



City of South St. Paul

125 Third Avenue North
South St. Paul, MN 55075
www.southstpaul.org

Office of the City Clerk

APPLICATION /INVESTIGATION FORM FOR LIQUOR LICENSE

Dear Applicant,

Thank you for your interest in obtaining a Liquor License with the City of South St. Paul. All City application materials must be completed and received before your application may be processed. Upon receipt of your completed application, the Police Department will conduct an investigation.

After the investigation is completed, a date is set for the City Council to hold a Public Hearing where they will take action to approve or deny the license. Once that date is set, City ordinance requires that Notice of the Public Hearing be published at least ten (10) days prior to that hearing. Please be aware that the entire approval process may take four (4) to ten (10) weeks to complete.

Enclosed you will find the various forms which you will need to complete. A checklist of all materials you must provide with your application is also included to assist you in organizing your application. Copies of the Alcoholic Beverages ordinances are also included.

All fees are due at the time the application is filed with the city. In addition to the license fee, a non-refundable investigation fee of \$100.00 (individual/Single Applications), \$200.00 (Partnership Applicant) or \$300.00 (corporation Applicant) is required. In the event your license is denied, the investigation fee will be retained by the City. The annual license fee will be refunded.

If you have any questions about the licensing process, please feel free to contact me at either dwerner@southstpaul.org or (651)554-3204.

Sincerely,

Deanna Werner
City Clerk

Application Requirements:

1. Completed License Application
2. Liquor Liability (Dram Shop) Requirements: According to Minnesota Statutes 340.09 and City Code, an applicant must provide the City of South St. Paul with a certificate of insurance with liability limits of at least:
 - \$50,000 of coverage because of bodily injury to one person in any one occurrence
 - \$100,000 of coverage because of bodily injury to two or more persons in any one occurrence
 - \$100,000 of coverage to or destruction of property of others in any one occurrence
 - \$50,000 of coverage for loss of means of support of any one person in any one occurrence
 - \$100,000 of coverage for loss of means of support of two or more persons in any one occurrence
3. A liability insurance policy must provide that it may not be canceled for any cause, except for non - payment of premium, by either the insured or the insurer unless the canceling party has first given 30 days notice in writing to the issuing authority of intent to cancel.

Insurance certificates must have the licensed Corporation Name and DBA (doing business as), and the licensed address listed on the certificate. The insurance certificate date must run concurrent with the license. Copies transmitted by fax machine are acceptable. (Fax Number: 651-554-3201)
4. Proof of alcohol awareness training.
5. License Fees
6. Business Plan

**ALL ITEMS MUST BE SUBMITTED BEFORE
ISSUANCE OF LIQUOR LICENSE**

Fees and Charges for Alcohol Related Licenses

Beer

Beer 3.2 On Sale	\$150
Beer 3.2 Off Sale	\$50
Beer 3.2 On Sale Temporary	\$50 Per Day

Liquor

Liquor License Applicant Investigative Fee (Single)	\$100
Liquor License Applicant Investigative Fee (Partnership)	\$200
Liquor License Applicant Investigative Fee (Corporation)	\$300
Off Sale Intoxicating	\$380
On Sale Intoxicating	\$3,100
On Sale Intoxicating - Sunday	\$200
On Sale Wine	\$500

Club On Sale Intoxicating License (Based on Membership)

- Under 200 Members	\$300
- Between 201 and 500 Members	\$500
- Between 501 and 1,000 Members	\$650
- Between 1,001 and 2,000 Members	\$800
- Between 2,001 and 4,000 Members	\$1,000
- Between 4,001 and 6,000 Members	\$2,000
- Over 6,000 Members	\$3,000

Other Alcohol Licenses

Temporary On Sale Liquor	\$50 Per Day
Woog Arena Liquor Permit	\$75 Per Day
Woog Arena 3.2 Malt Liquor Permit	\$75 Per Day
Consumption and Display Permit (Annual)	\$300
Consumption and Display Permit (One Day)	\$25
On Sale Brewer Taproom	\$500
On Sale Brew Pub	\$300
Off Sale Brew Pub	\$200
Cocktail Room	\$300



City Clerk's Office

City of South St. Paul Intoxicating Liquor or Wine License Application

Year: _____

Section 1

If applicant is an individual, it shall be completed by such person; if a corporation, by an officer; if a partnership; by one of its general partners.

1. Type of applicant:
_____ Corporation _____ Partnership _____ Individual _____ Other

2. Legal name of licensee (Individual, partnership, corporation, organization or club) _____
Address _____
Phone (____) _____

3. Business name _____ Phone (____) _____
Address _____

*If business is to be conducted under a designation, name or style other than the name of the applicant, **attach** a certified copy of the Certificate of Assumed Name as required by Minnesota Statutes. **Attach** a list of owners and their respective percentages totaling 100 percent.*

4. Minnesota Business Tax ID Number (per Minnesota Statute 270C.72) _____ Applicant's Social Security Number _____
Federal Business Tax ID Number _____ (Required by MN Statutes 270C.72)

5. Proof of **Workers' Compensation Coverage**:
Insurance company name: _____ Dates of coverage: _____
Policy number/Self-insurance permit number (Per Minnesota Statutes Section 176-182) _____
I am **not** required to have workers' compensation liability coverage because:
_____ I have no employees covered by the law _____ Other (Specify on the reverse side)

Notice: You must apply for and obtain a federal liquor dealer's Special Tax Stamp issued by the U.S. Bureau of Alcohol, Tobacco and Firearms.

Notice: You must apply for and obtain a Minnesota retailer's identification card (Buyer's card) issued by the Minnesota Department of Public Safety, Liquor Control Division.

Section 2: Type of applicant

Complete only one number in this section. Refer to question 1 for type of applicant

6. **Individual**

Full name _____ Position _____

Residence address _____ Phone (____) _____

August 28, 2009

7. **Partnership.** *If applicable, complete this question for general and limited partners, then proceed to Section Part II*
Personal History form is required for each general partner.

Full name _____ Position _____

Residence address _____ Phone (____) _____

Full name _____ Position _____

Residence address _____ Phone (____) _____

8a. **Corporation/Club/other organization officers.** *If applicable, complete 8a, 8b and 8c, then proceed to Section 3.*

Corporation Address:

_____ State of incorporation/association _____
_____ Phone (____) _____

8b. **Officers of corporation/other organization** *A Part II Personal History form is required from each officer.*

President

Full name _____ Position _____

Residence address _____ Phone (____) _____

Vice President

Full name _____ Position _____

Residence address _____ Phone (____) _____

Secretary

Full name _____ Position _____

Residence address _____ Phone (____) _____

Treasurer

Full name _____ Position _____

Residence address _____ Phone (____) _____

CORPORATIONS MUST SUBMIT A TRUE COPY OF CERTIFICATE OF INCORPORATION, ARTICLES OF INCORPORATION, OR ASSOCIATION AGREEMENT AND BYLAWS AND, IF A FOREIGN CORPORATION, A CERTIFICATE OF AUTHORITY AS DESCRIBED IN MINNESOTA STATUTES CHAPTER 303

8c. All persons who singly or together with their spouse and parents, brothers, sisters or children, own or control an interest in said corporation/other organization in excess of five (5) percent must also complete a Part II Personal History form for each individual.

**Section 3: Persons in charge of licensed premise
The Part II Personal History must be completed and filed with this application by
each person in this section**

9. General manager, proprietor, food/beverage manager, managing partner, or any individual in charge of the licensed premises.

Full name _____ Position _____

Residence address _____ Phone (____) _____

Full name _____ Position _____

Residence address _____ Phone (____) _____

Full name _____ Position _____

Residence address _____ Phone (____) _____

10. Does the current manager have management duties at any other establishment? Yes No

If yes, list name and address of establishment.

**Section 4. Building ownership
All applicants complete this section**

11a. Is building where licensed business will be located owned by applicant (individual partnership, corporation or other organization)? Yes, complete question 11a-e
 No, proceed to question 12

Date purchased _____ Purchase price \$ _____ Down payment \$ _____

Name of person purchased from _____

Address of above person _____

11b. Is there a mortgage? Yes No Amount \$ _____

Mortgage holder _____

Address _____

Term of mortgage _____ Rate of Interest _____

11c. Is there a contract for deed (C.D.)? Yes No Amount \$ _____

C.D. Holder _____

Address _____

Term of C.D. _____ Rate of Interest _____

11d. Amount of the monthly payment at which mortgage and/or C.D. is being liquidated. \$ _____

11e. Are the payments on the mortgage and/or C.D. up-to-day? Yes No

12. Is the building where licensed business will be located owned by someone other than the applicant? Yes, complete question 12
 No, proceed to **SECTION 5**

Full Name _____

Residence Address _____ Phone (____) _____

Business address _____

Attached a copy of lease agreement.

13. List all persons other than the applicant, who have any ownership, in whole or in part, in the business, buildings, premises, fixtures, furniture or stock in trade. This shall include, but not limited to, any lessees, lessors, mortgages, mortgagors, lenders, lien holders, trustees, trustors and persons who have co-signed notes or otherwise loaned, pledged, or extended Security for any indebtedness of applicant.

