License Fees

On-Sale Club
- $300 – up to 200 members
- $500 – 201-500 members
- $650 – 501-1,000 members
- $800 – 1,001-2,000 members
- $1,000 – 2,001-4,000 members
- $2,000 – 4,001-6,000 members
- $3,000 – over 6,000 members

On-Sale Wine – $2,000
On-Sale Class A – $8,000
On-Sale Class B – $11,000
On-Sale Class C – $14,000
On-Sale Class D – $14,000
On-Sale Class E – $2,500
On-Sale Class F – $5,000
On-Sale Brewer Taproom – $600
On-Sale Sunday – $200
Optional 2 A.M. Closing Special Liquor License
- $500 – On-Sale Intoxicating Liquor (Classes A-F)
- No Fee – On-Sale Club
- No Fee – On-Sale Wine
- $200 – On-Sale Wine; 3.2 Percent Malt Liquor; Taproom

Questions . . .

To obtain an intoxicating liquor license application or for more information on liquor licensing, please call:

City Clerk

(763) 569-3306

Monday – Friday

8:00 a.m. – 4:30 p.m.

License Approval

Upon the City Clerk's receipt of a completed Intoxicating Liquor License Application (club, wine, intoxicating, brewer taproom), Personal Information Forms(s), investigation fee, Certificate of Insurance, Proof of Workers' Compensation Insurance Coverage form, Minnesota Business Tax Identification Number form, lease agreement, site plan, Minnesota Certification of Liquor License or Application for Optional 2 A.M. Closing License (Classes A-F intoxicating license only), Minnesota Application for County/City On-Sale Wine License and/or Optional 2 A.M. Closing License (wine license only), Minnesota Application for Club On-Sale Retail Liquor License (club license only), Minnesota Certification of an On Sale Brewer's Taproom License (licensed brewer only); Minnesota Buyer's Card Application and buyer's card fee (excludes taproom), the Police Department will conduct any and all investigations to verify the information on the application, including ordering a computerized criminal history inquiry obtained through the Criminal Justice Information System and/or a driver's license history inquiry as recorded by the State Department of Public Safety on the applicant. Based on the investigation, the Police Department will recommend approval or denial of the license application.

If approved by the Police Department, the license application will be presented to the City Council for consideration at its next regular meeting. The City Council meets the 2nd and 4th Monday of the month. Application materials must be submitted at least 30 days prior to City Council approval.

City of BROOKLYN CENTER

6301 Shingle Creek Parkway
Brooklyn Center, MN 55430-2199
Telephone (763) 569-3300
TTY/Voice 711
Fax (763) 569-3494
www.cityofbrooklyncenter.org

Intoxicating Liquor License Procedures

Revised 4/13

City of Brooklyn Center

License Requirements

The City of Brooklyn Center requires the licensing of on-sale intoxicating liquor establishments (club, wine, intoxicating, brewer taproom) as defined in Chapter 11 of its City Code. The license period is the calendar year, January 1 through December 31.

On-Sale Club licenses shall only be granted to **clubs**, which mean and include any incorporated organization organized under the laws of the state for civic, fraternal, social, or business purpose or for intellectual improvement, or for the promotion of sports, or a congressionally chartered veterans' organization, which has more than 30 members; has owned or rented a building or space in a building for more than one year that is suitable and adequate for the accommodation of its members; and is directed by a board of directors, executive committee, or other similar body chose by the members at a meeting held for that purpose. No member, officer, agent, or employee shall receive any profit from the distribution or sale of beverages to the members of the club, or their guests, beyond a reasonable salary or wages fixed and voted each year by the governing body.

On-Sale Wine licenses may be issued only with the approval of the Commissioner of Public Safety. This license may be issued only to a Restaurant that has a dining area that is open to the general public and has seating for not less than 75 guests at one time. The Restaurant's business must be conducted in such a manner that a significant part of the revenue for a license year is the sale of food. Only the sale of wine not exceeding 14 percent alcohol by volume for consumption on the licensed Premises in conjunction with the sale of food shall be permitted. The number of on-sale wine licenses shall be unlimited.

