



City of New Hope
4401 Xylon Avenue North
New Hope MN 55428

City Contact:
Valerie Leone, City Clerk
763-531-5117
vleone@ci.new-hope.mn.us

LICENSE REQUIREMENTS FOR INTOXICATING LIQUOR LICENSE

The city of New Hope requires the licensing of intoxicating liquor as defined in Chapter 10 of the New Hope City Code.

Attached are license materials and a copy of Chapter 10. Please complete the applicable forms for submission to the City Clerk.

1. Application for Liquor License
2. Tax Identification Form (LIC-003)
3. Certificate of Compliance – Minnesota Workers' Compensation Law (LIC-007)
4. Certification of an On Sale Liquor, 3.2% Liquor, or Sunday liquor license
5. Application for **Optional 2 am** Liquor License (on-sale licensees only)
6. State License Application (one of the following):
 - Application for County/City **On Sale Wine** License
 - Application for **Off Sale** Intoxicating Liquor License
 - Application for **Brewpub Off Sale** Intoxicating Liquor License
 - Application for **Brewer Off Sale** Intoxicating Liquor License
 - Certification of an **On Sale Brewer's Taproom** License
 - Certification of an **On Sale Micro Distiller Cocktail Room** License
 - Application for a **Club On Sale** Retail Liquor License
7. Application for Retailer's (Buyer's) Card
8. Authorization and Release for Applicants (Consent form for background investigation)

In addition to the completed applications, the applicant shall submit:

- Certificate of Liquor Liability Insurance (must be effective through December 31)
- License fee (fees for licenses granted after commencement of calendar year are pro-rated on quarterly basis)
- Background investigation fee of \$500 - nonrefundable
- Drawing of floor plan of dining room (if new building) - on sale license applications only

Resources:

- MS 340A.504 – hours of operation
- Insurance information
- City Code Chapter 10 which includes section 10-23 regarding annual unannounced compliance checks

License applications require a background investigation conducted by the Police Department and a public hearing before the City Council. Based upon the investigation, the Police Department will make a recommendation for approval or denial of the license. The City Council meets on the 2nd and 4th Monday of the month. Please allow 60 days for processing.



4401 XYLON AVENUE NORTH
NEW HOPE, MINNESOTA 55428-4898
PHONE: 763-531-5117
FAX: 763-531-5136

APPLICATION FOR LIQUOR LICENSE

10-12(1) TYPE OF BUSINESS: ☐ Corporation ☐ Partnership ☐ Individual
SALES AND USE TAX IDENTIFICATION NUMBER: _____ (to apply for a sales tax #, call 651-296-6181)

10-9 TYPE OF LICENSE:

<input type="checkbox"/> 3.2 percent malt liquor on sale	<input type="checkbox"/> 3.2 percent malt liquor off sale
<input type="checkbox"/> On sale intoxicating liquor	<input type="checkbox"/> Off sale intoxicating liquor
<input type="checkbox"/> Sunday on sale (available to restaurants only)	<input type="checkbox"/> On sale wine
<input type="checkbox"/> Brewery taproom on sale	<input type="checkbox"/> Brewery taproom off sale
<input type="checkbox"/> Brewpub on sale intoxicating or on sale 3.2 percent malt liquor	<input type="checkbox"/> Microdistillery cocktail room on sale

Note: a conditional use permit is required for Brewery Taproom and Microdistillery cocktail licenses

NAME OF BUSINESS (ATTACH SECRETARY OF STATE CERTIFICATION)	
NAME OF BUSINESS:	
DBA OR TRADE NAME:	BUSINESS ADDRESS:

10-12(3) NAME OF APPLICANT			
(FIRST, FULL MIDDLE, LAST):			SOCIAL SECURITY #:
STREET ADDRESS:		CITY:	STATE/ZIP CODE:
MARITAL STATUS: <input type="checkbox"/> Single <input type="checkbox"/> Legally Separated <input type="checkbox"/> Married (*) <input type="checkbox"/> Divorced (*)		MAIDEN NAME:	REGISTERED VOTER: <input type="checkbox"/> Yes <input type="checkbox"/> No
HOME PHONE NUMBER:	WORK PHONE NUMBER:	DATE OF BIRTH:	PLACE OF BIRTH:

(*) IF MARRIED, SPOUSE'S FULL NAME AND ADDRESS:

(*) IF DIVORCED, FULL NAME AND ADDRESS OF FORMER SPOUSE:

LIST ANY OTHER NAME (ALIASES USED BY APPLICANT):		
NAME (FIRST NAME, FULL MIDDLE NAME, LAST NAME):		
DATES NAME USED:	NAME USED:	REASON FOR USING ALTERNATE IDENTIFICATION:

APPLICATION FOR LIQUOR LICENSE

LIST THE ADDRESSES WHERE APPLICANT HAS LIVED FOR THE PAST TEN YEARS			
STREET ADDRESS:	CITY:	STATE/ZIP CODE:	DATES YOU LIVED HERE:
STREET ADDRESS:	CITY:	STATE/ZIP CODE:	DATES YOU LIVED HERE:
STREET ADDRESS:	CITY:	STATE/ZIP CODE:	DATES YOU LIVED HERE:
STREET ADDRESS:	CITY:	STATE/ZIP CODE:	DATES YOU LIVED HERE:
STREET ADDRESS:	CITY:	STATE/ZIP CODE:	DATES YOU LIVED HERE:

LIST APPLICANT'S OCCUPATIONAL HISTORY FOR THE PAST TEN YEARS	
NAME OF COMPANY:	TYPE OF BUSINESS:
YOUR OCCUPATION:	DATES EMPLOYED HERE:
NAME OF COMPANY:	TYPE OF BUSINESS:
YOUR OCCUPATION:	DATES EMPLOYED HERE:
NAME OF COMPANY:	TYPE OF BUSINESS:
YOUR OCCUPATION:	DATES EMPLOYED HERE:
NAME OF COMPANY:	TYPE OF BUSINESS:
YOUR OCCUPATION:	DATES EMPLOYED HERE:

IF MARRIED, LIST SPOUSE'S OCCUPATIONAL HISTORY FOR THE PAST TEN YEARS	
NAME OF COMPANY:	TYPE OF BUSINESS:
SPOUSE'S OCCUPATION:	DATES EMPLOYED HERE:
NAME OF COMPANY:	TYPE OF BUSINESS:
SPOUSE'S OCCUPATION:	DATES EMPLOYED HERE:
NAME OF COMPANY:	TYPE OF BUSINESS:
SPOUSE'S OCCUPATION:	DATES EMPLOYED HERE:

APPLICATION FOR LIQUOR LICENSE

If applying as an individual, skip page 3 and continue with page 4.

If business is a partnership, attach partnership agreement; if corporation, attach "Certificate of Incorporation" from the Secretary of State's office.

LIST ALL NAMES OF PARTNERS OR OFFICERS				
FIRST NAME, FULL MIDDLE NAME AND LAST NAME:	TITLE:	RESIDENT TELEPHONE NUMBER:	PERCENT OF INTEREST:	
RESIDENT STREET ADDRESS:	CITY:	STATE:	ZIP CODE:	
FIRST NAME, FULL MIDDLE NAME AND LAST NAME:	TITLE:	RESIDENT TELEPHONE NUMBER:	PERCENT OF INTEREST:	
RESIDENT STREET ADDRESS:	CITY:	STATE:	ZIP CODE:	
FIRST NAME, FULL MIDDLE NAME AND LAST NAME:	TITLE:	RESIDENT TELEPHONE NUMBER:	PERCENT OF INTEREST:	
RESIDENT STREET ADDRESS:	CITY:	STATE:	ZIP CODE:	
FIRST NAME, FULL MIDDLE NAME AND LAST NAME:	TITLE:	RESIDENT TELEPHONE NUMBER:	PERCENT OF INTEREST:	
RESIDENT STREET ADDRESS:	CITY:	STATE:	ZIP CODE:	

ATTACH ADDITIONAL SHEET IF NECESSARY

LIST OCCUPATIONAL HISTORY OF PARTNERS OR OFFICERS FOR THE PAST TEN YEARS		
NAME OF PERSON:		NAME OF BUSINESS:
OCCUPATION:	EMPLOYMENT DATES:	TYPE OF BUSINESS:
NAME OF PERSON:		NAME OF BUSINESS:
OCCUPATION:	EMPLOYMENT DATES:	TYPE OF BUSINESS:
NAME OF PERSON:		NAME OF BUSINESS:
OCCUPATION:	EMPLOYMENT DATES:	TYPE OF BUSINESS:
NAME OF PERSON:		NAME OF BUSINESS:
OCCUPATION:	EMPLOYMENT DATES:	TYPE OF BUSINESS:

ATTACH ADDITIONAL SHEET IF NECESSARY

APPLICATION FOR LIQUOR LICENSE

Has applicant, spouse, parent, brother, sister, or child of either of you ever been convicted of a felony, crime or violation of any ordinance other than a traffic ordinance?

☐ NO ☐ YES - If yes, furnish information below (time, place, and offense; and final disposition):

Note: Per M.S. 340A.402 - No license may be issued to an applicant who within the last five years has been convicted of a felony or a willful violation of a federal, state, or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage.

DOES APPLICANT HAVE PRIOR EXPERIENCE IN THE LIQUOR INDUSTRY? ☐ YES ☐ NO

If yes, indicate business name, address, and dates:

Note: Per M.S. 340A.402 - A license may not be issued to a person who has a direct or indirect interest in a alcoholic beverage retailer, manufacturer or wholesaler of alcoholic beverages.