Full Name _____

Residence Address _____ Phone (____) _____

Full Name _____

Residence Address _____ Phone (____) _____

Section 5: Premises
All applicants complete this section

If the premises is planned, under construction or undergoing alteration, the application shall be accompanied by a set of preliminary plans showing the proposed design.

14. Legal description of premises to be located. Submit survey showing dimensions, building locations, street access, parking facilities and location.

15. State the floor number, general area and all rooms where intoxicating liquor is to be sold and consumed.
Attached a floor plan showing dimensions and indicating number of persons intended to be served in the said rooms.

16. How is the premises zoned under the South St. Paul Zoning Code? _____

17. Are any of the following taxes or charges for the licensed premises unpaid or delinquent?

State sales taxes Yes No

State withholding taxes Yes No

Real estate taxes Yes No

City utility bills Yes No

Special Assessments Yes No

Section 6: Off Sale Intoxicating Liquor
Fill out this section if applying for an off sale intoxicating liquor license

18a. Are deliveries made? Yes No

If yes, state if delivery receipts are on file on the licensed premises and how long the receipts are kept:

18b. Do you hold an interest in any other liquor establishment in the State of Minnesota?

Yes No

If yes, give name of establishment and location:

18c. If necessary, where do you store the liquor off the licensed premises? List warehouses and address.

Section 7: On Sale Club License
Fill out this section if applying for an On Sale Club License

19. How many members are in the club? _____

Section 8: Alcohol Training

Licensee has provided training to all employees selling or serving liquor to customers, and such training includes information that the sale of liquor to minors is illegal, what proof of age is legally acceptable, and that a sale to a minor can subject the employer and the employee to criminal and/or civil penalty.

____ Yes ____ No

As per City Code, proof of training must be submitted along with the application.

Failure of a licensee to meet these conditions shall result in suspension of the license until the condition is met.

Notice and notarized signature

The data on this form will be used to approve your license. Some requested data is private. Private data is available to you and the City or State staff who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license if you do not provide it.

I have received from the City of South St. Paul a copy of the Municipal City Code dealing with Alcoholic Beverages and will familiarize myself with the provisions contained within them.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers on this application will result in denial of the application. I authorize the City of South St. Paul to investigate and make whatever inquiries that are necessary to verify the information provided.



X _____
Applicant signature

X _____
Applicant signature

Subscribed and sworn to before me, a Notary Public,
on this _____ day of _____, _____. Commission expires on _____

Notary Public

Remit to:

**Office of the City Clerk—License Division
125 Third Avenue North
South St. Paul, MN 55075
(651) 554-3200 (651) 554-3201 (Fax)**



CITY OF SOUTH ST. PAUL

**GENERAL AUTHORIZATION AND RELEASE
PURSUANT TO MINNESOTA STATUTES 13.05, SUBD. 4,
MINNESOTA DATA PRACTICES ACT**

To: _____

I, _____, hereby authorize and grant my informed consent to permit you to release to and make available to the City of South St. Paul, Minnesota, and/or its agents and/or representatives data classified as private which concerns me and which may be in your possession. The data which I authorize to be released consists of private data as defined by Minnesota Statute 13.02, Subd. 12, and has been collected by you as a result of my contacts and associations with you and/or your representatives. The information for which release is authorized includes all data which has been collected, created, received, retained, or disseminated in whatever form which in any way relates to my dealings with you or your agency. I understand that the purpose of permitting the City of South St. Paul to have access to this information is to determine by suitability for the sale of liquor within the City.

By signing this authorization, I hereby release the South St. Paul Police Department from any and all liability which otherwise may or does accrue as a result of the release of any and all data, regardless of its accuracy. I also release the City of South St. Paul from any and all liability for its receipt and use of data received pursuant to this consent.

This authorization shall be valid for a period of one year, but I reserve the right to, at any time prior to that expiration, cancel the written authorization by providing written notice to the City of South St. Paul or to you of that fact.

Signature

Date

Full Name - Printed

Date of Birth

Subscribed and sworn to be before this _____ day of _____, 20____.

_____, Notary Public

NOTICE

As required by City Code, the following inspections must be made:

- 1. Building Inspection
- 2. State Health Department Inspection

You must provide the City with the final inspection reports prior to the public hearing on the license application

Building Inspection Department

This is to certify that the premises here described have been inspected and that all laws of the State of Minnesota and Municipal Ordinances have been complied with, except as herein stated, if any:

Name of Applicant _____

Business Location _____

Approved _____ Date _____
South St. Paul Building Inspector

Comments:

Attach if additional pages are required.

State of Minnesota Health Department

This is to certify that the premises here described have been inspected and that all laws of the State of Minnesota have been complied with, except as herein stated, if any:

Name of Applicant _____

Business Location _____

Approved _____ Date _____
State of Minnesota Health Department

Comments:

Attach if additional pages are required.

BACKGROUND INVESTIGATION CONSENT RELEASE

As a license applicant, I hereby give my consent for a personal background investigation, to include a criminal history check, to be used in the determination of whether my application is to be approved. The results of such investigation shall be made public pursuant to appropriate City Council approval or denial of the license application. I understand that I am under no legal obligation to consent to such investigation, but that my refusal to so consent may be the basis for denying my application.

TENNESSEN WARNING: In connection with your request for a license, the City has asked that you provide information about yourself which may be classified as private, confidential, nonpublic, or protected nonpublic under the Minnesota Government Data Practices Act. This means that this data is not ordinarily available to the general public. Accordingly, the City is required to inform you of the following:

- The purpose and intended use of the information requested is to determine if you are eligible for a license from the City of South St. Paul.
- You are not legally obligated to supply the requested information.
- The known consequences of supplying the requested information is that the information or further investigation could disclose information which could cause your application to be denied.
- The known consequences of refusing to supply the requested information is that your request for a license cannot be processed.
- A criminal charge, arrest, or conviction will not necessarily bar you from obtaining a license with the City, unless the conviction is related to the matter for which the license is sought, according to Minnesota Statute 364.03. However, failure to reveal the requested criminal information will be considered falsification of the application and may be used as grounds for the denial of the application.
- Other governmental agencies necessary to process your application are authorized by law to receive the information provided.
- The City is required by law to furnish some of this information to the Department of Labor and Industry and the Minnesota Commissioner of Revenue.

The undersigned, by signing this notice, acknowledges that he/she has read and understood the contents of this notice.

Applicant Full Name (First, Middle, Last): _____

Applicant Date of Birth (mm/dd/yyyy): _____

Date: _____

Applicant signature

*These statements are true, correct and are made with the knowledge that this information may be made public.
False disclosures are subject to perjury proceedings and forfeiture of the license application.*

Remit to:

Office of the City Clerk
License Division
125 Third Avenue North
South St. Paul, MN 55075
(651) 554-3239 (651) 554-3211 (Fax)



City of South St. Paul

Liquor/Tobacco Training Compliance

City Clerk's Office
125 3rd Avenue N
South St. Paul, MN
55075

PLEASE INDICATE TRAINING PROVIDED FOR EACH EMPLOYEE BELOW.
ATTACH ADDITIONAL SHEETS AS NECESSARY.

Please Check: Alcohol Training Tobacco Training

Full Name of Employee: _____

Date of Hire: _____ Date of Training: _____

Type/Description of Training: _____

Training Performed By: _____

Please Check: Alcohol Training Tobacco Training

Full Name of Employee: _____

Date of Hire: _____ Date of Training: _____

Type/Description of Training: _____

Training Performed By: _____

Please Check: Alcohol Training Tobacco Training

Full Name of Employee: _____

Date of Hire: _____ Date of Training: _____

Type/Description of Training: _____

Training Performed By: _____

Please Check: Alcohol Training Tobacco Training

Full Name of Employee: _____

Date of Hire: _____ Date of Training: _____

Type/Description of Training: _____

Training Performed By: _____



City of South St. Paul
 City Clerk's Office
 125 3rd Avenue North
 South St. Paul, MN 55075
 Phone: 651-554-3204 * Fax: 651-554-3201

CERTIFICATE OF FINANCIAL RESPONSIBILITY

This form must be completed and returned with City license application.

To the best of my knowledge, based upon a review of the status of the property/business located in South St. Paul at _____, I attest that the foregoing property/business is financially responsible as outlined in City code. I hereby certify that I/we are current on the following financial obligations:

Circle Answers:

- | | | |
|-----|----|--|
| Yes | No | Property Taxes Paid |
| Yes | No | Utility Bills Paid |
| Yes | No | State Taxes Paid |
| Yes | No | Federal Taxes Paid |
| Yes | No | Other governmental obligations or claims concerning me or the business entity named on this license application. |

If "NO" is circled for any of the above, describe the payment plan or other agreement approved by the applicable governmental entity.

I certify under penalty of perjury that the foregoing is true and correct.