On-Sale Intoxicating Liquor licenses shall be issued only to a Restaurant that is open to the general public, with a total minimum floor area of 1,800 square feet and seat not less than 150 guests at one time. The number of on-sale liquor licenses issued by the City of Brooklyn Center shall be limited to 18. The following are the classes of On-Sale Intoxicating Liquor Licenses that may be issued by the City:

On-Sale Class A – A Hotel or Restaurant that has 80% or more of its applicable revenue derived from the serving of food for consumption on the Premises.

On-Sale Class B – A Hotel or Restaurant that has 50% to 79% of its applicable revenue derived from the serving of food for consumption on the Premises.

On-Sale Class C – A Hotel or Restaurant that has 40% to 49% of its applicable revenue derived from the serving of food for consumption on the Premises and derives a considerable part of its revenue from sources other than Liquor or food.

On-Sale Class D – A Hotel or Restaurant that is a new Liquor license applicant that has not established a ratio between food and Liquor revenue for the Premises. Twelve months of documentation of food and Liquor sales shall be presented by the licensee to the City Clerk on or before the date of renewal in order to determine the appropriate license class for the following year.

On-Sale Class E – This license is only available to Hotels that serve food and liquor in a dining room that is open to the general public that has a total minimum floor area of 1,200 square feet and seating for 100 people; and that is conducted in such a manner that a significant part of the revenue for a license year is the sale of food for consumption on the Premises.

On-Sale Class F – This license is available only to the Earle Brown Heritage Center.

Brewer Taproom – This license is available only to a licensed brewer.

Sunday On-Sale Liquor – establishments to which on-sale liquor licenses have been issued may file an application with the City Clerk to serve intoxicating liquor during set hours on Sundays in conjunction with the sale of food.

Hours and Days of Sale – no intoxicating liquor shall be sold nor consumed nor permitted to be consumed within the licensed premises between 2 A.M. and 8 A.M. on the days of Monday through Saturday. Establishments to which on-sale liquor licenses have been issued for the sale of intoxicating liquors may serve intoxicating liquor between the hours of 10 A.M. Sunday and 2 A.M. on Monday in conjunction with the serving of food (Minnesota Statute 340A.504). No licensee may sell intoxicating liquor on-sale between the hours of 1 A.M. and 2 A.M. unless the licensee has obtained a permit from the Commissioner.

Please complete or provide the following information:

City Form – License Application – completed information as required in Section 11-111 of the City Code

City Form – Optional 2 A.M. Closing Special Liquor License Application – this form must be completed if the intoxicating liquor establishment chooses to stay open until 2 A.M.

Investigation Fee – non-refundable $500 (checks made payable to City of Brooklyn Center)

City Form – Personal Information Form(s) – this form must be completed by the sole owner, by each partner, by each manager, proprietor, or other person with management responsibilities for the premises, by each person who by combined ownership or control has an interest in a corporation or association in excess of five percent

Certificate of Insurance – certificate that there is in effect an annual aggregate insurance policy for dram shop insurance of not less than $300,000 per policy year as required in Section 11-121 of the City Code; the policy shall be effective for the entire license year

Site Plan – submit a plot plan of the area showing dimensions and location of buildings and include a floor plan of the dining room(s) which shall be open to the public and the number of persons intended to be served in each of said rooms

Lease Agreement – submit copy of lease agreement, if applicant does not own building

Proof of Workers' Compensation Insurance Coverage Form – completed form as required by Minnesota Statute Section 176.182

Minnesota Business Tax Identification Number – completed form as required by Minnesota Statute Section 270.72

Minnesota Form 9011 – Certification of an On Sale Liquor License, 3.2% Liquor License, or Sunday Liquor License – completed form as required by Minnesota Statute Section 340A.404 subd. 3 (for Classes A-F intoxicating liquor licenses only)

Minnesota Form 9114 – Application for County/City On-Sale Wine License – completed form as required by Minnesota Statute Section 340A.404 subd. 3 (for wine license only)

Minnesota Form 9016 – Application for Club On-Sale Retail Liquor License – completed form as required by Minnesota Statute Section 340A.404 subd. 3 (for club license only)