DO ANY OF APPLICANT'S RELATIVES HAVE PRIOR EXPERIENCE IN THE LIQUOR INDUSTRY: ☐ YES ☐ NO

If yes, indicate business name, address, and dates:

HAS APPLICANT EVER SERVED IN THE MILITARY? ☐ YES ☐ NO

If yes, please explain:

HAVE YOU EVER FILED FOR BANKRUPTCY? ☐ YES ☐ NO

If yes, please provide information:

PLEASE PROVIDE COMPLETE BANKING INFORMATION FOR THE PAST FIVE YEARS					
NAME OF INSTITUTION:		ADDRESS OF INSTITUTION:		PHONE NUMBR OF INSTITUTION:	
CHECKING ACCOUNT NUMBER:	DATE ACCOUNT OPENED:		SAVINGS ACCOUNT NUMBER		DATE ACCOUNT OPENED
NAME OF INSTITUTION:		ADDRESS OF INSTITUTION:		PHONE NUMBR OF INSTITUTION:	
CHECKING ACCOUNT NUMBER:	DATE ACCOUNT OPENED:		SAVINGS ACCOUNT NUMBER		DATE ACCOUNT OPENED
NAME OF INSTITUTION:		ADDRESS OF INSTITUTION:		PHONE NUMBR OF INSTITUTION:	
CHECKING ACCOUNT NUMBER:	DATE ACCOUNT OPENED:		SAVINGS ACCOUNT NUMBER		DATE ACCOUNT OPENED

ATTACH ADDITIONAL SHEET IF NECESSARY

APPLICATION FOR LIQUOR LICENSE

NAME OF MANAGER/PROPRIETOR/AGENT IN CHARGE OF PREMISES TO BE LICENSED			
(FIRST, FULL MIDDLE, LAST):			SOCIAL SECURITY #:
STREET ADDRESS:		CITY:	STATE/ZIP CODE:
MARITAL STATUS: <input type="checkbox"/> Single <input type="checkbox"/> Legally Separated <input type="checkbox"/> Married <input type="checkbox"/> Divorced		MAIDEN NAME:	REGISTERED VOTER: <input type="checkbox"/> Yes <input type="checkbox"/> No
HOME PHONE NUMBER:	WORK PHONE NUMBER:	DATE OF BIRTH:	PLACE OF BIRTH:

10-13 PREMISES:

- Applicant must submit 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 and distances of the nearest school grounds (10-13(1)).

LEGAL ADDRESS: _____

LEGAL DESCRIPTION: _____

DISTANCE TO NEAREST SCHOOL: _____

- Applicant must submit the floor number and street number where the sale of intoxicating liquors is to be conducted and the rooms where liquor is to be sold or consumed. An applicant for an "on sale" license shall submit a floor plan of the dining room(s), which shall be open to the public, shall show dimensions and shall indicate the number of persons intended to be served in each of said rooms.
- Whenever the application for an "on sale" license to sell intoxicating liquor, or for a transfer thereof, is for premises either planned or under construction or undergoing substantial alteration, the application shall be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed. If the plans or design are on file with the Community Development Department, no plans need to be filed with the City Clerk.

10-12(6) FINANCIAL INVESTMENT:

Indicate the amount of your investment in this business, building, premises, fixtures, furniture, stock in trade, etc., and provide proof of the sources of such money:

APPLICATION FOR LIQUOR LICENSE

DEBTS:

Provide the names, addresses, account numbers, and balances of all debts, including any mortgages, lessors, lenders, lien holders, trustees, the persons who have cosigned notes or pledged security for any indebtedness of the application:

REFERENCES:

Provide the names, residence addresses, business addresses, and phone numbers of three persons who are not related to the applicant, nor who are financially interested in the premises or business being licensed:

1)

2)

3)

TAX PAYMENT:

Have all real estate and personal property taxes for the premises to be licensed been paid?

☐ Yes ☐ No If not, indicate the years and amounts which are unpaid:

10-12(7) FEDERAL PERMIT:

Is a permit required from the Federal Government? ☐ Yes ☐ Not Applicable

If yes, indicate the name in which the permit was issued, and the nature of the permit:

10-12(8) SUNDAY SALES:

Is applicant applying for a Special License for Sunday Liquor Sales? ☐ Yes ☐ No

"Special License for Sunday Sales" is a license for sale of liquor in conjunction with the serving of food by a hotel, restaurant, bowling center or club between the hours of 8:00 a.m. Sunday and 2:00 a.m. Monday (closing time is 1:00 a.m. Monday unless licensee has an Optional 2:00 a.m. Closing Permit from Department of Public Safety).

APPLICATION FOR LIQUOR LICENSE

Checklist of items required:

- ☐ Completed Application
- ☐ License Investigation Fee (city code 14-12(3)) – fee is not applicable for 3.2 percent malt liquor license applicants
\$500 initial fee (within state) not to exceed \$10,000 (outside state)
- ☐ Payment license fee prorated on quarterly basis (10-10)
- ☐ Certificate of Incorporation if the business is a corporation or Partnership Agreement if the business is a partnership
- ☐ Evidence of Liability Insurance on an Acor 25 Certificate of Insurance (city code 10-12(d))
- ☐ Minnesota Tax Identification number form LIC-003
- ☐ Certificate of Compliance – Minnesota workers' compensation insurance form LIC-007
- ☐ On-Sale license applicants for new buildings:
attach a floor plan of dining room with dimensions and seating capacity (city code 10-3)

I hereby submit application for a New Hope liquor license and attest that all reported information is true and accurate. I understand the data furnished consists of private data and authorize the City of New Hope to utilize this information to perform a background investigation in determining my eligibility for a liquor license:

APPLICANT'S SIGNATURE

DATE

FOR CITY USE ONLY

I certify that to the best of my knowledge the applicant(s) named above are eligible to be licensed:

☐ Yes

☐ No

If no, state reason: _____

License Investigation Conducted By:

New Hope Police Chief (Signature):

Date:

I CERTIFY THAT THIS LICENSE WAS APPROVED IN AN OFFICIAL MEETING BY THE CITY COUNCIL OF THE CITY OF NEW HOPE:

City Clerk's Signature

Date



TAX IDENTIFICATION

NOTICE

Pursuant to laws of Minnesota, 1984, Chapter 502, Article 8, Section 2 (270.72) (Tax Clearance; Issuance of Licenses), the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales, employer's withholding or motor vehicle excise taxes.
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement the Department of Revenue may supply this information to the Internal Revenue Service.
3. **FAILURE TO SUPPLY THIS INFORMATION MAY JEOPARDIZE OR DELAY THE PROCESSING OF YOUR LICENSE ISSUANCE OR RENEWAL APPLICATION.**

Please supply the following information and return along with your application to the licensing authority.

Business Owner's Last Name

Business Owner's First Name

Middle Initial

Address of Business Owner

City, State, Zip Code

Social Security Number of Business Owner

Position (Officer, Partner, etc.)

Business Name

Business Address

City, State, Zip Code

Minnesota Tax Identification Number

Federal Tax Identification Number

Signature

Date

Certificate of Compliance Minnesota Workers' Compensation Law

THIS FORM MUST BE COMPLETED BY THE BUSINESS LICENSE APPLICANT

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 in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. 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.

LICENSE or CERTIFICATE NO (if applicable)	BUSINESS TELEPHONE NO.	FAX TELEPHONE NO.
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BUSINESS NAME (Use the person(s) name if business structure is sole proprietor or partnership (i.e., John Doe, or John Doe and Jane Doe), otherwise it is the legal name of the business entity.)

DBA ("doing business as" or also known as an assumed name) (if applicable)

BUSINESS ADDRESS (must be physical street address, no PO boxes)	CITY	STATE	ZIP CODE
COUNTY	E-MAIL ADDRESS		

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

NUMBER 1 – Workers' compensation insurance policy information

INSURANCE COMPANY NAME (not the insurance agent)	NAIC Number	
POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

NUMBER 2 – Reason for exemption from workers' compensation insurance

If you have questions regarding the need to obtain workers' compensation coverage, including exemptions, contact 651.284.5032 or 1-800-342-5354.

- ☐ I have no employees. (See Minn. Stat. § 176.011, subd. 9 for the definition of an employee.)
- ☐ I am self-insured for workers' compensation (attach a copy of the authorization to self-insure from the Minnesota Department of Commerce).
- ☐ 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: _____

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.

PRINT NAME

APPLICANT SIGNATURE (required)	TITLE	DATE
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NOTE: You must notify us if there is any change to your Workers' Compensation Insurance Information or Employee Status Change by resubmitting this form. This material can be made available in different forms, such as large print, Braille or on a tape.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 222, St. Paul, MN 55101-5133
Telephone 651-201-7507 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: (circle 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)

Business Trade Name _____ Business Address _____ City _____

Zip Code _____ County _____ Business Phone _____ Home Phone _____

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

(To Apply call 651-296-6181)

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:

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.

Circle One: (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 _____ (title) Date _____

On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at www.dps.state.mn.us.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 133, St. Paul, MN 55101-5133
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555
www.dps.state.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, 444 Cedar St., Suite 133, St. Paul, MN 55101-5133.

- ☐ \$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.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
444 Cedar Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555
APPLICATION FOR COUNTY/CITY ON-SALE WINE LICENSE
(Not to exceed 14% of alcohol by volume)

Print Form

EVERY QUESTION MUST BE ANSWERED. If a corporation, an officer shall execute this application. If a partnership, LLC, a partner shall execute this application. To apply for MN sales Tax # call 651-296-6181

Workers compensation insurance company name _____ Policy Number _____

Licensee's MN sales and Use Tax ID # _____ Licensee's Federal Tax ID # _____

Applicants Name (Business, Partnerships, Corporation)		Trade Name or DBA	
Business Address		Business Phone	Applicant's Home Phone
City	County	State	Zip Code

Is this application <input type="checkbox"/> New or a <input type="checkbox"/> Transfer	If a transfer, give name of former owner	License Period From _____ To _____
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If a corporation, give name, title, address and date of birth of each officer. If a partnership, LLC, give name, address and date of birth of each partner.

Partner/Officer Name and title	Address	DOB	SSN
Partner/Officer Name and title	Address	DOB	SSN
Partner/Officer Name and title	Address	DOB	SSN
Partner/Officer Name and title	Address	DOB	SSN

CORPORATIONS

Date of incorporation	State of incorporation	Certificate Number	Is corporation authorized to do business in Minnesota? <input type="checkbox"/> Yes <input type="checkbox"/> No
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If a subsidiary of another corporation, give name and address of parent corporation

BUILDING AND RESTAURANT

Name of building owner	Owner's address
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Are property taxes delinquent? <input type="checkbox"/> Yes <input type="checkbox"/> No	Has the building owner any connection, direct or indirect with the applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No	Restaurant seating capacity	Hours food will be available
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Number of restaurant employees	Number of months per year restaurant is open	Will food service be the principal business? <input type="checkbox"/> Yes <input type="checkbox"/> No
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Describe the premises to be licensed

If the restaurant is in conjunction with another business (resort etc.), describe business

NO LICENSE WILL BE APPROVED OR RELEASED UNTIL THE \$20 RETAILER ID CARD FEE IS RECEIVED BY AGED

- ☐ Yes ☐ No Has the applicant or associates been granted an on-sale malt liquor (3.2) and/or a "set-up" license in conjunction with this wine license?
- ☐ Yes ☐ No Is the applicant or any of the associates in this application a member of the county board or the city council, which will issue this license? If yes, in what capacity? _____
(If the applicant is the spouse of a member of the governing body, or another family relationship exists, the member shall not vote on this application.)
- ☐ Yes ☐ No During the past license year, has a summons been issued under the liquor civil liability (Dram Shop)(M.S. 340A.802). If Yes, attach copy of the summons.
- ☐ Yes ☐ No Has applicant, partners, officers or employees ever had any liquor law violations in Minnesota or elsewhere. If so, give names, dates, violations and final outcome details.