 Print Name

 Signature

DATE: _____

**CITY OF SOUTH ST. PAUL
REQUIREMENTS FOR INSURANCE CERTIFICATES**

CERTIFICATE OF LIABILITY INSURANCE

PRODUCER Agency Address City, State, Zip	Certificate cannot be Pending, Binder or TBA	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.					
		<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:70%;">INSURERS AFFORDING COVERAGE</td> <td style="width:30%;">NAIC#</td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC#			
INSURERS AFFORDING COVERAGE	NAIC#						
INSURED The Legal/Corporate Name must match exactly (word for word) to the Approved Licensee Name (including Inc. or LLC), Trade Name (DBA), and Premise address	<table style="width:100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">INSURER A:</td></tr> <tr><td style="border-bottom: 1px solid black;">INSURER B:</td></tr> <tr><td style="border-bottom: 1px solid black;">INSURER C:</td></tr> <tr><td style="border-bottom: 1px solid black;">INSURER D:</td></tr> <tr><td style="border-bottom: 1px solid black;">INSURER E:</td></tr> </table>		INSURER A:	INSURER B:	INSURER C:	INSURER D:	INSURER E:
INSURER A:							
INSURER B:							
INSURER C:							
INSURER D:							
INSURER E:							

COVERAGES
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME ABOVE FOR THE POLICY PERIOD INDICATED.
 NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS
 CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE
 TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (ea occurrence) \$ MED EXP (any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS-COMP/OP AGG \$
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				COMBINED SINGLE LIMIT \$ (ea accident) BODILY INJURY \$ (per person) BODILY INJURY \$ (per accident) PROPERTY DAMAGE \$ (per accident)
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				AUTO ONLY-EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> NO STATU- <input type="checkbox"/> OTHER TORY LIMITS E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYEE \$ E.L. DISEASE-POLICY LIMIT \$
	OTHER LIQUOR LIABILITY		Policy dates must cover the Liquor License period of January 1 through December 31 each license year.		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER CITY OF SOUTH ST. PAUL 125 3RD AVENUE NORTH SOUTH ST. PAUL, MN 55075	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Original Signature of stamp of Agent:
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Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
DBA (doing business as name) (if applicable)	
BUSINESS ADDRESS (PO Box must include street address) CITY STATE ZIP CODE	

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)		
WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the Workers' Compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____

Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
---------------------------------	-------	------

NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198. MN LIC 04 (11/08)



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101-5133
 Telephone 651-201-7525 Fax 651-297-5259 TTY 651-282-6555

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types: 1) City issued on sale intoxicating and Sunday liquor licenses
 2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License _____ License Period From: _____ To: _____

Circle One: New License License Transfer _____ Suspension Revocation Cancel _____
(former licensee name) (Give dates)

License type: (check all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale 3.2% Off Sale

Fee(s): On Sale License fee: \$ _____ Sunday License fee: \$ _____ 3.2% On Sale fee: \$ _____ 3.2% Off Sale fee: \$ _____

Licensee Name: _____ DOB _____ Social Security # _____
(corporation, partnership, LLC, or Individual)

Zip Code _____ County _____ Business Phone _____ Home Phone _____

Business Trade Name _____ Business Address _____ City _____

Licensee's Federal Tax ID # _____
(To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Home Address _____ City _____ Licensee's MN Tax ID # _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address _____

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Yes No During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: _____ Policy # _____

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature _____ Date _____
(title)

ON SALE INTOXICATING LIQUOR LICENSEES ONLY, must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7507, or visit our website at www.dps.mn.gov.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
Telephone 651-201-7504 Fax 651-297-5259 TTY 651-282-6555

MUST BE A LICENSED BREWER IN ORDER TO APPLY FOR THIS LICENSE
Certification of an On Sale Brewer's Taproom License and Sunday License

This license only authorizes the on sale of Malt liquor produced by the brewer for consumption on the premises

Cities and Counties: You are required by law to complete and sign form to certify the issuance of the following License types: **City issued On Sale Brewer's Taproom and Sunday Liquor Licenses**

City or County Issuing Liquor License: _____ License Period From: _____ To: _____

Circle One: New License Transfer _____ Suspension Revocation Cancel _____
(Former Licensee Name) (Give Dates)

Fees: On Sale Taproom License Fee: \$ _____ Sunday License Fee: \$ _____

License Name: _____ DOB _____ Social Security # _____
(Corporation, Partnership, LLC, or Individual)

Business Trade Name _____ Business Address _____ City _____

Zip Code _____ County _____ Business Phone _____ Home Phone _____

Home Address _____ City _____ Zip Code _____

Licensee's MN Tax ID # _____ Licensee's Federal Tax ID # _____

If above named licensee is a corporation, partnership, or LLC complete the following for each partner/officer :

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home address _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home address _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home address _____

On Sale Taproom licensees must attach a certificate of Liquor Liability Insurance to this form. The Insurance Certificate

Must contain: all of the following:

Show the exact licensee name (Corporation, partnership, LLC, etc.) and business address of the location listed on the
1) license

2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Yes No During the last year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: _____ Policy # _____

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature _____ Date _____



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
445 Minnesota Street, Suite 1600, St. Paul, MN 55101-5133
Telephone 651-201-7525 Fax 651-297-5259 TTY 651-282-6555
www.dps.mn.us

Application for Optional 2 AM Liquor License

License type code: 2AM License Expiration Date _____ ID# _____
(For Office Use Only)

Licensee Name: _____

Trade Name: _____

Licensed Location Address: _____

City, State, Zip Code: _____

Business Phone: _____

If the above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Partner/Officer Name	(First Middle Last)	DOB	Social Security #	Home Address
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Partner/Officer Name	(First Middle Last)	DOB	Social Security #	Home Address
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Partner/Officer Name	(First Middle Last)	DOB	Social Security #	Home Address
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Licensee must report previous 12 month on sale alcoholic beverage gross receipts by checking one of the boxes below. Next to the box you check is your 2 AM license fee. Make check payable to: **Alcohol and Gambling Enforcement Division (AGED)**. Mail this application and check to : AGED, 445 Minnesota St., Suite 222, St. Paul, MN 55101.

- \$300 2 AM license fee - Up to \$100,000 in on sale gross receipts for alcoholic beverages
- \$750 2 AM license fee - Over \$100,000, but not over \$500,000 in on sale gross receipts for alcoholic beverages
- \$1,000 2 AM license fee - Over \$500,000 in on sale gross receipts for alcoholic beverages
- \$200 2 AM license fee - 3.2% On Sale Malt Liquor licensees or Set Up license holders
- \$200 2 AM license fee - Did not sell alcoholic beverages for a full 12 months prior to this application

Yes No Does your city or county licensing official allow the sale of alcoholic beverages until 2 AM?

City Clerk/County Auditor Signature _____ Date _____

(I certify that the city or county of _____ approves the sale of alcoholic beverages until 2 AM)

Licensee Minnesota Tax ID Number (Required) _____

Licensee Signature _____ Date _____

(I certify that I have answered the above questions truthfully and correctly)

Licensee: Prior to submitting this application to the Alcohol and Gambling Enforcement Division, it must be signed by your local city or county licensing official.

Please note that the attached Buyer's Card
Application must be returned to:

Department of Public Safety
Alcohol and Gambling Enforcement Division
444 Cedar St, Suite 133
St. Paul, MN 55101-5133

* A copy of the Buyer's Card Application
must be attached to your Liquor License
Application to the City of South St. Paul.



DEPARTMENT OF PUBLIC SAFETY
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
445 Minnesota Street Suite 1600
St. Paul, MN 55101
Phone (651) 201-7507 TDD (651) 282-6555
Fax (651) 297-5259

CARD NUMBER

(Office Use Only)

APPLICATION FOR RETAILER'S (BUYER'S) CARD FOR LIQUOR AND WINE
PLEASE RETURN THIS APPLICATION WITH FEE \$20.00

Issuing Authority	Type Code	Buyer's Card Expires	Identification #
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Print Name of Licensee (As shown on license)	Business Name (DBA)
<input type="text"/>	<input type="text"/>

Business Address	County	Business Phone
<input type="text"/>	<input type="text"/>	<input type="text"/>

City, State, Zip Code	Authorized Signature
<input type="text"/>	<input type="text"/>

Chapter 6 ALCOHOLIC BEVERAGES¹

ARTICLE I. IN GENERAL

Sec. 6-1. Consumption in public.

It is unlawful to drink or consume 3.2 percent malt liquor or intoxicating liquor, as these terms are defined in Minn. Stat. ch.340A, in or upon public streets and alleys. Intoxicating liquor may not be consumed within Wakota Arena or in other public buildings except upon prior approval of the council.

(Code 1992, § 1225.01)

Sec. 6-2. Nude dancing.

- (a) *General rule; prohibited acts.* The following acts or conduct in premises for which an on-sale intoxicating liquor, 3.2 percent malt liquor, or wine license has been issued are declared contrary to the public health, safety, and general welfare and are illegal. A violation of this section is ground for revocation of the license for the sale of intoxicating liquor, 3.2 percent malt liquor, or wine:
- (1) The employment, use, or permitting of any person to engage in the sale or service of on-sale intoxicating liquor, nonintoxicating malt liquor, or wine in the licensed premises while the person is unclothed or wearing such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, pubic hair, anus, cleft or buttocks, vulva, or genitals.
 - (2) The employment or use of the services of any hostess, performer or entertainer while such hostess, performer or entertainer is unclothed or in such attire, costume, or clothing as described in subsection (a)(1).
 - (3) The encouraging or permitting of any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.
 - (4) The permitting of any employee or person to wear or use any device or covering exposed to view, which stimulates the breast, genitals, anus, pubic hair or any portion thereof.
 - (5) The permitting of any person to perform acts of or acts which stimulate:
 - a. With or upon another person sexual intercourse, sodomy, oral copulation, flagellation or any sexual acts which are prohibited by law; or
 - b. Masturbation or bestiality.
 - (6) The permitting of any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.
 - (7) The permitting of any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.