Minnesota Certification of an On Sale Brewer's Taproom License and Sunday License – completed form as required by Minnesota Statute Section 340A.301 subd. 6b (for licensed brewer only)

Minnesota Form 2AM – Application for Optional 2 AM Liquor License – this form must be completed if the intoxicating liquor establishment chooses to stay open until 2 A.M. and the appropriate fee must be submitted (check made payable to AGED)

Minnesota Buyer's Card Application and Fee – completed buyer's card application and $20 buyer's card fee (excludes taproom; check made payable to AGED)

Affidavit/Statement of Financial Claims to City, County, and State – this form must be completed by the owner of the property

CITY OF
BROOKLYN CENTER
A GREAT PLACE TO START, A GREAT PLACE TO STAY

Office of the City Clerk
www.cityofbrooklyncenter.org
Sharon Knutson, City Clerk, MMC
763-569-3306; fax 763-569-3494
sknutson@ci.brooklyn-center.mn.us

NOTICE OF LICENSE REQUIREMENTS FOR
ON-SALE INTOXICATING LIQUOR LICENSE

To Whom It May Concern:

The City of Brooklyn Center requires the licensing of on-sale intoxicating liquor as defined in Chapter 11 of its City Code.

Attached are materials for an intoxicating liquor license and a copy of Chapter 11. Please complete the following and return to the City Clerk.

- City License Application – Part I – General Information
- City License Application – Part II – Personal Information
- City License Application – **Optional** 2 A.M. Closing
- Affidavit/Statement Regarding Financial Claims of the City, County, or State
- Minnesota Business Tax Identification Number
- Workers' Compensation Insurance Coverage
- State License Application (one of the following)
    - Form 9011
    - Form 9114 for Wine License
    - Form 9016 for Club License
    - Brewer Taproom
- State License Application – **Optional** Form 2AM
- State Buyer's Card Application
- State Buyer's Card Fee (Payable to AGED)
- Investigation Fee ($500 payable to City of Brooklyn Center)
- Site Plan Drawn to Scale
- Lease Agreement, if applicable
- Certificate of Liquor Liability Insurance
- Copy of Hennepin County Food License (excludes Brewer Taproom)

If you have any questions regarding licensing procedures, please call me at 763-569-3306 or e-mail sknutson@ci.brooklyn-center.mn.us.

Sincerely,

Sharon Knutson

Sharon Knutson, MMC
City Clerk
Enc:

City of Brooklyn Center

6301 Shingle Creek Pkwy 55430-2199
(763) 569-3300

Liquor License Fee Schedule

INVESTIGATION

Non-Refundable Investigation – $500 fee if conducted within the State of Minnesota
If an investigation is required outside the State of Minnesota, the investigation fee is the actual cost not to exceed $10,000.

ON-SALE INTOXICATING LIQUOR

On-Sale Class A – $8,000 annual fee
80% or more of the applicable revenue derived from the serving of foods for consumption on the premises; Class A licenses are available to all hotels and restaurants.

On-Sale Class B – $11,000 annual fee
50% through 79% of the applicable revenue derived from the serving of foods for consumption on the premises; Class B licenses are available to all hotels and restaurants.

On-Sale Class C – $14,000 annual fee
40% through 49% of the applicable revenue derived from the serving of foods for consumption on the premises; Class C licenses are available only to hotels and to restaurants that derive a considerable part of their revenue from sources other than liquor and food.

On-Sale Class D – $14,000 annual fee
This is a probationary license for new applicants who have not established a ratio between food and liquor for the licensed premises. Twelve months of documentation of food and liquor sales shall be presented to the City Manager's designee on or before renewal time to determine the appropriate license class for the following year. If such documentation is not available, the probationary license shall be extended for no more than one additional year. Otherwise, a Class A, B, or C license will be assigned based on established ratio.

On-Sale Class E – $2,500 annual fee
This license is available only to hotels that serve food and liquor in a dining room to guests. Applicants for Class E licenses must submit with their applications menus of food and nonalcoholic beverages which will be served with the liquor dispensed. The City Council will determine whether such food and beverages are adequate to protect the public interests. Changes in menu may not be made without the prior approval of the City Manager's designee. Liquor may be dispensed for no more than two hours a day and shall not be dispensed before 4 p.m. or after 8 p.m. The licensee may not require the payment of consideration for liquor other than that which is paid as its regular charges for rooms. The area designated as the dining room shall be adequately separated from other common areas of the hotel by physical barriers to control ingress and egress and to ensure security and compliance with the provisions of this Code. Class E licensees may serve liquor on Sunday subject to the provisions of this Code without a separate Sunday on-sale liquor license.