☐ Yes ☐ No Does any person other than the applicants, have any right, title or interest in the furniture, fixtures or equipment in the licensed premises? If yes, give names and details.

☐ Yes ☐ No Have the applicants any interests, directly or indirectly, in any other liquor establishments in Minnesota? If yes, give name and address of establishment.

I CERTIFY THAT I HAVE READ THE ABOVE QUESTIONS AND THAT THE ANSWERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of Applicant

Date

The licensee must have one of the following:

☐ Liquor liability insurance (Dram Shop) \$50,000 per person; \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support. Attach "**CERTIFICATE OF INSURANCE**" to this form.

☐ A surety bond from a surety company with minimum coverage as specified above in.

☐ A certificate from the state treasurer that the licensee has deposited with the state, trust funds having a market value of \$100,000 or \$100,000 in cash or securities.

IF LICENSE IS ISSUED BY THE COUNTY BOARD, REPORT OF COUNTY ATTORNEY

☒ Yes ☐ No I certify that to the best of my knowledge the applicants named above are eligible to be licensed. If no, state reason.

Signature County Attorney

County

Date

REPORT BY POLICE OR SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates, named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota, Municipal or County ordinances relating to intoxicating liquor, except as follows:

Signature

Department and Title

Date

IMPORTANT NOTICE

**ALL RETAIL LIQUOR LICENSEES MUST REGISTER WITH THE ALCOHOL, TOBACCO TAX AND TRADE BUREAU.
FOR INFORMATION CALL 513-684-2979 OR 1-800-937-8864**

A \$30.00 service charge will be added to all dishonored checks. You may also be subjected to a civil penalty of \$100.00 or 100 % of the value of the check, whichever is greater, plus interest and attorney fees.



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
444 Cedar St., Suite 222, St. Paul, MN 55101-5133
(651) 201-7507 FAX (651) 297-5259 TTY (651) 282-6555
WWW.DPS.STATE.MN.US



APPLICATION FOR OFF SALE INTOXICATING LIQUOR LICENSE

No license will be approved or released until the \$20 Retailer ID Card fee is received

Workers compensation insurance company. Name _____ Policy # _____

Licensee's MN Sales and Use Tax ID # _____ To apply for a MN sales and use tax ID #, call (651) 296-6181

Licensee's Federal Tax ID # _____

If a corporation, an officer shall execute this application If a partnership, a partner shall execute this application.

Licensee Name (Individual, Corporation, Partnership, LLC)	Social Security #	Trade Name or DBA	
License Location (Street Address & Block No.)	License Period From _____ To _____	Applicant's Home Phone #	
City	County	State	Zip Code
Name of Store Manager	Business Phone Number	DOB (Individual Applicant)	

If a corporation or LLC state name, date of birth, Social Security # address, title, and shares held by each officer. If a partnership, state names, address and date of birth of each partner.

Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code

1. If a corporation, date of incorporation _____, state incorporated in _____, amount paid in capital _____. If a subsidiary of any other corporation, so state _____ and give purpose of corporation _____. If incorporated under the laws of another state, is corporation authorized to do business in the state of Minnesota? ☐ Yes ☐ No
2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state. _____
3. Is establishment located near any state university, state hospital, training school, reformatory or prison? ☐ Yes ☐ No If yes state approximate distance. _____
4. Name and address of building owner: _____
Has owner of building any connection, directly or indirectly, with applicant? ☐ Yes ☐ No
5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to be issued? ☐ Yes ☐ No If yes, in what capacity? _____
6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license is applied and if so, give name and details. _____
7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota? ☐ Yes ☐ No If yes, give name and address of establishment. _____

8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? ☐ Yes ☐ No
9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. ☐ Yes ☐ No ☐ Will be granted
10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. ☐ Yes ☐ No ☐ Will be granted
11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. _____
12. State Number of Employees _____
13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? _____
14. If this license is being issued by a County Board, is it located in an organized township? **If so, attach township approval.**

1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. _____
2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. _____
3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor Control penalties? ☐ Yes ☐ No If yes, give dates, charges and final outcome. _____
4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. ☐ Yes ☐ No If yes, attach a copy of the summons.

This licensee must have one of the following:

(ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

- ☐ A. Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.
- or
- ☐ B. A surety bond from a surety company with minimum coverage as specified in A.
- or
- ☐ C. A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant & title

Signature of Applicant

Date

REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department

Title

Signature

County Attorney's Signature

PS 9136-(2009)

IMPORTANT NOTICE

All retail liquor licensees must register with the Alcohol, Tobacco Tax and Trade Bureau.
For information call (513) 684-2979 or 1-800-937-8864



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
445 Minnesota Street, Suite 222, St. Paul, MN 55101
(651) 201-7531 TDD (651) 282-6555
FAX (651) 297-5259

PrintForm

APPLICATION FOR BREW PUB OFF SALE INTOXICATING LIQUOR LICENSE

Must be a licensed brew pub in order to apply for this license

Fees: Brew Pub Off Sale Fee: \$ _____ Sunday License: ☐ YES ☐ NO Sunday License Fee: \$ _____
Workers Comp. Ins, Co. _____ Policy Number _____

Minnesota Tax ID Number _____ Federal Tax ID Number _____

Licensee's Name (business, partnership, LLC, corporation)		DOB	Social Security Number	DBA or Trade Name	
Business address			Phone Number		Fax Number
City	State	Zip Code	License Period From _____ To _____		
Name of Store Manager			Phone Number		DOB (Individual Applicant)

If a corporation or LLC state name, date of birth, Social Security Number address, title, and share held by each officer. If a partnership, state names, address and date of birth of each partner.

Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address

1. If a corporation, date of incorporation _____, state incorporate in _____
, amount paid in capital _____. If a subsidiary of any other corporation, so state _____
and give purpose of corporation _____. If incorporated under the laws of another state, is corporation
authorized to do business in the state of Minnesota? ☐ Yes ☐ No

2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.

3. Is establishment located near any state university, state hospital, training school, reformatory or prison? ☐ Yes ☐ No
if yes state approximate distance. _____

4. Name and address of building owner: _____

Has owner of building any connection, directly or indirectly, with applicant? ☐ Yes ☐ No

5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to
be issued? ☐ Yes ☐ No If yes, in what capacity? _____

6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license
is applied and if so, give name and details. _____

7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota?
☐ Yes ☐ No If yes, give name and address of establishment. _____

8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? ☐ Yes ☐ No
9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. ☐ Yes ☐ No ☐ Will be Granted
10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. ☐ Yes ☐ No ☐ Will be Granted
11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. _____
12. State Number of Employees _____
13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? _____
14. If this license is being issued by a County Board, is it located in an organized township? If so, attach township approval. _____
1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. _____

2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. _____

3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor penalties? ☐ Yes ☐ No If yes, give dates, charges and final outcome. _____

4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. ☐ Yes ☐ No If yes, attach a copy of the summons. _____

This licensee must have one of the following: (ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

☐ Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.

☐ A surety bond from a surety company with minium coverage as specified in A.

☐ A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant and title	Signature of applicant	Date
-----------------------------------	------------------------	------

REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department	Title	Signature
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County Attorney's Signature

IMPORTANT NOTICE

All retail liquor licensees must have a current Federal Special Occupational Stamp. This stamp is issued by the Bureau of Alcohol, Tobacco, and Firearms. For information call (651) 726-0220



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
445 Minnesota Street, Suite 222, St. Paul, MN 55101
(651) 201-7531 TDD (651) 282-6555
FAX (651) 297-5259

PrintForm

APPLICATION FOR BREWER OFF SALE INTOXICATING LIQUOR LICENSE

Must be a licensed brewer in order to apply for this license

Fees: Brewer Off Sale Fee: \$ _____ Sunday License: ☐ YES ☐ NO Sunday License Fee: \$ _____
Workers Comp. Ins, Co. _____ Policy Number _____

Minnesota Tax ID Number _____ Federal Tax ID Number _____

Licensee's Name (business, partnership, LLC, corporation)		DOB	Social Security Number	DBA or Trade Name	
Business address			Phone Number		Fax Number
City		State	Zip Code	License Period From _____ To _____	
Name of Store Manager			Phone Number		DOB (Individual Applicant)

If a corporation or LLC state name, date of birth, Social Security Number address, title, and share held by each officer. If a partnership, state names, address and date of birth of each partner.

Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Business address

1. If a corporation, date of incorporation _____, state incorporate in _____
, amount paid in capital _____. If a subsidiary of any other corporation, so state _____
and give purpose of corporation _____. If incorporated under the laws of another state, is corporation
authorized to do business in the state of Minnesota? ☐ Yes ☐ No

2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.

3. Is establishment located near any state university, state hospital, training school, reformatory or prison? ☐ Yes ☐ No
if yes state approximate distance. _____

4. Name and address of building owner: _____

Has owner of building any connection, directly or indirectly, with applicant? ☐ Yes ☐ No

5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to
be issued? ☐ Yes ☐ No If yes, in what capacity? _____

6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license
is applied and if so, give name and details. _____

7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota?
☐ Yes ☐ No If yes, give name and address of establishment. _____

8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? ☐ Yes ☐ No
9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. ☐ Yes ☐ No ☐ Will be Granted
10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. ☐ Yes ☐ No ☐ Will be Granted

11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. _____

12. State Number of Employees _____

13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? _____

14. If this license is being issued by a County Board, is it located in an organized township? If so, attach township approval. _____

1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. _____

2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. _____

3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor penalties? ☐ Yes ☐ No If yes, give dates, charges and final outcome. _____

4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. ☐ Yes ☐ No If yes, attach a copy of the summons. _____

This licensee must have one of the following: (ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

☐ Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.

☐ A surety bond from a surety company with minium coverage as specified in A.