¹State law reference(s)—Alcoholic beverages, Minn. Stat. ch. 340A; local restrictions on alcohol authorized, Minn. Stat. § 340A.509.

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- (8) The permitting of the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting:
- a. Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
 - b. Any person being touched, caressed, or fondled on the breast, buttocks, anus or genitals;
 - c. Scenes wherein a person displays the vulva, the anus, or the genitals;
 - d. Scenes wherein artificial devices or inanimate objects are employed to depict or drawings are employed to portray any of the prohibited activities described in this subsection.

(b) *Entertainer's permit.*

- (1) Any performer, entertainer, or actor whose principal acts consist of a display of the human body, minimally clothed, whose acts and entertainment consist of mingling with patrons, the display of the body by movements or gyrations, or whose acts require minimum skill and dexterity, shall, before being employed or permitted to perform in said premises be required to obtain a permit from the police department of the city.
- (2) The application for permit shall be in a form prescribed by the police department and shall contain the following information and such other information as may be required by the chief of police:
 - a. Identification of the person requesting said permit;
 - b. Address of the person requesting said permit;
 - c. Places of employment for five years preceding application for said permit;
 - d. Information pertaining to the applicant's character;
 - e. Information regarding any conviction of felonies or misdemeanors.
- (3) Only after the police department is of the opinion that the applicant is a person within the guidelines of this subsection shall a permit be issued.
- (4) Issuance of the permit is at the discretion of the chief of police, the captain, or the police officer in charge.
- (5) It is unlawful to employ an entertainer to whom a permit as required herein has not been issued.

(Code 1992, §§ 2020.01, 2020.03)

Secs. 6-3—6-19. Reserved.

ARTICLE II. 3.2 PERCENT MALT LIQUOR

Sec. 6-20. License.

- (a) *Required.* It is unlawful to sell 3.2 percent malt liquor at wholesale or retail without a license. The fee for such licenses shall be as established by chapter 26
- (b) *Definitions.* Terms used in this section have the meanings given them by Minn. Stat. ch.340A.
- (c) *Conditions.*

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- (1) On-sale licenses permit the licensee to sell 3.2 percent malt liquor for consumption on the premises. On-sale licenses will be granted only to restaurants, hotels, drug stores, and to clubs for social or business purposes or for intellectual improvement or for the promotion of sports, where the serving of such 3.2 percent malt liquor is incidental and not the major purpose of the club.
 - (2) Off-sale licenses permit the licensee to sell 3.2 percent malt liquor in the original package for consumption off the premises only.
 - (3) Temporary on-sale licenses may be granted to clubs, charitable, religious or non-profit organizations for the sale of 3.2 percent malt liquor. the term of a temporary on-sale license shall not exceed three days. The license fee for a temporary on-sale license shall be as established by chapter 26. On-sale licenses shall be subject to special terms and conditions as the council may prescribe.

(Code 1992, §§ 1200.01, 1220.03)

State law reference(s)—License required, Minn. Stat. § 340A.401; general license exemptions, Minn. Stats. §§ 340A.4011, subd. 2, 340A.403, subd. 3; licensing of 3.2 percent malt liquor, Minn. Stat. § 340A.403; general license restrictions, Minn. Stat. § 340A.410; license restrictions for 3.2 percent malt liquor licenses, Minn. Stat. § 340A.411; general license eligibility requirements, Minn. Stat. § 340A.402; retail license fees, Minn. Stat. § 340A.408.

Sec. 6-21. Doors unlocked.

The owner, agent, lessee and licensee of a premises for which an on-sale 3.2 percent malt liquor license or an on-sale liquor license has been issued must, during the hours that the premises are open for business, keep ground floor doors of the premises unlocked and unfastened.

(Code 1992, § 1225.03)

Secs. 6-22—6-45. Reserved.

ARTICLE III. INTOXICATING LIQUOR

DIVISION 1. GENERALLY

Sec. 6-46. Provisions of state law adopted.

Except as modified herein, the provisions of Minn. Stat. ch.340A, with reference to the definition of terms, application for license, granting of license, conditions of license, restrictions on consumption, provisions on sales, conditions of bonds of licenses, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor are adopted and made a part of this section as if fully set forth herein.

(Code 1992, § 1205.01)

Secs. 6-47—6-55. Reserved.

DIVISION 2. LICENSE

Sec. 6-56. Required.

A person, except a wholesaler or manufacturer to the extent authorized under state license, may not directly or indirectly deal in, sell, keep for sale, or deliver any intoxicating liquor without first having received a license to do so as provided in this division.

(Ord. No. 2011-1242, § 1, 5-2-2011)

State law reference(s)—License required, Minn. Stats. § 340A.401; general license exemptions, Minn. Stats. §§ 340A.4011, subd. 2, 340A.403, subd. 3.

Sec. 6-57. Types.

The city may issue the following types of intoxicating liquor licenses:

- (a) *On-sale intoxicating liquor license.*
- (1) On-sale intoxicating liquor licenses may be issued to the following establishments:
 - a. Hotels;
 - b. Restaurants;
 - c. Bowling centers;
 - d. Clubs or congressionally chartered veterans organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests. This license shall be known as a club intoxicating liquor license;
 - e. Exclusive liquor stores.
 - (2) On-sale licenses may be issued if the following conditions are met:
 - a. The establishment is a restaurant open to the public and serving meals on a regular basis and not less than 50 percent of the gross sales is from the serving of food. At the time of application for renewal of the on-sale license for the establishment, the applicant must submit proof, in a form acceptable to the city, that not less than 50 percent of the gross sales is from the serving of food.
 - b. In the judgment of the city council, such use is compatible with existing uses adjacent to the premises and not detrimental thereto.
- (b) *Off-sale intoxicating liquor license.*
- (1) *Issuance.* Off-sale intoxicating liquor licenses may be issued to the following establishments:
 - a. Exclusive liquor stores;
 - b. A drugstore to which an off-sale license had been issued on or prior to May 1, 1994.
 - (2) *Age verification devices.* All licensees shall be required to use age verification devices within 60 days after the license has been approved.
 - (3) *Commercial, business zoning districts.* Off-sale licenses may be issued in commercial or business zoning districts if the following conditions are met:
 - a. The property is located more than 750 feet from a school or day care, the distance to be measured from the nearest point of the property lines from one property to another;

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- b. The property is located more than 500 feet from a church, the distance to be measured from the nearest point of the property lines from one property to another;
 - c. The building in which the use is located meets all state and city building, fire, health, and sanitary codes and ordinances;
 - d. Off-street parking is provided as required by this chapter or in such amounts and locations as approved by the city council; in no case, however, shall the number of off-street parking spaces be less than that required in chapter 118; and

The minimum size for the premises devoted to the sale and display area, which must be entirely enclosed within the building, is 1,500 square feet.

(c) *On-sale wine license.*

- (1) An on-sale wine license may be issued with the approval of the commissioner to a restaurant having facilities for seating at least 25 guests at one time. A wine license permits the sale of wine of up to 24 percent alcohol by volume for consumption. A wine license authorizes the sale of wine on all days of the week unless the city council restricts the license's authorization to the sale of wine on all days except Sundays.
 - (2) An on-sale wine license may be issued with the approval of the commissioner to a licensed bed and breakfast facility. A license under this subsection (c)(2) authorizes a bed and breakfast facility to furnish wine only to registered guests of the facility.
 - (3) An on-sale wine license may be issued to a theater within the city. A license issued under this subsection (c)(3) authorizes sales on all days of the week to persons attending events at the theater.
 - (4) An on-sale wine license may be issued to an establishment that meets the requirements of subsection 6-57(a)(2).
- (d) *Sunday on-sale intoxicating liquor license.* A Sunday on-sale liquor license may be issued only to a restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license.
- (e) *Sunday on-sale taproom license.* A Sunday on-sale taproom license may be issued only to a holder of an on-sale brewer taproom license.
- (f) *Sunday off-sale malt liquor brewer license (off-sale brew pub) license.* A Sunday off-sale malt liquor brewer license may be issued only to a holder of an off-sale malt liquor brewer license (off-sale brew pub).
- (g) *Temporary on-sale liquor license.*
- (1) *General rule.* A club or charitable, religious or other nonprofit organization, including a state-registered political committee, may obtain a temporary on-sale license to sell intoxicating liquor for consumption on the premises in connection with a social event within the city sponsored by the licensee.
 - (2) *Premises.* The license may authorize sales on the premises other than that owned or permanently occupied by the licensee. If the premises is not owned or permanently occupied by the licensee, the owner of the property must provide the city with written consent for the event.
 - (3) *Caterer.* The license may provide that the licensee must contract for intoxicating liquor catering services with the holder of an on-sale intoxicating liquor license issued by any municipality. The caterer must provide the city with a valid certificate of insurance for the event.