On-Sale Class F – $5,000 annual fee
This license is available only to the Earle Brown Heritage Center Convention Facility. This license applies to the sale and dispensing of liquor to patrons attending events at the center and shall not be valid for amateur athletic events. This license allows for the sale and dispensing of liquor at the convention center and bed and breakfast facilities located at the Earle Brown Heritage Center.

On-Sale Wine – $2,000 annual fee

On-Sale Brewer Taproom - $600 annual fee

On-Sale Sunday – $200 annual fee
A restaurant, club, bowling center, or hotel which holds an on-sale intoxicating liquor license may file an application with the City Manager's designee to serve intoxicating liquor during set hours on Sundays in conjunction with the sale of food.

Temporary On-Sale Intoxicating Liquor – $25 per day (Maximum 3 days)
Any club, or charitable, religious, or other nonprofit organization in existence for at least three years, may be issued a temporary license for the on-sale of intoxicating liquor in connection with a social event within the City sponsored by the licensee. The license may authorize the on-sale of intoxicating liquor for not more than three consecutive days, and may authorize on-sales on premises other than premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full-year on-sale intoxicating liquor license issued by a municipality. Licenses under this Subdivision are not valid unless first approved by the commissioner of public safety.

On-Sale Club annual fees

$300	up to 200 members
$500	201–500 members
$650	501–1,000 members
$800	1,001–2,000 members
$1,000	2,001–4,000 members
$2,000	4,001–6,000 members
$3,000	over 6,000 members

Set-Up – $300 annual fee

Set-Up Temporary – $25 per day
Any nonprofit organization desiring to allow the consumption or display of intoxicating liquor or the serving and sale of liquids to mix with intoxicating liquor at a sponsored social activity occurring within Brooklyn Center shall pay a fee as set by City Council resolution to the City Manager, and obtain a license for a specified period not to exceed 24 hours. The license shall not be valid unless approved by the commissioner of public safety. No more than 10 such licenses shall be issued during any one calendar year.

3.2 PERCENT MALT LIQUOR

On-Sale 3.2 Percent Malt Liquor – $500 annual fee

On-Sale 3.2 Percent Malt Liquor Temporary – $10 per day

Off-Sale 3.2 Percent Malt Liquor – $100 annual fee

OPTIONAL 2 A.M. CLOSING SPECIAL LICENSE

This license is only available to establishments holding an on-sale intoxicating or on-sale 3.2 percent malt liquor license. Annual fees are as follows:

$500	On-Sale Intoxicating Liquor
$0	On-Sale Club
$0	On-Sale Wine
$200	On-Sale Wine and 3.2 Percent Malt Liquor
$200	On-Sale 3.2 Percent Malt Liquor

OFF-SALE MALT LIQUOR BREWER AND BREW PUB LICENSE

Off-Sale Malt Liquor Brewer and Brew Pub – $200 annual fee

LIQUOR – CHAPTER 11

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CHAPTER 11 – LIQUOR ORDINANCE

Section 11-101. ADOPTION OF STATE LAW BY REFERENCE. The provisions of Minnesota Statutes, Chapter 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 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 this Chapter as if set out in full. It is the intention of the City Council that all future amendments to Minnesota Statutes, Chapter 340A, are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

Section 11-102. CITY MAY BE MORE RESTRICTIVE THAN STATE LAW. The City Council is authorized by the provisions of Minnesota Statutes, Section 340A.509, as it may be amended from time to time, to impose, and has imposed in this Chapter, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minnesota Statutes, Chapter 340A, as it may be amended from time to time.