☐ A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant and title	Signature of applicant	Date
-----------------------------------	------------------------	------

REPORT BY POLICE\SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department	Title	Signature
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County Attorney's Signature

IMPORTANT NOTICE

All retail liquor licensees must have a current Federal Special Occupational Stamp. This stamp is issued by the Bureau of Alcohol, Tobacco, and Firearms. For information call (651) 726-0220



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 222, St. Paul, MN 55101
Telephone 651-201-7507 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**

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

Circle One: New License 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:

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

Circle One: (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 _____
(title)

Total number of Barrels Brewed _____

(PS Number Pending)



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
445 Minnesota Street, Suite 222, St. Paul, MN 55101
Telephone 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

MUST BE A LICENSED MICRO DISTILLER IN ORDER TO APPLY FOR THIS LICENSE

Certification of an On Sale Micro Distiller Cocktail Room License

This license only authorizes the on sale of Liquor produced by the distiller 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 Micro Distiller's Cocktail Room 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 Cocktail Room License Fee: \$ _____ Sunday License Fee: \$ _____ Food License Type _____
(If Applying for Sunday Liquor)

City or County Email Address: _____

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 _____

Business Email _____

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 Cocktail Room 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 of the location listed on the license.
 - 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.
- Circle One: (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
444 Cedar St., Suite 133, St. Paul, MN 55101-5133
(651) 201-7507
FAX (651) 297-5259 TTY (651) 282-6555
WWW.DPS.STATE.MN.US



APPLICATION FOR CLUB ON SALE RETAIL LIQUOR LICENSE

An officer of the club seeking a license shall complete this application. This application and the proof of liquor liability insurance must be filed with the city clerk or the county auditor. To qualify for a license a club must have at least fifty members, been in continuous existence for at least three years, have an elected governing board and limit sales to members and bona fide guests only. The annual license fee is set by statute (M.S. 340A.408). Granting of a license by the city or county is discretionary.

Workers Compensation Insurance Company _____ **Policy #** _____

Licensee's MN Sales and Use Tax ID Number _____ *To apply for MN sales and use tax number call (651) 296-6181*

Licensee's Federal Tax ID # _____

Corporation Name		Club Trade Name or DBA	
License Location (Street Address)		License Period FROM _____ TO _____	Business Phone () _____
Municipality	County	State	Zip Code
Building Owner's Name		Building Owner's Address	
Are there any delinquent taxes on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No		Club Manager's Name	
Name of Member of Managing Board	DOB	Social Security #	Address
Name of Member of Managing Board	DOB	Social Security #	Address
Name of Member of Managing Board	DOB	Social Security #	Address
Name of Member of Managing Board	DOB	Social Security #	Address
The Licensee must have one of the following: CHECK ONE			
<input type="checkbox"/> A. Liquor Liability Insurance (Dram Shop) - \$50,000 per person: \$100,000 more than one person: \$10,000 property destruction: \$50,000 and \$100,000 for loss of means of support. ATTACH "CERTIFICATE OF INSURANCE" TO THIS FORM			
OR			
<input type="checkbox"/> B. A Surety bond from a surety company with minimum coverage as specified above in A.			
OR			
<input type="checkbox"/> C. A certificate from the State Treasurer that the Licensee has deposited with the State, Trust Funds having a market value of \$100,000 or \$100,000 in cash or securities.			
Give Date of Club Charter If Veterans or Fraternal Organization		Date of Incorporation	Number of Years of Continuous Existence of the Club
Number of Years in Current Quarters		Number of Club Members	Will the Club be issued a Lawful Gambling License? <input type="checkbox"/> YES <input type="checkbox"/> NO

- ☐ Yes ☐ No 1. Are any members, officer, agents or employees paid profits from the sale of beverages to club members?
- ☐ Yes ☐ No 2. Are any employees paid salaries?
- ☐ Yes ☐ No 3. Has applicant, partners, officers or employees ever had any liquor law violations in Minnesota or elsewhere? If yes, give names, dates, and final outcome. _____
- ☒ Yes ☐ No 4. Does any wholesaler or manufacture of alcoholic beverages own or have any interest in furniture, fixtures or equipment for the licensed premises? If yes, give details. _____
- ☐ Yes ☐ No 5. During the past license year, has a Summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802? If yes, attach a copy of the Summons.
- ☐ Yes ☐ No 6. Will you serve liquor on Sunday? Amount of Sunday License Fee _____

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Signature of Applicant

Date

IF LICENSE ISSUED BY THE COUNTY BOARD: REPORT OF COUNTY ATTORNEY

☐ Yes ☐ No I certify that to the best of my knowledge the applicants named above are eligible to be licensed. If no, state reason. _____

Signature County Attorney

County

Date

REPORT BY POLICE DEPARTMENT OR SHERIFF'S OFFICE

This is to certify that the applicant, and the associates, named herein have not been convicted within the past five years for any violation of Laws of the State of Minnesota, or Municipal Ordinances relating to Intoxicating Liquor, except s follows:

Police Department or Sheriff's Name

Title

Signature

LICENSE APPROVAL OR DENIAL

License ☐ Granted ☐ Denied

Signature City Clerk or County Auditor Date

LICENSE APPROVAL OR DENIAL

License ☐ Granted ☐ Denied

Signature Director Alcohol & Gambling Enforcement Date

NOTICE

A \$30.00 service charge will be added to all dishonored checks. You may also be subjected to a civil penalty of \$100.00 or 100% of the value of the check, whichever is greater, plus interest and attorneys fees. MS 604.113

ALL RETAIL LIQUOR LICENSEES MUST HAVE A CURRENT FEDERAL SPECIAL OCCUPATIONAL STAMP. THE BUREAU OF ALCOHOL TOBACCO AND FIREARMS ISSUES THIS STAMP. FOR INFORMATION CALL (651) 726-0220 (PS 9016-06)



DEPARTMENT OF PUBLIC SAFETY
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
445 Minnesota Street Suite 222
St. Paul, MN 55101
Phone (651) 201-7507 TDD (651) 282-6555
Fax (651) 297-5259

CARD NUMBER

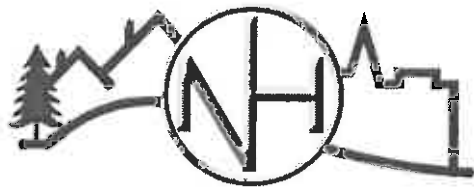
(Office Use Only)

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

ISSUING AUTHORITY NEW HOPE	TYPE CODE	BUYER'S CARD EXPIRES	IDENTIFICATION #
PRINT NAME OF LICENSEE (AS SHOWN ON LICENSE)		BUSINESS NAME (DBA)	
BUSINESS ADDRESS		COUNTY	BUSINESS PHONE
CITY, STATE, ZIP CODE		AUTHORIZED SIGNATURE	

PS 9135 (12/09)

Applicant - return form and fee to City. The check for \$20 should be made payable to Alcohol & Gambling Enforcement Division (AGED).



In order to comply with State and Federal regulations, the city of New Hope is required to ask the information indicated below. This form will be maintained separately from your application.

AUTHORIZATION AND RELEASE FOR APPLICANT(S)

The undersigned, having filed an application with the city of New Hope for a Liquor License, realizing that the city has need to investigate the background and history of the applicant in order to better evaluate his or her application for the above license, does hereby authorize and request every law enforcement official and every other person, firm, officer, corporation, association, organization or institution having control of any documents, records or other information pertaining to me to furnish the original or copies of any such documents, records and other information to the city or any of its representatives, and to permit said city or any of its representatives to inspect and make copies of any such documents, records and other information. I further authorize any such persons to answer any inquiries, questions or interrogatories concerning the undersigned, which may be submitted to them by the city or its authorized representative. I fully understand that the information so obtained by the city may be used by it in its evaluation of my application.

I hereby release and exonerate any person who shall comply with the authorization and request made herein from any and all liability of every nature and kind growing out of and in any way pertaining to the furnishing or inspection of such documents, records and other information.

Dated this _____ day of _____, 20____.

Signature of Applicant

First Name

Middle Name

Last Name

Driver's License Number

Home Address

City

State

Zip Code

Date of Birth

Name of Organization or Business

Home Phone Number

340A.504 HOURS AND DAYS OF SALE.

Subdivision 1. **3.2 percent malt liquor.** No sale of 3.2 percent malt liquor may be made between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, nor between 2:00 a.m. and 10:00 a.m. on Sunday.

Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for consumption on the licensed premises may be made:

- (1) between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- (2) after 2:00 a.m. on Sundays, except as provided by subdivision 3.

Subd. 2a. **Certain dispensing exempt.** Where a hotel possessing an on-sale intoxicating liquor license places containers of intoxicating liquor in cabinets in hotel rooms for the use of guests staying in those hotel rooms, and a charge is made for withdrawals from those cabinets, the dispensing of intoxicating liquor from those cabinets does not constitute a sale for purposes of subdivision 2.

Subd. 3. **Intoxicating liquor; Sunday sales; on-sale.** (a) 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 may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and 2:00 a.m. on Mondays.

(b) An establishment serving intoxicating liquor on Sundays must obtain a Sunday license. The license must be issued by the governing body of the municipality for a period of one year, and the fee for the license may not exceed \$200.

(c) A city may issue a Sunday intoxicating liquor license only if authorized to do so by the voters of the city voting on the question at a general or special election. A county may issue a Sunday intoxicating liquor license in a town only if authorized to do so by the voters of the town as provided in paragraph (d). A county may issue a Sunday intoxicating liquor license in unorganized territory only if authorized to do so by the voters of the election precinct that contains the licensed premises, voting on the question at a general or special election.

(d) An election conducted in a town on the question of the issuance by the county of Sunday sales licenses to establishments located in the town must be held on the day of the annual election of town officers.

(e) Voter approval is not required for licenses issued by the Metropolitan Airports Commission or common carrier licenses issued by the commissioner. Common carriers serving intoxicating liquor on Sunday must obtain a Sunday license from the commissioner at an annual fee of \$75, plus \$30 for each duplicate.

Subd. 4. **Intoxicating liquor; off-sale.** No sale of intoxicating liquor may be made by an off-sale licensee:

- (1) on Sundays;
- (2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- (3) on Thanksgiving Day;
- (4) on Christmas Day, December 25; or

(5) after 8:00 p.m. on Christmas Eve, December 24.

Subd. 5. **Bottle clubs.** No establishment licensed under section 340A.414, may permit a person to consume or display intoxicating liquor, and no person may consume or display intoxicating liquor between 1:00 a.m. and 12:00 noon on Sundays, and between 1:00 a.m. and 8:00 a.m. on Monday through Saturday.

Subd. 6. **Municipalities may limit hours.** A municipality may further limit the hours of on and off sales of alcoholic beverages, provided that further restricted on-sale hours for intoxicating liquor must apply equally to on-sale hours of 3.2 percent malt liquor. A city may not permit the sale of alcoholic beverages during hours when the sale is prohibited by this section.

Subd. 7. **Sales after 1:00 a.m.; permit fee.** (a) No licensee may sell intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. unless the licensee has obtained a permit from the commissioner. Application for the permit must be on a form the commissioner prescribes. Permits are effective for one year from date of issuance. For retailers of intoxicating liquor, the fee for the permit is based on the licensee's gross receipts from on-sales of alcoholic beverages in the 12 months prior to the month in which the permit is issued, and is at the following rates:

- (1) up to \$100,000 in gross receipts, \$300;
- (2) over \$100,000 but not over \$500,000 in gross receipts, \$750; and
- (3) over \$500,000 in gross receipts, \$1,000.

