to municipal off-sale liquor license ordinances] shall deliver or permit any employee to deliver any alcoholic beverages without:

1. Determining that the person receiving such beverage is of legal age to purchase and consume alcoholic beverages under MS §340A.503; and
2. Obtaining an invoice signed by the person receiving such beverage. The invoice shall state the names and addresses of the seller and person receiving the delivery, the quantity and brand of the beverage delivered, and the time, date, and place of delivery. The invoice shall be kept by the off-sale licensee for a period of one (1) year and shall be made available for inspection by the license issuing authority and the City Police Department.

Section 2. Times and Amount of Delivery.

No off-sale licensee under [insert citation to municipal off-sale liquor license ordinances] shall deliver or permit any employee to deliver to a residential address:

1. between 6:00 p.m. and 8:00 a.m.; and
2. more than [amount].

Section 3. Penalties.

The penalties for violation of this ordinance shall be as follows:

1. for the first violation, a fine not exceeding fifty dollars (\$50),
2. for the subsequent violation, a fine not less than one hundred dollars (\$100) but not exceeding seven hundred dollars (\$700), or suspension of license(s) granted under [*insert citation to municipal off-sale liquor license ordinances*] for ten (10) days, or both.

This ordinance shall take effect immediately.