Section 11-103. DEFINITIONS. In addition to the definitions contained in Minnesota Statutes, Section 340A.101, as it may be amended from time to time, the following terms are defined for purposes of this Chapter:

1. *Hotel*, as used in this Chapter, means and includes any establishment having a resident proprietor or manager 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 guests 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 100 guests at one time, where the general public are, in consideration of payment therefor, served with meals at tables. In the case of an on-sale Class E license, the Hotel shall have a dining room with appropriate facilities for seating not less than 30 guests at one time where guests are provided with food and beverages.

2. *Liquor*, as used in this Chapter, without modification by the words "intoxicating" or "3.2 percent malt," includes intoxicating liquor, 3.2 percent malt liquor, and malt liquor.

3. *Premises*, as used in this Chapter, shall mean the inside of the building or the leased space inside a building as shown on the plan submitted to the City Manager's designee with the original license. Outside areas, such as patios or parking lots, shall not be included in the definition of "Premises" unless specifically listed on the license or special permission is obtained in writing from the City for a limited period of time under certain conditions.

4. *Restaurant*, as used in this Chapter, means an eating facility, other than a Hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the Premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. It shall have a license from the State as required by Minnesota Statutes, Section 157.16, as it may be amended from time to time, and shall meet the definition of either a "small establishment," "medium establishment," or "large establishment" as defined in Minnesota Statutes, Section 157.16, Subdivision. 3(d), as it may be amended from time to time. An establishment that serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a "Restaurant" for purposes of this Chapter unless it meets the definitions of "small establishment," "medium establishment," or "large establishment."

Section 11-104. MUNICIPAL LIQUOR STORE.

Subdivision 1. Municipal Liquor Store. A municipal liquor store that was previously established is hereby continued to be operated within the city for the off-sale of intoxicating liquor. Except as provided in Section 11-107 (11), no intoxicating liquor shall be sold or caused to be sold at off-sale within the city by any person or entity other than that at the municipal liquor store.

Subdivision 2. Location. The municipal liquor store shall be located at such suitable places in the city as the City Council determines. However, no Premises upon which taxes, assessments, or other financial claims of the City, County, or State are due, delinquent, or unpaid shall be leased for municipal liquor store purposes.

Subdivision 3. Fund Created. A municipal liquor store fund is hereby created into which all revenues received from the operation of the municipal liquor store shall be paid, and from which all operating expenses shall be paid, provided that the initial costs of rent, fixtures, and stock may be paid for out of the general fund of the City, but such amounts shall be reimbursed to the said general fund out of the first monies coming into the municipal liquor store fund that are not needed for carrying on the business. Any surplus accumulating in the municipal liquor store fund may be transferred to the City's general fund by resolution of the City Council and may be expended for any City purpose.

Subdivision 4. Hours of Operation. The hours of operation and days of sale shall be those set by Minnesota Statutes, Section 340A.504, as it may be amended from time to time.

Section 11-105. CONSUMPTION IN PUBLIC PLACES. No person shall consume Liquor in a public park; on any public street, sidewalk, parking lot, or alley; in any public place other than on the Premises of an establishment licensed under this Chapter; or where the consumption and display of Liquor is permitted by State Statute.

Section 11-106. LICENSE REQUIRED. No person or entity, except wholesalers or manufacturers to the extent authorized by State Statute and the municipal liquor stores, shall directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise dispose of Liquor as part of a commercial transaction without first having received a license to do so as provided in this Chapter.

Section 11-107. TYPES OF LIQUOR LICENSES AND PERMITS. The following are the types of Liquor licenses and permits that may be issued by the City pursuant to this Chapter:

1. On-Sale 3.2 Percent Malt Liquor License, which shall permit the consumption of 3.2 percent malt liquor on the licensed Premises only. This license shall be issued only to a Restaurant, club, bowling center, or Hotel where food is prepared and served for consumption on the Premises or to the City of Brooklyn Center for City facilities and events.

2. Off-Sale 3.2 Percent Malt Liquor License, which shall permit the sale of 3.2 percent malt liquor in its original package for consumption off the licensed Premises only.

3. Temporary On-Sale 3.2 Percent Malt Liquor License, which shall be issued only to a club or charitable, religious, or nonprofit organization. Temporary On-Sale 3.2 Percent Malt Liquor Licenses shall be subject to any special terms and conditions the City Council may prescribe.