For a licensed retailer of intoxicating liquor who did not sell intoxicating liquor at on-sale for a full 12 months prior to the month in which the permit is issued, the fee is \$200. For a retailer of 3.2 percent malt liquor, the fee is \$200.

(b) The commissioner shall deposit all permit fees received under this subdivision in the alcohol enforcement account in the special revenue fund.

(c) Notwithstanding any law to the contrary, the commissioner of revenue may furnish to the commissioner the information necessary to administer and enforce this subdivision.

History: 1985 c 139 s 1; 1985 c 305 art 7 s 4; 1Sp1985 c 16 art 2 s 3 subd 1; 1987 c 5 s 4; 1987 c 152 art 1 s 1; 1988 c 420 s 1; 1989 c 49 s 3-5; 1990 c 554 s 14; 1991 c 249 s 21,22,31; 1992 c 513 art 3 s 60; 1994 c 611 s 26; 1997 c 129 art 1 s 8; 2002 c 318 s 2; 2003 c 126 s 10-12; 1Sp2003 c 19 art 2 s 59,79; 2005 c 131 s 8-10; 2005 c 136 art 8 s 18,19; 2006 c 210 s 13; 2015 c 9 art 2 s 7

To: Liquor License Applicants and Insurance Agents

CERTIFICATES OF INSURANCE

The following liability coverages are necessary for liquor license applications and renewals. The New Hope City Attorney reviews the certificates of insurance and frequently there are questions regarding the automobile liability coverage and the cancellation language. This information is provided in an attempt to address these problems and you may wish to share it with your insurance carrier.

- a) General Liability*
- b) Automobile Liability (all "Owned Autos" must be marked; if applicant has no owned autos a signed statement indicating such is necessary, i.e. "we do not own any automobiles and if any are acquired within the next year they will be covered under the policy").
- c) Liquor Liability/Dram Shop (specify \$300,000 coverage rather than "meets statutory requirement"). Coverage must be effective through December 31 (§340A.409) or "liquor liability coverage continuous unless cancelled" must be specified and written notice provided to the city.
- d) Workers Compensation Insurance

*Minimum Policy Limits - with the exception of workers compensation, all insurance coverages shall be a minimum amount of \$300,000 per person and \$300,000 per occurrence - per city code 10-12(d)(1).

Name/Address/Effective dates - The name on the certificate must match exactly with the license application/renewal. If you use a trade name, list both the license name and trade name (DBA). The address on the certificate must be the same as the licensed premises. New Hope's liquor license period is calendar year (January 1 through December 31). The certificate must show insurance coverage effective through December 31 (the only exception is if the certificate reflects "liquor liability coverage continuous unless cancelled").

Certificates of insurance should be mailed to:

New Hope City Clerk
4401 Xylon Avenue North
New Hope, MN 55428

e-mail: vleone@ci.new-hope.mn.us
phone: (763)531-5117 Valerie Leone, City Clerk
(763)424-8811 Steve Sondrall, City Attorney
FAX: (763)531-5136

Chapter 10

POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR*

- Sec. 10-1. Adoption of state law by reference.
- Sec. 10-2. City may be more restrictive than state law.
- Sec. 10-3. Definitions.
- Sec. 10-4. Nudity on premises of licensed establishment prohibited.
- Sec. 10-5. Consumption in public places.
- Sec. 10-6. Raffles, silent auctions and fund raising events for charitable purposes of wine, beer or intoxicating liquor.
- Sec. 10-7. Number of licenses which may be issued.
- Sec. 10-8. Term and expiration of licenses.
- Sec. 10-9. Kinds of liquor licenses.
- Sec. 10-10. License fee; pro rata.
- Sec. 10-11. Council discretion to grant or deny license.
- Sec. 10-12. Application for a license.
- Sec. 10-13. Description of the premises.
- Sec. 10-14. Application for renewal.
- Sec. 10-15. Transfer of license.
- Sec. 10-16. Investigation.
- Sec. 10-17. Hearing and issuance.
- Sec. 10-18. Restriction on issuance.
- Sec. 10-19. Conditions of license.
- Sec. 10-20. Hours and days of sale.
- Sec. 10-21. Minors on premises.
- Sec. 10-22. Restrictions on purchase and consumption.
- Sec. 10-23. License suspension, revocation or civil fine.
- Sec. 10-24. Hearing procedure on suspension or revocation of license.
- Secs. 10-25—10-29. Reserved.
- Sec. 10-30. Criminal penalties.

***Editor's note**—Ord. No. 15-02, § 1, adopted May 26, 2015, repealed the former ch. 10, §§ 10-1, 10-2, 10-5, 10-10, 10-19—10-21, 10-30, 10-40, 10-42, 10-43, 10-45—10-51, 10-54—10-57, 10-60, 10-61, 10-70, 10-77, 10-78, 10-80—10-84, § 2 of said ordinance enacted a new ch. 10 as set out herein. The former ch. 10 pertained to alcoholic beverages. See Code Comparative Table for complete legislative history.

Sec. 10-1. Adoption of state law by reference.

The provisions of Minn. Stat. ch. § 340A as it may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to license application and renewal, sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor, are hereby adopted by reference and are made a part of chapter 10 of this Code as if set out in full herein. It is the intention of the city council that all future amendments to Minn. Stat. ch. 340A are hereby adopted by this reference as if they had been in existence at the time chapter 10 of this Code is adopted.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-2. City may be more restrictive than state law.

The council is authorized by the provisions of Minn. Stat. § 340A.509 as it may be amended from time to time, to impose, and has imposed in this Code, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minn. Stat. ch. 340A as it may be amended from time to time.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-3. Definitions.

In addition to the definitions contained in Minn. Stat. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this Code:

Bowling center license as used in section 10-9(5)c. of this Code means the sale of liquor by the glass or by the drink only in a bowling center deriving at least 50 percent of its gross sales from bowling, having a minimum of 24 bowling lanes with appropriate facilities and seating capacity to serve meals for not less than 30 people.

Brewer means any person who manufactures malt liquor for sale.

Brewery means a location where malt liquor is manufactured and stored for wholesale distribution in off-sale packages to retail liquor establishments and where malt liquor manufactured on-site may be sold "on-sale" in a taproom or "off-sale" packaged in 64-ounce containers commonly known as "growlers."

Brewery taproom—off-sale license as used in section 10-9(9) of this Code means the off-sale sale of malt liquor produced and packaged by a brewer on the premises of or adjacent to the brewery location owned by the brewer subject to compliance with the conditions in Minn. Stat. § 340A.28 and the following conditions:

- (1) The brewer has been issued a brewer's license per Minn. Stat. § 340A.301, subd. 6(c), (i) or (j).
- (2) The amount of malt liquor sold at off-sale may not exceed 500 barrels annually.
- (3) Sales shall be limited to the restricted hours for "off-sale" establishments set out in Minn. Stat. § 340A.504, subd. 4. as provided in section 10-20 of this Code.

- (4) The malt liquor must be packaged in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles per Minn. Stat. § 340A.285. The containers or bottles shall bear a twist -type closure, cork, stopper or plug. At the time of sale, a paper or plastic adhesive band, strip or sleeve shall be applied to the container and extended over the top of the twist-type closure, cork, stopper or plug, forming a seal that must be broken upon opening of the container. The adhesive band, strip or sleeve shall bear the name and address of the brewer. The container shall be identified as malt liquor and shall be considered intoxicating liquor unless the alcohol content is labeled otherwise per Minnesota Rules, part 7515.1100.
- (5) A brewer may have only one brewery taproom off-sale license within the city and may not brew annually more than 10,000 barrels of its own brands of malt liquor.

Brewery taproom—on-sale license as used in section 10-9(10) of this Code means the sale of malt liquor produced by a brewer for consumption on the premises of or adjacent to the brewery location owned by the brewer subject to compliance with the conditions in Minn. Stat. § 340A.26 and the following conditions:

- (1) The brewer has been issued a brewer's license per Minn. Stat. § 340A.301, subd. 6(c), (i) or (j).
- (2) The brewer has not been issued any other on or off-sale brewery taproom licenses under this Code and does not have an ownership interest in any brewpub licensed under this Code or Minn. Stat. § 340A.24.
- (3) On-site taproom retail sales may not exceed 3,500 barrels annually, 500 barrels of which may be sold off-sale as growlers provided the brewer has also been issued a brewery taproom off-sale license by the city.
- (4) The brewer must demonstrate the location of the brewery and ancillary taproom is in compliance with all requirements of the city's zoning code.
- (5) On-sale Sunday sales of malt liquor at a brewery taproom shall not be permitted.
- (6) All provisions of chapter 10 of this Code shall be applicable to an on-sale brewery taproom license unless inconsistent with the provisions of this section.

Brewpub means a restaurant-brewery that sells 85 percent or more of its malt liquor on-site. The malt liquor is brewed primarily for sale in the restaurant and bar, and may be dispensed directly from the brewery's storage tanks. Brewpubs may also sell malt liquor for off-sale consumption in growler containers.

Hotel license as used in section 10-9(5)a. of this Code means and includes any establishment where, in consideration of payment therefor, food and lodging are regularly furnished to transients, which maintains for the use of its guests not less than 100 guest rooms with bedding and other usual, suitable and necessary furnishings in each room, which is provided at the main entrance with a suitable lobby, desk and office for the registration of its guest on the ground floor, which employs an adequate staff to provide suitable and usual service, and which maintains under the same management and control as the rest of the establishment and

has, as an integral part thereof, a dining room with appropriate facilities for seating not less than 200 guests at one time, where the general public is, in consideration of payment therefor, served meals at tables.

Liquor as used in this Code without modification by the words an "intoxicating" or a "3.2 percent malt" includes both intoxicating liquor and 3.2 percent malt liquor.

Microdistillery cocktail room—on-sale license as used in section 10-9(11) of this Code means the on-sale sale of distilled liquor produced by the distiller on the premises of or adjacent to a distillery location owned by a distiller subject to compliance with the conditions in Minn. Stat. § 340A.22 and the following conditions:

- (1) The distiller has been issued a microdistillery license under Minn. Stat. § 340A.22.
- (2) The distiller has not been issued any other microdistillery cocktail room license or an on-sale brewery taproom license under Minn. Stat. §§ 340A.22 and 26 and does not have an ownership interest in any distillery licensed under Minn. Stat. § 340A.301, subd. 6(a). A microdistillery cocktail room license may not be co-located with a brewery taproom.
- (3) The distiller must demonstrate the location of the microdistillery and ancillary cocktail room is in compliance with all requirements of the city's zoning code.
- (4) On-sale Sunday sales of distilled liquor at a microdistillery cocktail room shall not be permitted.
- (5) All provisions of chapter 10 of this Code shall be applicable to an on-sale microdistillery cocktail room license unless inconsistent with the provisions of this section.

