

St. Cloud city proposals target excessive drinking

BY KARI PETRIE • KPETRIE@STCLOUDTIMES.COM • FEBRUARY 28, 2010

A series of ordinances meant to take a tough stand against excessive drinking will be discussed Monday at the St. Cloud City Council meeting.

The city is considering ordinances that target people who hold parties where minors drink alcohol, prohibit some drink specials at bars, create tougher penalties for bars that serve minors and allow police to issue tickets for disruptive intoxication.

No votes will be taken at Monday's meeting.

The proposed ordinances are the latest in the city's attempt to curb excessive drinking, especially among young adults. Late-night revelers downtown take up considerable police time, and the city attorney's office estimates that 25 percent of its criminal prosecutions are for alcohol-related offenses that don't include traffic violations.

St. Cloud is not alone in its efforts.

Sherburne County Attorney Kathleen Heaney and Sheriff Joel Brott announced last week plans to crack down on adults who fail to stop underage drinking. In addition to the long-standing practice of prosecuting adults who provide alcohol to minors, the two said the county now intends to file charges against adults who could have stopped underage drinking but didn't.

In St. Cloud, residents of the south side have formed organizations with younger neighbors in hopes of limiting damage caused by people walking home after bars close.

St. Cloud State University has started numerous programs to provide alternatives to drinking and included deterrents to underage drinking in its student conduct code.

The proposed ordinances were created in response to concerns raised by St. Cloud State University and Neighborhood University Community Council.

St. Cloud State President Earl H. Potter III said he's in favor of the proposed ordinances because excessive drinking among students is a concern for university officials. He noted that recently an underage student with a blood-alcohol level at .40 was found on a Mississippi River bank by a passer-by. That is five times the legal limit for driving, .08.

"There's a pattern," Potter said. "If they have drinking problems, they very likely have academic problems."

Host ordinance

The first proposed ordinance is a social host ordinance that would prohibit hosting, permitting, aiding or allowing the consumption of alcohol by minors on private and public property. There is an exception for parents or guardians who are actively guiding and supervising their children.

The proposal expands on state law that prohibits the sale of alcohol to people younger than 21. City documents say it is difficult for police to prove who purchased or provided alcohol.

Consumption

The second proposed ordinance is billed as promoting responsible consumption. An existing city ordinance prohibits all-you-can-drink specials from 9 p.m. to 2 a.m. The proposal seeks to get bar owners to "promote responsible alcohol consumption" during all business hours, according to city documents.

City documents point to a 2009 "move-in day" special that the city saw as offering food and drink specials targeting incoming students and not promoting responsible drinking. The specials started in the morning and ran all day and did not violate the current ordinance.

Such a special would violate the proposed ordinance. The proposal also seeks to prevent drinking games where a participant must drink alcohol to win prizes or as a penalty.

Provisional licenses

Another proposed ordinance creates a provisional license that would be given to a liquor establishment that has three violations for serving alcohol to a minor.

Currently the ordinance imposes penalties for violations within an 18-month time period. The proposal would lengthen the violation time to 24 months.

The proposal allows for a suspension or revocation of the liquor license after a third violation, with the establishment then eligible only for the one-year provisional license.

Under the provisional license, a business would have to have a written mitigation plan and undergo more frequent compliance checks, and they would be restricted from offering drink specials and promotions.

Any violations that occur while a business has a provisional license would result in license revocation.

Public disturbance

Another proposed ordinance would prohibit conduct by an intoxicated person who creates a public disturbance.

The proposed ordinance targets behavior that is commonly observed during move-in day, homecoming weekend and on weekends when people walk to bars downtown from the south side.

Although some of the conduct could be charged through another ordinance or state statute, city documents say the ordinance is designed to target lower-level behavior where an officer would rather issue an administrative citation rather than a ticket and summons to court.

Times staff writer David Unze contributed to this report.

<http://www.sctimes.com/article/20100228/NEWS01/102280019/St.-Cloud-city-proposals-target-excessive-drinking>