4. On-Sale Intoxicating Liquor License. A Restaurant must have a dining room that is open to the general public, with a total minimum floor area of 1,800 square feet and seat not less than 150 guests at one time in order to obtain an On-Sale Intoxicating Liquor License. The following are the classes of On-Sale Intoxicating Liquor Licenses that may be issued by the City:

    a. On-Sale Class A Intoxicating Liquor License. A Hotel or Restaurant that has 80% or more of its applicable revenue derived from the serving of food for consumption on the Premises is eligible for a Class A license.

    b. On-Sale Class B Intoxicating Liquor License. A Hotel or Restaurant that has 50% to 79% of its applicable revenue derived from the serving of food for consumption on the Premises is eligible for a Class B license.

    c. On-Sale Class C Intoxicating Liquor License. A Hotel or Restaurant that has 40% to 49% of its applicable revenue derived from the serving of food for consumption on the Premises and derives a considerable part of its revenue from sources other than Liquor or food is eligible for a Class C license.

d. On-Sale Class D Intoxicating Liquor License. A Hotel or Restaurant that is a new Liquor license applicant that has not established a ratio between food and Liquor revenue for the Premises is eligible for a Class D License. Twelve months of documentation of food and Liquor sales shall be presented by the licensee to the City Manager's designee on or before the date of license renewal in order to determine the appropriate license class for the following year. If such documentation is not available, the Class D license shall be extended for no more than one additional year. Otherwise, a Class A, B, or C license will be assigned by the City based on the established ratio between food and Liquor sales.

e. On-Sale Class E Intoxicating Liquor License. This license is available only to Hotels that serve food and Liquor in a dining room that is open to the general public that has a total minimum floor area of 1,200 square feet and seating for 100 people; and that is conducted in such a manner that a significant part of the revenue for a license year is the sale of food for consumption on the Premises. Applicants for Class E licenses must submit with their applications menus of food and nonalcoholic beverages that will be served with the Liquor dispensed. The City Council shall determine whether such food and beverages are adequate to protect the public interests. Changes in menu may not be made without the prior approval of the City Manager's designee. Liquor may be dispensed for no more than two hours a day and shall not be dispensed before 4 p.m. or after 8 p.m. The licensee shall not require the payment of consideration for Liquor other than that which is paid as its regular charges for rooms. The area designated as the dining room shall be adequately separated from other common areas of the Hotel by physical barriers to control ingress and egress and to ensure security and compliance with the provisions of this Chapter. Class E licensees may serve Liquor on Sunday subject to the provisions of this Chapter without having to obtain a separate Sunday On-Sale Intoxicating Liquor License.

f. On-Sale Class F Intoxicating Liquor License. This license is available only to the Earle Brown Heritage Center. This license allows the sale and dispensing of Liquor at the convention center and bed and breakfast facilities located at the Earle Brown Heritage Center. This license applies to the sale and dispensing of Liquor to patrons attending events at the Earle Brown Heritage Center. This license shall not be valid for amateur athletic events held at the Earle Brown Heritage Center.

g. Special Provision; Special Event Permit. The holder of an On-Sale Intoxicating Liquor License may be granted a Special Event Permit by either the City Council or by the City Manager's designee for a temporary expansion of the licensed Premises for wedding receptions, parties, promotional activities, or other special events. A Special Event Permit may be issued by the City only for specified areas of the same lot, piece or parcel of land on which the Premises lies, or a contiguous lot, piece or parcel of land. Application shall be made to the City Manager's designee on a form provided by the City and all information requested by the City Manager's designee shall be submitted therewith.

A Special Event Permit may be granted for a period of no more than 10 days, and permits may not be granted for a total of more than 40 days in any one license year. In acting on an application, consideration shall be given by the City to such factors as noise, nature of entertainment to be provided, potential difficulties with law enforcement or security, proximity of residential or other sensitive land uses, effect on parking or other zoning or land use controls, and the nature of the event proposed. The Special Event Permit may specify conditions with which the licensee must comply, and the sale of Liquor pursuant to the permit shall be deemed a consent and agreement to the imposition of such conditions. Violations of any such conditions or any other provisions of law are grounds for suspension or revocation of the Special Event Permit and of the licensee's Liquor license.