Restaurant license for purposes of the sale of intoxicating liquors or wine as used in section 10-9(5)b. and (8) of this Code shall have the following described meanings:

- (1) Restaurant, intoxicating liquor. Any establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises and served at tables to the general public, meeting the following minimum requirements:
 - a. *Seating capacity.* A restaurant building having appropriate facilities and adequate staff to serve meals at tables and, for seating not less than 30 guests at one time for meals, excluding seating available for food service in the bar area or seating in a lounge or waiting area.
 - b. *Maximum liquor sales.* The sale of intoxicating liquor, wine or 3.2 percent malt beverages shall not exceed 50 percent of the restaurant's gross yearly sales.
- (2) Restaurant, wine. For qualification for issuance of an on-sale wine license a restaurant building must have seating capacity for not less than 25 guests and shall also comply with the maximum sales requirement for a restaurant as defined in subsection (1)b. referenced above.

School means any of the following public or private educational facilities: preschools, elementary, junior high or senior high schools.

Taproom means a room that is ancillary to the production of malt liquor at a brewery where the public can purchase and/or consume only the malt liquor produced on-site. A taproom may also sell malt liquor for off-sale consumption in growler containers.
(Ord. No. 15-02, § 2, 5-26-2015; Ord. No. 15-21, § 1, 9-28-2015)

Sec. 10-4. Nudity on premises of licensed establishment prohibited.

(a) *Purpose and authority.* The city council finds that it is in the best interests of the public health, safety, and general welfare of the people of the city that nudity is prohibited as provided in this section on the premises of any establishment licensed under chapter 10 of this Code. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The council also finds that the prohibition of nudity on the premises of any establishment licensed under chapter 10 of this Code, as set forth in this section, reflects the prevailing community standards of the city.

(b) *Bodily exposure.* It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.

(c) *Criminal sanction.* A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine, or 3.2 percent malt liquor license or any other license issued under this Code or the imposition of a civil penalty under the provisions of section 10-30(b) of this Code.
(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-5. Consumption in public places.

No person shall mix, consume, serve or display intoxicating liquor, wine or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place or business establishment other than on the premises of an establishment licensed under this Code or where the consumption and display of liquor is lawfully permitted.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-6. Raffles, silent auctions and fund raising events for charitable purposes of wine, beer or intoxicating liquor.

No person shall conduct a silent auction, raffle or other fund raising event pursuant to Minn. Stat. § 340A.707 with prizes or awards of wine, beer or intoxicating liquors without

notifying the city clerk of the event at least ten days prior to the occurrence of the event. The event holder shall provide the city with the following information: the person or organization holding the event, the day, time and location of the event, type of fund raising event (silent auction, raffle or otherwise), type and amount of wine, beer, intoxicating liquor to be awarded as prizes, and the charitable purposes to which the event proceeds will be donated.
(Ord. No. 15-02, § 2, 5-26-2015; Ord. No. 15-21, § 1, 9-28-2015)

Sec. 10-7. Number of licenses which may be issued.

State law establishes the number of liquor licenses that a city may issue. However, the number of licenses which may be granted under this Code is hereby limited per section 10-2 of this Code as follows:

- (1) *Number of on-sale licenses.* The maximum number of on-sale intoxicating liquor, wine or 3.2 percent malt liquor licenses which may be issued by the city shall be determined by Minn. Stat. § 340A.413, as it may be amended from time to time
 - (2) *Number of off-sale licenses.* The maximum number of off-sale intoxicating liquor licenses which shall be issued by the city is ~~six~~. This limit shall not apply to brewery taproom or brewpub off-sale licenses. Brewery taproom off-sale licenses shall be limited to the number of qualifying breweries as defined in section 10-3 of this Code.
 - (3) *Increase in on-sale / off-sale intoxicating licenses.* The council in its sound discretion may provide by amendment to this section that a larger number of on-sale or off-sale licenses may be issued up to the number of licenses authorized by Minn. Stat. ch. 340A, as it may be amended from time to time; however, the council is not required to issue the full number of licenses that it has available.
- (Ord. No. 15-02, § 2, 5-26-2015; Ord. No. 15-28, § 1, 11-23-2015)

Sec. 10-8. Term and expiration of licenses.

Each license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on December 31 of each year unless another date is provided by this Code. Temporary licenses expire according to their terms.
(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-9. Kinds of liquor licenses.

The council may issue the following licenses and permits, up to the number specified in section 10-7 of this Code:

- (1) 3.2 percent malt liquor on-sale licenses, which may be issued only to golf courses, restaurants, hotels, clubs and bowling centers.
- (2) 3.2 percent malt liquor off-sale license.
- (3) Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization.

- (4) Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores. The fee for an off-sale intoxicating liquor license shall not exceed the amount permitted by Minn. Stat. § 340A.408, subd. 3, as it may be amended from time to time, and as set out in chapter 14 of this Code.
- (5) On-sale intoxicating liquor licenses, which may be issued only to the following establishments as defined by Minn. Stat. § 340A.101, as it may be amended from time to time, and section 10-03 of this Code:
 - a. Hotels;
 - b. Restaurants;
 - c. Bowling centers;
 - d. Theaters;
 - e. Clubs or congressionally chartered veterans organizations. Club licenses may be issued only with the approval of the commissioner of public safety. The fee for club licenses shall not exceed the amounts provided for in Minn. Stat. § 340A.408, subd. 2(b) as it may be amended from time to time.
- (6) Sunday on-sale intoxicating liquor or wine licenses, as provided by Minn. Stat. § 340A.504, subd. 3, as it may be amended from time to time, may be issued only to a restaurant, bowling center or hotel as defined in section 10-3 of this Code which has a seating capacity of at least 30 persons, which holds an on-sale intoxicating liquor or wine license, and which serves liquor only in conjunction with the service of food. The maximum fee for this license shall not exceed the maximum amount provided by Minn. Stat. § 340A.504, subd. 3(c) as it may be amended from time to time and as set out in chapter 14 of this Code.
- (7) On-sale wine licenses, with the approval of the commissioner of public safety, may be issued to restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of Minn. Stat. § 340A.404, subd. 5, as it may be amended from time to time, and which meet the definition of "restaurant wine" in section 10-3 of this Code. The fee for an on-sale wine license is set out in chapter 14 of this Code and shall not exceed one-half of the license fee charged for an on-sale intoxicating liquor license or \$2,000.00, whichever is less per Minn. Stat. § 340A.408, subd. 2(c). The holder of an on-sale wine license who also holds an on-sale 3.2 percent malt liquor license is authorized to sell malt liquor with a content over 3.2 percent (strong beer) without an additional license.
- (8) Brewery taproom off-sale license for malt liquor may be issued only to those brewers and breweries meeting the definitional requirements of section 10-3 of this Code.
- (9) Brewery taproom on-sale license for malt liquor may be issued only to those brewers and breweries meeting the definitional requirements of section 10-3 of this Code.

INTOXICATING AND 3.2 PERCENT MALT LIQUOR

§ 10-9

- (10) Brewpub on-sale intoxicating liquor or on-sale 3.2 percent malt liquor license, with the approval of the commissioner of public safety, may be issued to brewers who operate a

restaurant subject to the same conditions as defined in section 10-3 of this Code in their place of manufacture and who meet the criteria established at Minn. Stat. § 340A.24, as it may be amended from time to time. Sales of malt liquor under this license at on-sale may not exceed 3,500 barrels per year. If a brewpub licensed under this section possesses a license for off-sale under section 10-9(h) of this Code, the brewpub's total combined retail sales of malt liquor at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

- (11) Microdistillery cocktail room on-sale license for intoxicating liquor may be issued only to those distillers and microdistilleries meeting the definitional requirements of section 10-3 of this Code.
(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-10. License fee; pro rata.

(a) No license or other fee for a liquor license established by the city shall exceed any limit established by Minn. Stat. § 340A.408, as it may be amended from time to time.

(b) The council may establish from time to time, as set out in chapter 14 of this Code, the fee for any of the liquor licenses it is authorized to issue. The license fee may not exceed the cost of issuing the license and other costs directly related to the enforcement of the liquor laws and this Code. No liquor license fee shall be increased without providing mailed notice of a hearing on the proposed increase to all affected licensees at least 30 days before the hearing.

(c) The fee for all licenses, except temporary licenses, granted after the commencement of the license year shall be prorated on a quarterly basis.

(d) All license fees shall be paid in full at the time the application is filed with the city. If the application is denied, the license fee shall be returned to the applicant.

(e) A refund of a pro rata share of an annual license fee may occur only if authorized by Minn. Stat. § 340A.408, subd. 5, as it may be amended from time to time.

(f) Off-sale intoxicating liquor licensees may request a reduction in their annual license fee by the amount specified in Minn. Stat. § 340A.408 if at the time of initial application or renewal they:

- (1) Agree to have a private vendor approved by the city train all employees within 60 days of hire and annually thereafter in laws pertaining to the sale of alcohol, the rules for identification checks, and the responsibilities of establishments serving intoxicating liquors;
- (2) Post a policy requiring identification checks for all persons appearing to be 30 years old or less;
- (3) Establish a written cash award and incentive program to award employees who catch underage drinkers and a written penalty program to punish employees in the event of a failed compliance check;

- (4) Failure to abide by the provisions of this paragraph may result in suspension of the license until the conditions of the fee reduction are met and may result in suspension and/or revocation of the license pursuant to section 10-23 of this Code.
(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-11. Council discretion to grant or deny license.

The council in its sound discretion may either grant or deny the application for any license or renewal of any license. No applicant has a right to a license under this Code.
(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-12. Application for a license.

(a) *Form and verification.* Every application for a license issued under this Code shall be on a form provided by the city and required by the commissioner of public safety. No person shall make a false statement in an application.