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- (4) *Number of days per event.* The license will not authorize any temporary on-sale intoxicating liquor license for more than four consecutive days.
- (5) *Number of events per year.* The city will not authorize more than three four-day, four three-day, six two-day, or 12 one-day temporary licenses, in any combination not to exceed 12 days per year for the sale of intoxicating liquor to any one organization or for any one location within the city for a 12-month period.
- (6) *Number of events per 30-day period.* The city may not issue more than one license to any organization or political committee, or any one location, within a 30-day period unless the licenses are issued in connection with an event officially designated as a community festival by the city.
- (7) *Application.* Application for a temporary license for a club must include the following information:
- a. The names and addresses of the club's officers, and evidence of nonprofit status or of its status as a club;
 - b. The purpose for which the temporary license is sought, together with the location, dates and hours during which wine or intoxicating liquor will be sold;
 - c. Consent of the owner or manager of the premises or person or group with lawful responsibility for the premises;
 - d. Evidence that the manager or director has received alcohol awareness training pursuant to subsection 6-76(i);
 - e. All other requirements for a club enumerated in subsection 6-70(h);
 - f. A security plan approved by the police department.
- (h) *Temporary off-sale wine license.* Temporary off-sale wine licenses may be issued for the off-sale of wine at an auction with the approval of the commissioner of public safety. A temporary off-sale wine license authorizes the sale of only vintage bottled wine that is at least five years old and is of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than 600 cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by the city. Licenses are subject to all laws and ordinances governing the sale of intoxicating liquor except Minn. Stat. § 340A.409 and those laws and ordinances which by their nature are not applicable.
- (i) *Culinary class limited on-sale license.* A limited on-sale intoxicating liquor license may be issued to a business establishment: (1) not otherwise eligible for an on-sale intoxicating liquor license; and (2) that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, an amount of wine or intoxicating malt liquor not to exceed the number of ounces authorized by Minn. Stat. § 340A.4041, subd. 1., during and as part of the class, for consumption on the licensed premises only.
- (j) *Brewer licenses.*
- (1) *On-sale brewer taproom license.* A brewer licensed under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) may be issued an on-sale brewer taproom license, subject to the provisions of Minn. Stat. § 340A.26 and this section.
 - a. *Fee.* The license fee shall be paid in the amount listed in chapter 26.

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- b. *Hours of operation.* The on-sale of malt liquor may only be made during the days and hours that the sale of on-sale intoxicating liquor is permitted. A special license authorizing sales on Sunday may be issued to a holder of an on-sale brewer taproom license.
 - c. A brewer may only hold one brewer taproom license.
 - d. The license shall permit the sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to a brewery location owned by the brewer.
 - e. Licensed taprooms may operate a restaurant on the premises.
- (2) *On-sale brew pub license.* On-sale brew pub licenses shall be issued only to hotels, clubs, restaurants, bowling centers or exclusive liquor stores and shall permit the sale of malt liquor produced on the licensed premises. A licensee cannot sell more malt liquor produced on the licensed premises per year than is authorized by Minn. Stat. § 340A.24, subd. 3. A licensee may hold both an on-sale license and an on-sale brew pub license.
- (3) *Off-sale malt liquor brewer license (off-sale brew pub).* A brewer with a brewer taproom license or an on-sale brew pub license may be issued an off-sale malt liquor brewer license which shall permit the off-sale of malt liquor at the brewer's licensed premises subject to the provisions of Minn. Stat. § 340A.24 and this section.
- a. *Fee.* The license fee shall be paid in the amount listed in chapter 26.
 - b. *Hours of operation.* The off-sale of malt liquor may only be made during the same days and hours permitted at exclusive liquor stores, except that malt liquor in growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the city.
 - c. A brewer may only hold one brewer off-sale malt liquor license.
 - d. The only malt liquor sold on the licensed premises shall be malt liquor produced by the brewer at the brewery premises.
 - e. A brewer may also be issued an on-sale intoxicating liquor or 3.2 percent malt liquor license for a restaurant operated in the place of the manufacturer.
- (k) *Cocktail room license.* The holder of a microdistillery license under Minn. Stat. § 340A.22, may be issued a cocktail room license.
- (1) *Fee.* The license fee shall be paid in the amount listed in chapter 26
 - (2) *Hours of operation.* The on-sale of distilled liquor may only be made during the days and hours that the sale of on-sale intoxicating liquor is permitted.
 - (3) A cocktail room license authorizes the on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller.
 - (4) A distiller may only have one cocktail room license, and may not have an ownership interest in a distillery licensed under Minn. Stat. § 340A.301, subd. 6, paragraph (a).
 - (5) No single entity may hold both a cocktail room and a taproom license, and a cocktail room and taproom may not be co-located.

(Ord. No. 2011-1242, § 1, 5-2-2011; Ord. No. 2014-1285, § 1, 9-2-2014; Ord. No. 1298 § 1, 6-15-2015; Ord. No. 1345, §§ 1—4, 5-20-2019)

State law reference(s)—Intoxicating liquor licenses, Minn. Stats. §§ 340A.404, 340A.405.

Sec. 6-58. Number of licenses.

The following number of licenses may be issued by the city, although there is no obligation on the city to issue any prescribed minimum number:

	Type	Number
(1)	On-sale intoxicating liquor	18
(2)	On-sale wine	No maximum limit
(3)	Special club	No maximum limit
(4)	Sunday on-sale intoxicating	Included in on-sale limit
(5)	Sunday on-sale taproom	Included in on-sale limit
(6)	Culinary class on-sale	No maximum limit
(7)	Brewer taproom	Included in on-sale limit
(8)	On-sale brew pub	Included in on-sale limit
(9)	Cocktail room	Included in on-sale limit
(10)	Off-sale intoxicating liquor	3
(11)	Off-Sale Malt Liquor Brewer	Included in on-sale limit

(Ord. No. 2011-1242, § 1, 5-2-2011; Ord. No. 2014-1285, § 2, 9-2-2014)

State law reference(s)—Restrictions on number of intoxicating liquor licenses, Minn. Stats. § 340A.413.

Secs. 6-59—6-69. Reserved.

Editor's note(s)—Ord. No. 2011-1242, § 2, adopted May 2, 2011, repealed §§ 6-66—6-68, which pertained to required, types and to numbers of licenses and were derived from Code 1992, §§ 1205.03, 1205.05 and 1205.07 and Ord. No. 1186, § 3, adopted April 16, 2007.

Ord. No. 1186, § 2, adopted April 16, 2007, also repealed § 6-69, which pertained to persons and places ineligible for license and was derived from Code 1992, § 1205.09.

Sec. 6-70. Application.

- (a) *Verification.* An application for a license must be verified and filed with the clerk.
- (b) *Form of initial application.* In addition to the information required by the commissioner and the state bureau of criminal apprehension, the initial application must also contain the further information required herein as well as other information that the council may from time to time require.
- (c) *Nature of application.* The application must show whether the applicant is a natural person, corporation, partnership or other form of organization.
- (d) *Type of application.* The application must state the type of license the applicant seeks.
- (e) *Natural person.* If the applicant is a natural person, the following information is required:
 - (1) True name, place and date of birth, and street residence address of applicant;
 - (2) Whether applicant has ever used or been known by a name other than applicant's true name, or names, and information concerning dates and places where used;

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- (3) The name of the business if it is to be conducted under a designation, name or type other than the full individual name of the applicant; in such case a copy of the certification, as required by Minn. Stat. ch. 333 certified by the clerk of the district court, must be attached to the application;
 - (4) Whether applicant is married or single; if married, true name, place and date of birth and street residence address of applicant's present spouse;
 - (5) Whether applicant and present spouse are registered voters, and if so, where;
 - (6) Street addresses at which applicant lived during the preceding five years;
 - (7) Kind, name and location of every business or occupation applicant has been engaged in during the preceding five years;
 - (8) Names and addresses of applicant's employers and partners, if any, for the preceding five years;
 - (9) Whether the applicant has ever been convicted of a felony, crime or violation of any ordinance, other than traffic; if so, the applicant must furnish information as to the time, place and offense for which convictions were had;
 - (10) Whether the applicant has ever been engaged as an employee or in operating a saloon, hotel, restaurant, cafe, tavern or other business of similar nature; if so, applicant must furnish information as to the time, place and length of time of such employment or operation.
- (f) *Partnership.* The application must state if the applicant is a partnership, the names and addresses of all partners and all information concerning each partner as is required of a single applicant. A managing partner or partners must be designated. The interest of each partner in the business shall be disclosed. If the partnership is required to file a certificate as to a trade name under the provisions of Minn. Stat. ch. 333, a true copy of such certificate certified by the clerk of the district court must be attached to the application.
- (g) *Corporation.* If the applicant is a corporation or other association and is applying for an on-sale or off-sale license, the applicant must provide the following:
- (1) Name and, if incorporated, the state of incorporation;
 - (2) A true copy of certificate of incorporation, articles of incorporation, or association agreement and bylaws and, if a foreign corporation, a certificate of authority as described in Minn. Stat. ch. 303;
 - (3) The name of the manager or proprietor or other agent in charge of the premises to be licensed, giving the information about that person as is required of a single applicant in subsection (e) of this section;
 - (4) A list of the persons who, singly or together with their spouse, or a parent, brother, sister or child of either of them, own or control an interest in the corporation or association or who are officers or directors of the corporation or association together with their addresses and all information as is required of a single applicant except that application for off-sale must list the persons who own or control any interest in the corporation.
- (h) *Club.* If an application is submitted by a club, whether for an on-sale or special club license, the following information must be submitted in addition to that required by the commissioner, and by other subsections of this section:
- (1) The purpose for which the club was originally organized and for which it is now existing;
 - (2) Date that club was first organized and place of such organization;
 - (3) The number of members;
 - (4) The name of the manager, proprietor or other person who will be in charge of the licensed premises;

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- (5) A sworn statement by a responsible individual having personal knowledge of the facts must be submitted with the application verifying that the club meets the requirements of Minn. Stats. § 340A.101, subd. 7.

