

BILL NO. BL 2018-1405 (SLEDGE & SYRACUSE) – This ordinance would amend the Metro Code of Laws regarding beer and alcoholic beverages, beer permit requirements and types, purchase limitation, and location restrictions for obtaining beer permits.

This would add definitions for “Manufacturer” and “Manufacturer beer permit”. “Manufacturer” would be defined as “any person who manufactures beer on its premises.” “Manufacturer beer permit” would be defined as “a permit issued by the metropolitan beer permit board to a beer Manufacturer.” This ordinance would amend the definitions of “Authorized wholesaler,” “Wholesale beer permit,” and “Wholesaler”, excluding references to manufacturers and brewers.

Further, this ordinance would require a valid annual permit from the Metropolitan Beer Permit Board for the manufacture of beer – not just the sale of beer as currently required -- within the jurisdiction of Metro. Manufacturer’s permits would be issued to beer manufacturers “engaged in the manufacturing and storage of beer.” Further, currently no permit holder, except an authorized wholesaler, may sell or store beer within Metro, unless such beer has been purchased directly from an authorized wholesaler. This ordinance would allow an exception for “an authorized manufacturer” to sell or store beer, alongside the exception for an authorized wholesaler.

Currently, Section 7.08.090.E.3 authorizes the holders of “both” a validly issued Brewer’s Notice from the United States Alcohol and Tobacco Tax and Trade Bureau (TTB) and a validly issued on sale permit to be exempt from the minimum distance requirements for off-sale permits in Sec. 7.08.090.A upon a public hearing and adoption of a resolution receiving 21 votes from the Metro Council. This ordinance would retain the requirement of a Brewer’s Notice and remove the requirement that the holder have a validly issued on-sale permit to qualify for an exception to minimum distance requirements. In addition, the holder could request an exemption for any permit, not only the off-sale permit, set forth in MCL Sec. 7.08.090.A.

This ordinance would further add a new Subsection 7.08.090.E.7 to authorize any holder of a validly issued Wholesaler Basic Permit from the TTB to be exempt from the minimum distance requirements set forth in Sec. 7.08.090.A upon a public hearing and adoption of a resolution receiving 21 votes from the Metro Council.

The proposed changes within this ordinance have been reviewed by the Beer Permit Board without objection.