(b) *Required information.* In addition to the information which may be required by the commission of public safety's form, or any other information the city council shall require, the application shall contain the following:

- (1) Type of business. Whether the applicant is a natural person, corporation, partnership or other form of organization.
- (2) License sought. Type of license applicant seeks.
- (3) For natural person. If the applicant is a natural person, the following information:
 - a. *Name.* True name, including maiden name, if applicable, place and date of birth, and resident street address of applicant.
 - b. *Alias.* Whether applicant has ever used or been known by a name other than his true name and, if so, what was such name, or names, and information concerning dates and places where used, and the reasons for using alternate identification.
 - c. *Business name.* The name of the business if it is to be conducted under a designation, name or style 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 secretary of state, shall be attached to the application.
 - d. *Marital status.* Whether applicant is married or single. If married, name including maiden name, if applicable, place of birth and street residence address of applicant's present spouse. If divorced, the name of applicant's former spouse or spouses and spouse's (their) present resident address(es), if known.
 - e. *Registered voter.* Whether applicant and present spouse are registered voters and, if so, where.
 - f. *Addresses.* Street addresses at which applicant and present spouse have lived during the preceding ten years.

- g. *Occupational history.* Kind, name and location of business or occupation applicant and present spouse have been engaged in during the preceding ten years.
 - h. *Partners and employers.* Names and addresses of applicant's and spouse's employers and partners, if any, for the preceding ten years.
 - i. *Criminal record.* Whether applicant or applicant's spouse, or a parent, brother, sister or child of either of them, has ever been arrested or convicted of any crime other than minor traffic offenses. If so, the applicant shall furnish information as to the time, place and offense for which arrests or convictions occurred, and the final disposition of the same of the court having proper jurisdiction.
 - j. *Prior experience.* Whether applicant or applicant's spouse, or a parent, brother, sister or child of either of them has ever been engaged as an employee or in operating a saloon, hotel, restaurant, cafe, tavern or other business of a similar nature. If so, applicant shall furnish information as to the time, place and length of time.
 - k. *Military service.* Whether applicant has ever been in the military service. If so, applicant shall, upon request, exhibit all discharges.
 - l. *Related persons.* The name, address and business address of each person who is engaged in Minnesota or elsewhere in the business of selling, manufacturing or distributing intoxicating liquor and who is nearer of kin to the applicant or applicant's spouse than second cousin, whether of the whole or half blood, computed by the rules of civil law, or who is a brother-in-law or sister-in-law of the applicant or applicant's spouse.
 - m. *Bankruptcy.* Whether or not the applicant has ever petitioned for or been adjudicated a bankrupt.
 - n. *Banking references.* The name of any banking institution in which the applicant has maintained a checking account within the last five years.
- (4) For partnership. If the applicant is a partnership, the names and addresses of all partners, general or limited, and all information concerning each partner as is required of a single applicant in subsection (b)(3) of this section. A managing or general partner, or partners, shall be designated. The interest of each partner in the business shall be disclosed. A true copy of the partnership agreement shall be submitted with the application and, if the partnership is required to file a certificate as to a trade name under the provisions of Minn. Stat. ch. 333, a copy of such certificate certified by the secretary of state shall be attached to the application.
- (5) For corporation. If the applicant is a corporation or other organization and is applying for an "on-sale" license, the following:
- a. *Corporate documents.* A certified copy of certificate of incorporation, articles of incorporation or association agreement and by-laws and, if a foreign corporation, a certificate of authority as described in Minn. Stat. ch. 303 from the secretary of state.

- b. *Responsible party.* The name of the manager or proprietor or other agent in charge of the premises to be licensed, giving all the information about said person as is required of a single applicant in subsection (b)(3) of this section.
 - c. *Relationships.* A list of all persons who, singly or together with their spouse, or a parent, brother, sister or child or other relative, own or control an interest in said corporation or association in excess of five percent or who are officers of said corporation or association, together with their addresses and all information as is required of a single applicant in subsection (b)(3) of this section. If such owners are parent corporations, the same information shall be required of the parent as the applicant.
- (6) *Financial investment.* The amount of the investment that the applicant has in the business, building, premises, fixtures, furniture, stock in trade, etc., and proof of the sources of such money.
- a. *Debts.* The names and addresses of all persons to whom applicant is indebted, other than debts arising out of the ordinary course of business, for a date 60 days prior to the date of the application; the nature of such indebtedness, amount thereof, terms for payment or other reimbursement. This shall include, but not be limited to, any lessors, mortgagees, lenders, lien holders, trustees; the persons who have cosigned notes or pledged security for any indebtedness of the application.
 - b. *References.* The names, residences and business addresses of three persons; residents of Hennepin County, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as the applicant's character or, in the case where information is required of a manager, or general partner, the manager's, or general partner's character.
 - c. *Tax payment.* Whether or not all real estate and personal property taxes for the premises to be licensed which are due and payable have been paid, and if not paid, the years and amounts which are unpaid.
- (7) *Federal permit.* 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.
- (8) *Sunday sales.* An application for a "special license for Sunday liquor sales" may refer to, and incorporate therein by reference, the information maintained in the licensee's application for an "on-sale" license to the extent that such information is current and applicable at the time of such application for a "special license on Sunday liquor sales."
- (c) *Execution of application.* If the application is by a natural person, it shall be signed and sworn to by such person; if by a corporation, by two officers thereof; if by a partnership, by one of the partners, or in any case, its managing partner; if by an incorporated association, by the manager or managing officer thereof. If the applicant is a partnership, the application, license and bond (or insurance policy) shall be made and issued in the name of all partners.

(d) *Financial responsibility/insurance.* Prior to the issuance of any license under this Code, the applicant shall demonstrate proof of financial responsibility as defined in Minn. Stat. § 340A.409, as it may be amended from time to time, with regard to liability under Minn. Stat. § 340A.801, as it may be amended from time to time. This proof will be filed with the city and the commissioner of public safety. At the time of filing of the application the applicant shall also provide evidence of liability insurance coverage on an Acord 25 Certificate of Insurance or its equivalent. Said certificate shall specifically indicate the applicant has procured all coverages at minimum policy limits required by this subsection. All policies of insurance shall be conditioned that the insurer shall pay, to the extent of the principal amount of the policy, any damages for death or injury caused by, or resulting from, the negligence of the applicant or from the violation of any law relating to the business for which such license has been granted. Operation of a business which is required to be licensed by this Code without having on file with the city at all times effective proof of financial responsibility and required insurance coverage is a cause for revocation of the license.

- (1) Required coverages. All licensees shall procure the following liability coverages:
 - a. *General liability.* Coverage in the comprehensive form which shall include coverage for:
 1. Premises operation.
 2. Products hazard.
 3. Contractual insurance.
 4. Broad form property damage.
 5. Independent contractors.
 6. Personal injury.
 - b. *Automobile liability.* Coverage in the comprehensive form including coverage for all owned, hired, or nonowned vehicles used by the licensee.
 - c. *Liquor liability/dram shop.* Coverage for liability imposed on the applicant by Minn. Stat. § 340A.801.
 - d. *Workers compensation insurance.* Coverage for liability imposed by Minn. Stat. ch. 176.
- (2) Minimum policy limits. With the exception of workers compensation coverage, all insurance coverages required by this subsection shall be in a minimum amount of \$300,000.00 per person and \$300,000.00 per occurrence. Said coverages may be written as combined single limits including property damage protection. The policy limits for workers compensation insurance shall be as provided for by state law.
- (3) Insurance not required. Proof of insurance is not required from the following licensees per Minn. Stat. 340A.409, subd. 5, who by affidavit establish that:
 - a. They are on-sale 3.2 percent malt liquor licensees with sales of less than \$25,000.00 of 3.2 percent malt liquor for the preceding year;

- b. They are off-sale 3.2 percent malt liquor licensees with sales of less than \$50,000.00 of 3.2 percent malt liquor for the preceding year;
- c. They are holders of on-sale wine licenses with sales of less than \$25,000.00 for wine for the preceding year;
- d. They are holders of temporary wine licenses issued under law; or
- e. They are wholesalers who donate wine to an organization for a wine tasting conducted under Minn. Stat. § 340A.418 or 340A.419.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-13. Description of the premises.

The application also shall specifically describe the compact and contiguous premises, including patio if applicable, within which liquor may be dispensed and consumed including the following:

- (1) *Legal description.* 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 and distances of the nearest school grounds. The description may not include any parking lot or sidewalk.
- (2) *Location identification.* The floor number and street number where the sale of intoxicating liquors is to be conducted and the rooms where liquor is to be sold or consumed. An applicant for an "on-sale" license shall submit a floor plan of the dining room, or dining rooms, which shall be open to the public, shall show dimensions and shall indicate the number of persons intended to be served in each of said rooms.
- (3) *Plans.* Whenever the application for an "on-sale" license to sell intoxicating liquor, or for a transfer thereof, is for premises either planned or under construction or undergoing substantial alteration, the application shall be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed. If the plans or design are on file with the community development department, no plans need to be filed with the city clerk.

(Ord. No. 15-02, § 2, 5-26-2015; Ord. No. 15-21, § 2, 9-28-2015)

Sec. 10-14. Application for renewal.

All on-sale and off-sale liquor licenses shall expire yearly on the last day in December. Applications for the renewal of an existing license shall be made at least 60 days prior to the date of the expiration of the license and shall be made in such abbreviated form as the city council may approve. If, in the judgment of the city council, good and sufficient cause is shown by an applicant for his failure to file for a renewal within the time provided, the city council may, if the other provisions of this chapter are complied with, grant the application. At the earliest practicable time after application is made for a renewal of an "on-sale" bowling center, restaurant or brewpub intoxicating liquor license, and in any event prior to

the time that the application is approved by the city council, the applicant shall file with the city clerk a statement made by a certified public accountant that shows the total food sales, and in the case of a bowling center the total sales from its bowling operation equals or exceeds 50 percent of its total gross sales for the 12-month period immediately preceding the date for filing renewal applications. A foreign corporation shall file a current certificate of authority. The decision whether or not to renew a license rests within the sound discretion of the city council. No licensee has a right to have the license renewed.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-15. Transfer of license.

No license issued under this Code may be transferred from person to person or place to place without the approval of the council. Any transfer of existing stock or issuance of new stock of a corporate licensee exceeding five percent of issued shares is deemed to be a transfer of the license, and a transfer of stock without prior council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this Code applying to applications for a new license shall apply. Where 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, no additional license fee will be required, but the information required from a corporation shall be filed at the time of incorporation. If the ownership control or interest is changed in any material way, a new license must be applied for, including payment of license fees.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-16. Investigation.

All applications for a license, except 3.2 percent malt liquor on and off-sale licenses, shall be referred to the director of police, and to such other city departments as the city manager shall deem necessary, for verification and investigation of the facts set forth in the application. The director of police shall make the following investigations and prepare a written report on the information requested in sections 10-12 and 10-13 of this Code within 90 days of the license application date to the city council. The report shall include a list of all violations of federal or state law or municipal code.