If an application is for a special club license, the sworn statement required by subsection (h)(5) of this section must include a statement that the club meets the requirements of Minn. Stat. § 340A.101. If no person can make this statement from personal knowledge of the facts, satisfactory documentary proof may be submitted to satisfy this requirement.

- (i) *Legal description.* The applicant must state the exact legal description of the premises to be licensed together with a plot plan of the area showing dimensions, location of buildings, street access, parking facilities and the locations of and distances to the nearest church building and school grounds.
- (j) *Street address.* The application must state the street number where the sale of intoxicating liquor is to be conducted and the room where liquor is to be sold or consumed. An applicant for an on-sale license must submit a floor plan of the dining room, or dining rooms, which must be open to the public, showing dimensions and indicating the number of persons intended to be served in each of the rooms.
- (k) *Federal permit.* The application must state that if a permit from the federal government is required by the laws of the United States, whether or not such permit has been issued, and if so required, in what name issued and the nature of the permit.
- (l) *Financial interest.* The application must state the names and addresses of all persons, other than the applicant, who have any financial interest in the business, buildings, premises, fixtures, furniture, stock in trade in the nature of such interest, amount thereof, terms for payment or other reimbursement; this includes, but is not limited to, any lessees, lessors, mortgagees, mortgagors, lenders, lienholders, trustees, trustors, and persons who have cosigned notes or otherwise loaned, pledged or extended security for any indebtedness of the applicant.
- (m) *Plans.* If the application for a license to sell intoxicating liquor or for a transfer thereof is for premises either planned or under construction or undergoing substantial alteration, the application must be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed.
- (n) *Execution of application.* If the application is by a natural person, it must be signed and sworn to by such person; if by a corporation, by an officer thereof; if by a partnership, by all partners; if by an unincorporated association, by the manager or managing officer thereof. If the applicant is a partnership, the application, license and insurance policy must be made and issued in the name of all partners.

(Code 1992, § 1205.11; Ord. No. 2011-1242, § 3, 5-2-2011)

Sec. 6-71. Renewal applications.

- (a) *Time for renewal application.* Applications for the renewal of an existing license must be made at least 45 days prior to the date of the expiration of the license. If, in the judgment of the council, good and sufficient cause is shown by an applicant for failure to file a renewal application within the time prescribed in this section, the council may receive such application.
- (b) *Forms for the renewal application.* The renewal application is made on forms required by the commissioner. In addition, the applicant must provide that information required by the city council on abbreviated forms approved by the council. An abbreviated form must include, but not be limited to, the information required by section 6-70(a), (c), (d), (i)–(k), and (m).

(Code 1992, § 1205.13; Ord. No. 2014-1285, § 3, 9-2-2014)

Sec. 6-72. Investigation fees.

- (a) *Amounts.* The fees for investigation of an application are established by chapter 26. The investigation fee must be paid in full when an application is made. The investigation fee will not be refunded. The investigation fees provided for in this section only apply to on-sale intoxicating liquor licenses.
- (b) *Additional fees.* If additional investigation is required because of a change in the ownership or control of a corporation or a partnership or an association or because there is a change in the officers, charter, articles or bylaws of a corporation, or because there is a change in the partnership or association agreement, or because of an enlargement, alteration or extension of premises previously licensed, the licensee must pay the additional minimum investigation fee in the amount established by the city council.

(Code 1992, § 1205.17)

State law reference(s)—Investigation of on-sale intoxicating liquor licenses, Minn. Stat. § 340A.412, subd. 2.

Sec. 6-73. License fees.

- (a) *Amounts.* The fees for licenses are established by chapter 26, however, the fee for off-sale liquor licenses shall be reduced by \$100.00 if the following conditions are met:
 - (1) The licensee agrees to have a private vendor train all employees within 60 days of hire and annually thereafter regarding laws pertaining to the sale of alcohol, the rules for identification checks, and the responsibilities of establishments selling intoxicating liquors;
 - (2) The licensee agrees to post a policy requiring identification checks for all persons appearing to be less than 31 years old; and
 - (3) The licensee establishes a cash reward and incentive program to reward employees who identify persons underage attempting to purchase alcohol, as well as a penalty program to punish employees who fail a compliance check.
- (b) *Fees; payment.* The license fee for a new license must be paid in full before the application for the license is accepted. The annual license fee for the renewal of an existing on-sale license must be paid one-half thereof at least 30 days prior to the expiration of the existing license and the other one-half thereof on or before June 1 of the year for which the license is issued. Fees must be paid into the general fund of the city. Upon rejection of any application for a license or upon withdrawal of an application before approval of the issuance by the council, the license fee will be refunded to the applicant except where rejection is for a willful misstatement in the license application.
- (c) *Proration of fee.* The fee for a license granted after the commencement of the license year will be prorated on a quarterly basis.
- (d) *Refunds.* A license fee will be refunded except as authorized under Minn. Stat. § 340A.408, subd. 5 and except when the place of business of a licensee is taken or acquired by federal, state, or city government, or instrumentalities thereof, so that the licensee ceases to conduct the licensed business.
- (e) *Change of ownership; exception.* If a new application is filed as a result of incorporation by an existing licensee and the ownership control and interest in the license are unchanged, an additional license fee is not required.

(Code 1992, § 1205.19; Ord. No. 1196, § 1, 11-5-2007)

State law reference(s)—License fees, Minn. Stat. § 340A.408.

Sec. 6-74. Security.

- (a) *Bond or insurance.* A person licensed to sell intoxicating liquor, 3.2 percent liquor, and wine at retail must demonstrate at the time of filing a license application, or at such subsequent time as may be required by state law, proof of financial responsibility with regard to liability imposed by Minn. Stat. § 340A.801. Proof of financial responsibility may be given by filing:
- (1) A certificate that there is in effect for the license period an insurance policy issued by an insurer required to be licensed under Minn. Stat. § 60A.07, subd. 4, or by an insurer recognized as an eligible surplus lines carrier pursuant to Minn. Stat. § 60A.206 or pool providing the following minimum coverages:
 - a. \$50,000.00 because of bodily injury to any one person in any one occurrence, and \$100,000.00 because of bodily injury to two or more persons in any one occurrence;
 - b. \$100,000.00 because of injury to or destruction of property of others in any one occurrence;
 - c. \$50,000.00 for loss of means of support of any one person in any one occurrence, and \$100,000.00 for loss of means of support of two or more persons in any one occurrence;
 - d. \$50,000.00 for other pecuniary loss of any one person in any one occurrence, and \$100,000.00 for other pecuniary loss of two or more persons in any one occurrence; or
 - (2) A bond of a surety company with minimum coverages as provided in this subsection; or
 - (3) A certificate of the state commissioner of management and budget that the licensee has deposited with the commissioner of management and budget \$100,000.00 in cash or securities which may legally be purchased by savings banks or for trust funds having a market value of \$100,000.00.

This subsection does not prohibit an insurer from providing the coverage required by this subsection in combination with other insurance coverage.

- (b) *Exceptions.* At the time of filing an application for license, or at such subsequent time as may be required by state law, a licensee claiming an exclusion from the insurance requirements of subsection (a) of this section pursuant to Minn. Stat. § 340A.409, subd. 4, must file with the clerk for transmission to the commissioner the following:
- (1) The written commitment of the applicant to cease the sale of beer or wine at that time in the license year when sales exceed the appropriate exclusion amount provided for in Minn. Stat. § 340A.409, subd. 4.
 - (2) An affidavit from the applicant's accountant that sales of beer or wine in the preceding calendar year did not exceed the appropriate exclusion amount provided for in Minn. Stat. § 340A.409, subd. 4.
- (c) *Approval of bond or insurance.* The insurance policies required by this section are subject to the approval of the council.
- (d) *Surety or insurance companies.* The insurer on the liability insurance policy must name the city as an additional insured and be approved as to form and execution by the attorney. Liability insurance policies when approved by the proper city or state officers, are filed with the clerk.

(Code 1992, § 1205.21; Ord. No. 1236, § 1, 10-4-2010)

State law reference(s)—Liability insurance, Minn. Stat. § 340A.409.

Sec. 6-75. Granting of license.

