



City of Grand Forks
Staff Report

Committee of the Whole – October 11, 2021
City Council – October 18, 2021

APPROVED & ACCEPTED
by City Council

10/18/2021

Maureen Storstad
Maureen Storstad
City Auditor

Agenda Item: Ordinance to amend Grand Forks City Code Section 21-0228 relating to minors serving and collecting money for alcoholic beverages in a restaurant

Submitted by: Todd Feland, City Administrator

Staff Recommended Action: Review requested amendment to City Code Section 21-0228 relating to minors serving and collecting money for alcoholic beverages, which would change the age from nineteen (19) to eighteen (18) for the serving and collecting money for alcoholic beverages in a “restaurant”

Committee Recommended Action:
Motion by Weber, second by Vein to approve. Motion carried 4-1 with Dachtler dissenting.

Council Action: Motion by Weigel, second by Sande, to approve. Motion carried 5-1, with Dachtler dissenting.

BACKGROUND: Grand Forks City Code Section 21-0228 (2)(D) grants permission for the service of alcohol in a restaurant by employees between the ages of nineteen (19) and twenty-one years of age when under the direct supervision of a person twenty-one or more years of age, but does not allow the mixing, dispensing or consuming of alcoholic beverages by the employee.

A request has been made for an amendment of this section of City Code to change the age from 19 to 18. ND Century Code 5-02-06 lists a minimum age of 18 for service and collecting money for alcoholic beverage sales in a restaurant. Other ND cities have their ordinances aligned with Century Code allowing employees that are 18 to serve and collect money for alcoholic beverages when under the direct supervision of a person twenty-one or older. Similarly, Minnesota law also allows 18 year-olds to deliver drinks.

ANALYSIS AND FINDINGS OF FACT:

- City Code Section 21-0228(2)(D) provides that those between the ages of 19 and 21 years of age may serve and collect money for alcoholic beverages in a restaurant.
- ND Century Code 5-02-06 allows those between the ages of 18 and 21 years of age to serve and collect money for alcoholic beverages in a restaurant.
- Other ND cities have their ordinance aligned with Century Code, permitting those 18 years of age to serve and collect money for alcoholic beverages in a restaurant.
- MN law allows those 18 years of age to deliver alcohol.
- A request was received by the City to amend City Code to match Century Code and allow 18 year-olds to serve and collect money for alcoholic beverages in a restaurant.
- Making this change will also help address workforce issues in the hospitality industry

SUPPORT MATERIALS:

- Letter of Request from local business owners and The Chamber
- Draft Ordinance amending Grand Forks City Code Section 21-0228



202 North 3rd Street
Grand Forks, ND 58203-3719
701-772-7271

Received 10/6/21
(Signature)

DATE: September 10, 2021
TO: Todd Feland, City Administrator
FROM: Jeff Groven, Matt Walkowiak and Barry Wilfahrt
RE: Change Server age from 19 to 18

Dear Todd,

First, thank you and the City Council for making the changes to the City Liquor ordinance earlier this year. This has been immensely helpful and well received by both the general public and the various impacted license holders.

One additional change that would be of significant help given the current workforce shortage would be to allow 18 year olds to deliver drink orders and accept payments. Currently you must be 19 to do this. To our knowledge Grand Forks is the only city in ND that does not allow 18 year olds to do this. MN has a statewide policy to allow 18 year olds to do this.

Thanks in advance for your consideration of this change. Jeff from Buffalo Wild Wings and Chamber Board Chair, Dave Zavoral will be at the Council work session next Monday, October 11th to offer their support.

Sincerely

Barry Wilfahrt
The Chamber GF/EGF

Jeff Groven
Buffalo Wild Wings, Grand Forks

Matt Walkowiak
Ground Round

ORDINANCE NO. _____

An ordinance to amend Grand Forks City Code § 21-0228 relating to minors serving and collecting money for alcoholic beverages.

BE IT ORDAINED by the City Council of the City of Grand Forks, North Dakota, pursuant to its home rule charter, Grand Forks City Code and N.D.C.C. ch. 40-11 that:

Section 1: Amending Clause to Amend Grand Forks City Code § 21-0228.

Grand Forks City Code § 21-0228 is amended to read as follows (the amending language in bold, with deletions stricken through and additions underlined):

21-0228. - Persons under twenty-one years—Prohibited on licensed premises; exceptions.

- (2) A person under the age of twenty-one (21) is permitted in a premises licensed for the sale of alcoholic beverages subject to the following restrictions:

- (D) Except as limited in Grand Forks City Code § 21-0228(2)(E), any person who is **eighteen (18)** ~~nineteen (19)~~ years of age or older but under the age of twenty-one (21) when employed by a restaurant licensed to sell alcoholic beverages to serve and collect money for alcoholic beverages, if the person is under the direct supervision of a person twenty-one (21) or more years of age, but such person may not be engaged in mixing, dispensing, or consuming alcoholic beverages.

Section 2: Effectivity.

This ordinance shall be in full force and effect after publication thereof, as provided by law.

Brandon Bochenski, Mayor
Dated: _____

ATTEST:

Maureen Storstad, City Auditor
Dated: _____
Introduction and first reading: _____
Public Hearing: _____
Second reading and final passage and approval: _____
Approved: _____
Published: _____