- (1) *Preliminary background and financial investigation.* On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the council that it is in the public interest to do so, on an application for renewal of a license, the city shall conduct a preliminary background and financial investigation of the applicant. The applicant shall pay with the application a nonrefundable investigation fee of \$500.00 which shall be in addition to any license fee. The results of the preliminary investigation shall be sent to the commissioner of public safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.
- (2) *Comprehensive background and financial investigation.* If the results of a preliminary investigation warrant, in the sound discretion of the city manager or director of police, a comprehensive background and financial investigation may be conducted by

the council. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500.00, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000.00, less any amount paid for the initial investigation, if the investigation is required outside the state. The unused balance of the fee shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the commissioner of public safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-17. Hearing and issuance.

The council shall review all facts set out in the application and preliminary or comprehensive background and financial investigations. After the investigation and hearing as set out herein, the council shall in its sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the commissioner of public safety.

- (1) *Hearing on new application.* Within 20 days after the completion of the police director's written report and recommendation, the city manager shall instruct the city clerk to publish in the official newspaper, a notice of a public hearing to be held by the city 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 city manager may direct. The notice shall be published at least ten but not more than 30 days prior to the hearing. The city council shall render a decision, by a majority vote, denying or approving the application, giving the reasons therefor. At the hearing, opportunity shall be given to any person to be heard for or against the granting of the license.
- (2) *Renewal hearing.* Not less than ten days nor more than 15 days after the date for submitting renewal applications, the city council shall hold a public hearing. Notice of the time and place of said meeting and consideration and approval of renewal applications shall be published in the official newspaper ten days in advance of the hearing. Opportunity shall be given to any person to be heard for or against the renewal of the license.
- (3) *License to premises.* Each license shall be issued to the applicant only. Each license shall be issued only for the premises described in the application. With the approval of the city council and the commissioner of public safety, a licensee may store excess stocks of intoxicating liquor in places other than the licensed premises. The place of storage shall be located within the city. The location and address of the storage place, the length of time it is proposed to store liquor in such place, the quantity of liquor stored and removal from the storage place shall be reported in writing to the city clerk at least three days prior to the initiation of storage.

- (4) *Notice to state.* The city clerk shall, within ten days after the issuance of any license under this chapter, submit to the commissioner of public safety 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 shall also submit to the commissioner any change of address, transfer, cancellation or revocation of any license by the council during the license period.
 - (5) *Certificate of occupancy.* Where a license is granted for premises where the building is under construction or otherwise not ready for occupancy, the city clerk shall not issue the license until notified by the community development director that a certificate of occupancy has been issued and the building is ready for occupancy.
- (Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-18. Restriction on issuance.

- (a) Each license shall be issued only to the applicant for the premises described in the application.
 - (b) Not more than one license shall be directly or indirectly issued within the city to any one person.
 - (c) *Unpaid taxes.* No license shall be issued, or renewed, for operation on any premises, on which taxes, assessments or other financial claims of the city or of the state are delinquent or unpaid. In the event 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 provision. No waiver may be granted, however, for taxes, or any portion thereof, which remains unpaid for a period exceeding one year after becoming due.
 - (d) No license shall be issued for any place or any business ineligible for a license under state law.
 - (e) No license shall be issued to any person who is not a resident of the state. If the applicant is a corporation, all of the shareholders shall be residents of the state. The provisions of this subsection (e) shall not apply to any license existing on the effective date of the adoption of the ordinance implementing this subsection (e) or to the renewal of an existing license.
 - (f) *School property.* No license shall be granted for premises located within 500 feet of a school. The distance shall be measured in a straight line from the closest point of the school's parcel or lot line to the closest side of the structure on the premises within which liquor is to be sold. The erection of a school within the prohibited area, after an original application has been granted, shall not render such premises ineligible for renewal of the license.
 - (g) *Common building access.* No license shall be granted for any establishment which has a common entrance or exit between any two establishments except that a public concourse or public lobby shall not be construed as a common entrance or exit.
- (Ord. No. 15-02, § 2, 5-26-2015; Ord. No. 15-21, § 3, 9-28-2015)

Sec. 10-19. Conditions of license.

The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met:

- (1) Within 90 days after employment, every person selling or serving liquor in an establishment which has an on-sale 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.
- (2) Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this Code and the law equally with the employee.
- (3) Every licensee shall allow any peace officer, health officer, city employee, or any other person designated by the council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.
- (4) No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.
- (5) Compliance with financial responsibility requirements of state law and of this Code is a continuing condition of any license.
- (6) Failure by on off-sale intoxicating liquor license who has received a fee reduction pursuant to section 10-10(f) of this Code to abide with the provisions of section 10-10(f).

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-20. Hours and days of sale.

(a) The hours of operation and days of sale shall be those set by Minn. Stat. § 340A.504, as it may be amended from time to time, except that the city council may, by resolution or ordinance, provide for more restrictive hours than state law allows.

(b) No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premise more than 30 minutes after the time when a sale can legally occur.

(c) No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool, or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.

(d) No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

(e) Any violation of any condition of this section may be grounds for revocation or suspension of the license.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-21. Minors on premises.

(a) No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on-sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person, host or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on-sale.

(b) No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-22. Restrictions on purchase and consumption.

No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the commissioner of public safety under the provisions of Minn. Stat. § 340A.414, as it may be amended from time to time, which has been approved by the council, and no person shall consume liquor in any such place.

(Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-23. License suspension, revocation or civil fine.

Pursuant to Minn. Stat. § 340A.415, the city council may suspend for up to 60 days or revoke any license issued under chapter 10 of this Code, impose a civil fine not to exceed \$2,000.00, or impose any combination of these sanctions against any licensee for the violation of any applicable state statute, regulation, or section of the New Hope City Code relating to intoxicating liquor, wine or 3.2 percent malt liquor. No suspension, revocation or fine shall take effect until the license holder has been afforded an opportunity for a hearing under the Administrative Procedures Act set out in Minn. Stat. §§ 14.57 through 14.69 and section 1-2 of this Code. The hearing is not required to be conducted before an employee of the office of administrative hearings.

- (1) *Compliance monitoring.* The police department shall conduct unannounced compliance checks at least once each calendar year at each licensed location where alcoholic beverages, both "on-sale" and "off-sale" are sold within the city. Licensees and applicants shall be informed of this policy at the time of license application and renewal. Violators of these regulations may be subject to more frequent compliance monitoring than non-violating licensees. The police department shall make an annual report to the city council on the compliance checks conducted pursuant to this section.

- (2) *Exemption.* Only persons ages 18 through 20 years old may be enlisted to assist in the tests of compliance. The person shall at all times act only under the direct supervision of a law enforcement officer or an employee of the licensing department or in conjunction with an in-house program that has been pre-approved by the police department. A person who purchases or attempts to purchase alcoholic beverages while in this capacity is exempt from the penalties imposed by this section.
- (3) *Presumptive revocation.* The council shall revoke a license on the first violation for the following offenses:
- a. Commission of a felony related to the license activity.
 - b. Sale of alcoholic beverages while a license is under suspension.
 - c. Sale of intoxicating liquor where the only license is for 3.2 percent malt liquor.
 - d. Violation of the nudity prohibition of section 10-4 of this Code.
- (4) *Proof of financial responsibility.* Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this Code or state law without further action of the council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the clerk, a hearing before the council shall be granted within ten days. Any suspension under this section shall continue until the council determines that the financial responsibility requirements of state law and this Code have again been met.
- (5) *Other sanctions.* The following violations are subject to the sanctions described in subsection (6) of this section. In all cases the council shall select which days a suspension will be served. Other mandatory requirements may be imposed on the licensee, including, but not limited to, meetings with the police department to present a plan of action to assure that problems will not continue, mandatory education sessions involving all employees and employers with the police department or other actions that the city council deems appropriate. On a first or second violation in regards to a sale to a minor or underage person, the licensee may elect training in proper identification procedures in lieu of the license suspension. The license suspension and training requirements shall be governed by and are subject to the conditions set out in subsection 8-7(f)(2)b. of this Code.
- a. Sale to a minor or underage person;
 - b. Sale after or before hours;
 - c. Consumption after hours;
 - d. Illegal gambling, prostitution, adult entertainment on premises;
 - e. Sale to obviously intoxicated persons;
 - f. Sale of liquor that is not permitted by the license;

- g. Licensee fails to cooperate fully with police in investigating illegal acts upon licensed premises.
- (6) *Fine and license suspension/other sanctions:*
- a. First violation: \$250.00 fine plus three-day license suspension.
 - b. Second violation within 24 months of prior violation: \$750.00 fine plus 15-day license suspension.
 - c. Third violation within 24 months of two prior violations: \$1,500.00 fine plus 30-day license suspension.
 - d. Fourth violation within 24 months of three prior violations: Revocation of license.
 - e. Exception to license suspension. On a first or second violation of subsection (5)a. of this section, a sale to a minor or underage person, the licensee may elect training in proper identification procedures in lieu of the license suspension. The license suspension and training requirements shall be governed by and are subject to the conditions set out in subsection 8-7(f)(2)b. of this Code. The fine is still payable, however.
- (7) The provisions of section 10-30 of this Code pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this Code. (Ord. No. 15-02, § 2, 5-26-2015)

Sec. 10-24. Hearing procedure on suspension or revocation of license.

Prior to imposing any monetary penalty or license suspension or revocation, the city council shall set an initial appearance at which the licensee must appear before the city council to admit or deny the violation. The city will provide written notice of the appearance to the licensee at least ten days before the appearance, stating the time and place, the alleged violation, and the licensee's opportunity to request a hearing.

- (1) *Admission of violation.* If the licensee admits the violation, the licensee thereby waives its right to a hearing, but will be allowed to explain any mitigating circumstances.
- (2) *Denial and request for hearing.* If the licensee denies the violation, the licensee may request a hearing pursuant to the Administrative Procedure Act as set out in Minn. Stat. §§ 14.57 through 14.69. The city council may at its option conduct the hearing, or may refer the matter to a hearing conducted by another person or body. The hearing shall be held within a reasonable time after a request by the licensee but no later than 30 days after said request.
- (3) *Waiver of hearing.* If a licensee fails to request a hearing at or before the initial appearance, or fails to appear, the licensee will be deemed to have admitted the violation and to have waived its right to a hearing; the city council may then impose

sanctions as provided in this section. A licensee may also agree to any sanction without a hearing by providing the city manager with a written hearing waiver and acceptance of sanction.

(Ord. No. 15-02, § 2, 5-26-2015)

Secs. 10-25—10-29. Reserved.

Sec. 10-30. Criminal penalties.

(a) Any person violating the provisions of this Code or Minn. Stat. ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

(b) The term "violation" as used in section 10-23 includes any and all violations of the provisions in this section, or of Minn. Stat. ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding two-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

(Ord. No. 15-02, § 2, 5-26-2015)