- (a) *Public hearing; initial application.* In regard to initial applications, upon receipt of the written report and recommendation by the appropriate city officers and within 20 days thereafter, the council must instruct the clerk to cause to be published in the official newspaper at least ten days in advance, a notice of hearing to be held by the council, setting forth the day, time and place when the hearing will be held, the name of the applicant, the premises where the business is to be conducted, the nature of the business and such other information as the council may direct. At the hearing, opportunity must be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the council will grant or deny the application in its discretion. Some factors the council may use to consider when approving or denying a license are if the granting of the license will promote the growth of the city or have an effect on homes and land values.
- (b) *Issuance; transfer.* A license is issued to the applicant only. A license is issued only for the compact and contiguous premises described in the application. A license may not be transferred to another person or to another place without the approval of the council and without a new application having been filed.
- (c) *Report to state.* The clerk must, within ten days after the issuance of any license under this section, submit to the commissioner the full name and address of each person granted a license, the trade name, the effective license date, and the date of expiration of the license. The clerk must also submit to the commissioner any change of address, transfer, cancellation or revocation of any license by the council during the license period.
- (d) *Approval of commissioner.* Off-sale licenses that are approved by the council are not effective until approved by the commissioner.

(Code 1992, § 1205.25; Ord. No. 1186, § 4, 4-16-2007)

Sec. 6-76. Conditions and restrictions on issuance of license.

- (a) *General rule.* A license is subject to the conditions of this section and of other applicable city ordinances and state law.
- (b) *One license per applicant.* Not more than one license shall be directly or indirectly issued within the city to any one person.
- (c) *State law eligibility required.* No license shall be issued for any place, person or business ineligible for a license under state law. No license shall be issued to a business that has a manager who would be ineligible for a license under state law.
- (d) *Beneficial owner.* A license may not be granted to an individual who, in the judgment of the council, is not the real party in interest or beneficial owner of the business operated or to be operated under the license.
- (e) *Delinquent taxes.* No license shall be granted or renewed for operation on any premises on which taxes, assessments or other financial claims of the city or of the state are delinquent. If an action has been commenced pursuant to the provisions of Minn. Stat. ch. 278, questioning the amount or validity of taxes, the council may, on application by the licensee, waive strict compliance with this section. No waiver may be granted, however, for taxes or any portion thereof that remains unpaid for a period exceeding one year after becoming due.
- (f) *Premises.* A license is effective only for the compact and contiguous space named therein for which the license was granted, as long as the premises meets the following requirements:
 - (1) A permanent certificate of occupancy has been issued in accordance with section 118-45 of this Code.

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- (2) The premises and its use comply with all zoning regulations for the zoning district in which the premises is located.
 - (3) The premises do not share a common entrance or exit with any other establishments. A public concourse or public lobby shall not be construed as a common entrance or exit.
- (g) *Closing; hours.* Except as provided in this section, sale of intoxicating liquor is permitted only within the hours and only on the days fixed by Minn. Stat. § 340A.504. Not only must the sale of intoxicating liquor cease at the closing hour appointed each day, but also persons, other than employees of the licensee, must vacate the licensed premises within 30 minutes of the closing hour. Notwithstanding anything contained in this subsection, a licensee may keep the premises open for normal business purposes except the sale of liquor, provided the licensee has closed off all access to the bar in a manner approved by the council.
- (1) If located more than 750 feet from Concord Street and within 500 feet from a residential district or a residence within a mixed-use district, then the licensed premises must close by 11:00 p.m., unless approved as part of a special event license or the establishment is a club under section 6-57(a)(1)d.
 - (2) *Sunday on-sale; hours.* A licensee may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food as permitted by Minn. Stat. § 340A.504, as it may be amended from time to time.
- (h) *Conduct of licensed business.* Licensees are responsible for the conduct of their places of business and for conditions of sobriety and order therein. No person under 18 years of age may be employed in any rooms constituting the place in which intoxicating liquors are sold at retail on-sale, except that persons under 18 years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquor is sold at retail on-sale.
- (i) *Training.* Within 60 days after employment, every person selling or serving liquor in an establishment that has a license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the council. Proof of training shall be provided by the licensee. The failure of a licensee to meet this condition shall result in suspension of the license until the condition is met.
- (j) *Posting.* The license must be posted in a conspicuous place in the premises for which it is issued.
- (k) *Federal permit.* A license is not effective until a permit is issued to the licensee under the laws of the United States, if such a permit is required.
- (l) *Display.* An on-sale liquor establishment may not display liquor to the public during hours when the sale of liquor is prohibited.
- (m) *Security.* At council's discretion, if supported by articulable findings of fact, the license holder must hire independent professional security personnel; they must wear identifiable clothing; wear individuals; and work from at least 8:00 PM until close every Friday and Saturday evenings. It is encouraged that security personnel be present other nights of the week.
- (n) *Exclusion list.* The license holder will develop and enforce an exclusion list for those patrons who are to be excluded from the bar for unwanted activity. (Photo copy DL or other ID.) This exclusion list will be made available to any on-duty police officer requesting to view it. The police department may add people to the exclusion list at any time. Security personnel and bar staff must enforce this exclusion list.
- (o) *Monitoring.* Bar staff and security personnel must periodically monitor the parking lot and area immediately adjacent to the bar, including any smoking areas, for nuisance activity, which includes but is not limited to loud and boisterous activity and disorderly conduct. Extra monitoring shall occur at closing time to discourage patrons from loitering. Except for bar staff or security personnel, all customers must be absent from the parking lot within 15 minutes after closing.

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- (p) *Noise.* Noise and music will be held to a reasonable level, such that it is not considered a violation of the City Code. Doors and windows may not be propped open and are to remain closed to control noise.

(Code 1992, § 1205.27; Ord. No. 1167, § 1(1210.11), 9-19-2005; Ord. No. 1186, § 5, 4-16-2007; Ord. No. 1196, § 2, 11-5-2007; Ord. No. 2011-1242, § 4, 5-2-2011; Ord. No. 2014-1285, § 1, 9-2-2014; Ord. No. 1298, § 2, 6-15-2015)

State law reference(s)—Persons eligible for licenses, Minn. Stat. § 340A.402; general restrictions on intoxicating liquor licenses, Minn. Stat. § 340A.412

Sec. 6-77. Expiration date; corporate, partnership, and association changes.

- (a) *Uniform expiration date.* Except as otherwise provided, liquor licenses expire at the end of the license year, which is the calendar year.
- (b) *Corporate license.* Licenses issued to corporations become invalid if there is a change in the officers, charter, articles, bylaws or ownership of the corporation unless said change is approved by the council, in which event the license will continue in force until the end of the license year.
- (c) *Partnership license.* Licenses issued to associations or partnerships become invalid if there is a change in the partnership or association agreement or in the ownership of the association or partnership unless such change is approved by the council, in which event the license will continue in force until the end of the license year.
- (d) *Report of changes.* Corporations, partnerships or associations holding licenses must submit written notice to the clerk of any such aforesaid changes on or before 30 days prior to the effective date of any such change. Notwithstanding the definition of interest as given in the case of a corporation, the licensee must notify the clerk when a person not listed in the application acquires an interest which, together with that of a spouse, parent, brother, sister or child, exceeds five percent and must give all information about the person that is required of a person under section 6-70, except that an off-sale licensee must report any change in interest.

(Code 1992, § 1205.29)

Sec. 6-78. Right of inspection.

A duly authorized law enforcement officer, health officer or building inspector may inspect the licensed premises at reasonable times and hours to insure compliance with the provisions of this division. Upon demand by a police officer, any person engaged in providing services in any licensed premises must prove identity by providing a document proving the person's true legal name and correct address.

(Code 1992, § 1205.31)

Sec. 6-79. Enlargement, alteration or extension of premises.

Proposed enlargement, alteration or extension of premises previously licensed must be reported to the clerk at or before the time application is made for a building permit for any such change. The licensee must also give such change, and the licensee must also give the information required by section 6-70.

(Code 1992, § 1205.37)

Sec. 6-80. Revocation or suspension.

On a finding that the licensee or permit holder has sold alcoholic beverages to another retail licensee for the purpose of resale, purchased alcoholic beverages from another retail licensee for the purpose of resale, conducted or permitted the conduct of gambling on the licensed premises in violation of the law, failed to remove or dispose of alcoholic beverages when ordered by the state to do so under Minn. Stat. § 340A.508(3) or failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages, the city council may revoke the license or permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to \$2,000.00 for each violation, or impose any combination of these sanctions. No suspension or revocation takes effect until the licensee or permit holder has been given an opportunity for a hearing under Minn. Stats. §§ 14.57—14.69. This section does not require a political subdivision to conduct the hearing before an employee of the state office of administrative hearings. Imposition of a penalty or suspension does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum.

(Code 1992, § 1205.33)

State law reference(s)—Similar provisions, Minn. Stat. § 340A.415.

Secs. 6-81—6-103. Reserved.

DIVISION 3. CONSUMPTION AND DISPLAY PERMITS²

Sec. 6-104. Permit required.

No business establishment or club may allow the consumption and display of alcoholic beverages without first having obtained a consumption and display permit from the commissioner of the department of public safety and from the city. A consumption and display permit may be approved by the city council for an organization that complies with the requirements of Minn. Stat. 340A.414, subd. 2, and that complies with all the provisions of this section. The city's permit is not effective until a consumption and display permit is approved by the commissioner of the department of public safety.

(Code 1992, § 1215.03; Ord. No. 2012-1255, § 1, 3-19-2012)

Sec. 6-105. Posting of permit.

The city's permit must be posted continuously in some conspicuous place upon the premises alongside the permit issued by the commissioner of the department of public safety.

(Code 1992, § 1215.05; Ord. No. 2012-1255, § 1, 3-19-2012)

Sec. 6-106. Exceptions.

This section does not apply to any premises holding an on-sale intoxicating liquor license under division 2 of this chapter.

²State law reference(s)—Consumption and display permits, Minn. Stat. § 340A.414.

(Code 1992, § 1215.11; Ord. No. 2012-1255, § 1, 3-19-2012)

Sec. 6-107. Fees.

In addition to the annual fee imposed by the commissioner of the department of public safety, the city shall impose a fee established by chapter 26. The applicant must also pay the investigation fee required by section 6-72 for a background investigation. All city fees must be paid before the permit application will be accepted.

(Code 1992, § 1215.13; Ord. No. 2012-1255, § 1, 3-19-2012)

Sec. 6-108. Application.

The applicant must submit to the city clerk, the application form for consumption and display permits provided by the commissioner of the department public safety, any additional forms required by the city clerk, and the appropriate fees.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-109. Public hearing.

The council shall hold a public hearing on the application, as provided in section 6-75. At the public hearing, the council may impose reasonable conditions on the applicant in order to protect the health, safety and general welfare of the public.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-110. Term.

Permits issued by the city expire on March 31 of each year, coinciding with the permit issued by the commissioner of the department of public safety.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-111. One license per applicant.

Not more than one license shall be directly or indirectly issued within the city to any one person.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-112. Transfer.

A permit shall be issued to the applicant only and only for the compact and contiguous premises described in the application. A permit may not be transferred to another person or to another place.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-113. Hours.

The consumption and display of intoxicating liquor is allowed only within the hours and days fixed by Minn. Stat. § 340A.504 subd. 5.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-114. Conditions and restrictions.

The applicant must comply with section 6-76(e) regarding delinquent taxes, section 6-76(i) regarding conduct of licensed business, section 6-77 regarding notification of changes in corporation, partnership or association, and section 6-78 regarding the right of inspection.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Sec. 6-115. One-day consumption and display permits.

- (a) *Intent and purpose.* It is the intent and purpose of this section to effectuate the authorization to issue one-day consumption and display permits given to municipalities by Minn. Stat. § 340A.414, subd. 9.
- (b) *Issuance to non-profits.* One-day consumption and display permits may only be issued to a non-profit organization in conjunction with a social activity in the city sponsored by the organization. The permit must be approved by the council.
- (c) *Public hearing.* No public hearing shall be required.
- (d) *Limit on number of permits.* The city shall not approve more than ten one-day consumption and display permits in any one year.
- (e) *Fees.* The city shall impose a fee established by chapter 26. The city fee must be paid before the permit application will be accepted.
- (f) *Reasonable conditions.* The council may impose reasonable conditions on the applicant to protect the health, safety and general welfare of the public.

(Ord. No. 2012-1255, § 2, 3-19-2012)

Secs. 6-116—6-127. Reserved.

ARTICLE IV. WAKOTA ARENA

DIVISION 1. GENERALLY

Secs. 6-128—6-152. Reserved.

DIVISION 2. INTOXICATING LIQUOR

Sec. 6-153. Permit required.

- (a) *General requirement.* It is unlawful to directly or indirectly dispense by sale or otherwise intoxicating liquor at the premises known and used as Wakota Arena without a permit to do so having first been issued as provided in this section.
- (b) *Wakota Arena permit.* Wakota Arena permits are issued only to persons permitted to use space on the premises of Wakota Arena for the purpose of conducting any convention, banquet, conference, meeting or social affair.

(Code 1992, § 1220.01)

Sec. 6-154. Application for permit.

- (a) *Form.* An application for a Wakota Arena permit must state the name of the applicant, age, representations as to character, with such references as the council may require, citizenship, the nature of the function to be conducted by the applicant at Wakota Arena, the period of time for which the permit is requested, and such other information as the council may require from time to time. In addition to containing such information, the application must be in the form, if any, prescribed by the commissioner and must be verified and filed with the clerk. No person may make a false statement in the application.
- (b) *Regular on-sale licensee.* A permit will not be issued except to an applicant who has engaged a licensee having a regularly issued on-sale intoxicating liquor license for a location within the city to dispense, by sale or otherwise, intoxicating liquor to members or guests attending the convention, banquet, conference, meeting or social affair. A written agreement with the on-sale licensee must accompany each application.
- (c) *Wakota Arena use.* A written agreement for the use of space on the premises of Wakota Arena for the period of time for which a permit is requested must accompany each application.
- (d) *Insurance.* The insurance requirements in section 6-74 apply to persons holding permits under this section.

(Code 1992, § 1220.03)

Sec. 6-155. Permit fee.

- (a) *Amount.* The fee for a Wakota Arena liquor permit is fixed by chapter 26.
- (b) *Payment.* The application for a permit must be accompanied by a receipt from the clerk for payment in full of the permit fee. If an application for a permit is rejected, the permit fee paid will be refunded.

(Code 1992, § 1220.05)

Sec. 6-156. Granting of permits.

The council will investigate the facts set out in the application. Opportunity will be given to any person to be heard for or against the granting of the permit. After the investigation and hearing, the council may grant or refuse the permit.

(Code 1992, § 1220.07)

Sec. 6-157. Conditions of permit.

- (a) *General rule.* A permit is subject to the conditions in this Code and state law or regulation.
- (b) *Permittee's responsibility.* A permittee is responsible for the conduct of the convention, banquet, conference, meeting or social affair conducted at Wakota Arena and the conditions of sobriety and order thereat.

(Code 1992, § 1220.09)

Sec. 6-158. Restrictions.

- (a) *Limit on sale.* Intoxicating liquor may not be sold or furnished to persons other than the members and their guests of any permittee under the provisions of this article.
- (b) *Prohibited sales.* Intoxicating liquor may not be sold or furnished to the public or to any persons attending or participating in any amateur hockey game, or elementary or secondary school or college athletic event being held at Wakota Arena.
- (c) *Application of article III, division 2 of this chapter.* The provisions of article III, division 2 of this chapter relating to on-sale licenses apply to permits issued under this division.

(Code 1992, § 1220.11)

Secs. 6-159—6-184. Reserved.

DIVISION 3. 3.2 PERCENT MALT LIQUOR

Sec. 6-185. Permit required.

- (a) *General requirement.* It is unlawful to directly or indirectly dispense by sale or otherwise 3.2 percent malt liquor (as defined in Minn. Stat. § 340A.101, subd. 19) (herein "beer") at Wakota Arena without a permit to do so having first been issued as provided in this section.
- (b) *Wakota Arena beer permit.* Wakota Arena beer permits shall be issued only to persons permitted to use Wakota Arena for the purpose of conducting athletic events.

(Code 1992, § 1230.01)

Sec. 6-186. Application for permit.

- (a) *Form.* An application for a Wakota Arena beer permit must state the name of the applicant, age (if applicable), representations as to character, with such references as the council may require, citizenship, the nature of the function to be conducted by the applicant at Wakota Arena, the period of time for which the permit is required, and such other information as the council may require from time to time. The application must be verified and filed with the clerk. No person may make a false statement in an application.
- (b) *Regular on-sale licensee.* A permit will not be issued except to an applicant who has an on-sale license issued pursuant this chapter, or to an applicant who has engaged a licensee having a regularly issued on-sale intoxicating liquor license for a location with the city to dispense, by sale or otherwise, intoxicating liquor. A written agreement between the applicant and the on-sale liquor license must accompany each application.

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- (c) *Wakota Arena use.* A written agreement for the use of the premises of Wakota Arena for the period of time for which a permit is required must accompany each application.
- (d) *Insurance.* The insurance requirements in section 6-74 apply to persons holding permits under this section.
- (Code 1992, § 1230.03)

Sec. 6-187. Permit fee.

- (a) *Amount.* The fee for a Wakota Arena beer permit is fixed by chapter 26 of this Code.
- (b) *Payment.* The application for a permit must be accompanied by a receipt from the clerk for payment in full of the permit fee. If an application for a permit is rejected, the permit fee paid will be refunded.
- (Code 1992, § 1230.05)

Sec. 6-188. Granting of permits.

The council will investigate the facts set out in the application. Opportunity will be given to any person to be heard for or against the granting of the permit. After the investigation and hearing, the council may grant or refuse the permit.

(Code 1992, § 1230.07)

Sec. 6-189. Conditions of permit.

- (a) *General rule.* A permit is subject to the conditions in this Code and state law or regulation.
- (b) *Special conditions.*
- (1) *Permittee's responsibility.* A permittee is responsible for the conduct of the athletic event conducted at Wakota Arena and the conditions of sobriety and order thereat.
 - (2) *Minnesota beer.* The permittee must insure that Minnesota-produced beer is available for purchase at each station where beer is sold.

(Code 1992, § 1230.09)

Sec. 6-190. Restrictions.

Beer may not be sold or furnished to any persons attending or participating in any elementary or secondary school or college athletic event being held at Wakota Arena. The dispensing of beer shall not begin until the start of the athletic event and will not continue after the ten minutes mark of the last period.

(Code 1992, § 1230.11)