5. Sunday On-Sale Intoxicating Liquor License. This license may be issued only to an establishment that holds an On-Sale Intoxicating Liquor License and that serves Liquor only in conjunction with the service of food and to holders of a brewer taproom license.

6. Temporary On-Sale Intoxicating Liquor License. This license may be issued only upon receiving the approval from the Commissioner of Public Safety. The license may be issued only in connection with a social event within the city that is sponsored by a club or charitable, religious, or other nonprofit organization that has existed for at least three years or to a brewer who manufactures fewer than 3,500 barrels of malt liquor in a year. The license may authorize the sale of intoxicating liquor to be consumed on the Premises for not more than three consecutive days, and the City shall issue no more than twelve days' worth of temporary licenses to any one organization or for any one location within a 12-month period. The temporary license may authorize the sale of intoxicating liquor to be consumed on Premises other than Premises the licensee owns or permanently occupies. The temporary license may provide that the licensee may contract for intoxicating liquor catering services with the holder of an On-Sale Intoxicating Liquor License issued by any municipality.

7. On-Sale Club Liquor License. This license may be issued only with the approval of the Commissioner of Public Safety. This license may be issued only to clubs that have been in existence for at least three years and that shall sell Liquor only to members and bona fide guests.

8. On-Sale Wine License. This license may be issued only with the approval of the Commissioner of Public Safety. This license may be issued only to a Restaurant that has a dining area that is open to the general public and has seating for not less than 75 guests at one time. The Restaurant's business must be conducted in such a manner that a significant part of the revenue for a license year is the sale of food. Only the sale of wine not exceeding 14 percent alcohol by volume for consumption on the licensed Premises in conjunction with the sale of food shall be permitted.

9. Optional 2 A.M. Closing Special Liquor License. This license may be issued only to an establishment that holds an on-sale Liquor license and has obtained an optional 2 A.M. Closing Permit from the Commissioner of Public Safety.

10. Consumption and Display Permit. This permit may be issued to an applicant for an establishment that complies with the requirements of Minnesota Statutes, Section 340A.414, and has obtained a permit from the Commissioner of Public Safety.

11. Brewer and Brew Pub Off-Sale Malt Liquor License. This license may be issued only with the approval of the Commissioner of Public Safety for sale of 64-ounce containers of malt liquor produced and packaged on the licensed Premises in accordance with the requirements of Minnesota Statutes, Section 340A.301, Subdivision 7(b).

12. Brewer Taproom License. This license may be issued to the holder of a brewer's license under Minnesota Statutes 340A.301, Subdivision 6(c), (i), or (j). A brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may only have one brewer taproom license and may not have an ownership interest in a brewery licensed under Minnesota Statutes 340A.301, Subdivision 6(d). A brewer taproom license may not be issued to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

Section 11-108. NUMBER OF LICENSES THAT MAY BE ISSUED. The number of On-Sale Intoxicating Liquor Licenses issued by the City shall be limited to 18. The license for the Earle Brown Heritage Center shall not be included in this limit. The number of On-Sale Wine Licenses shall be unlimited.

Section 11-109. TERM AND EXPIRATION OF LICENSES AND PERMITS. Each Liquor license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on December 31 of each year. Temporary licenses and permits are only valid for the dates, times, and locations specifically stated on the license or permit. Consumption and Display Permits issued by the Commissioner of Public Safety, and the accompanying City consent to the permit, shall expire on March 31 of each year.

Section 11-110. LICENSE AND PERMIT FEES; PRO RATA.

Subdivision 1. License Fees. The fees for all Liquor licenses and permits shall be set by City Council resolution.

Subdivision 2. Investigation Fee. A non-refundable investigation fee set by City Council resolution must be paid by the applicant in full before an application for a new license is accepted, excluding temporary Liquor licenses. The license fee and investigation fee shall be paid with cash or certified or cashier's check. At any time that an additional investigation is required because of license renewal, a change in the ownership or control of the licensee, or because of an enlargement, alteration, or extension of Premises previously licensed, the licensee shall pay an additional investigation fee set by City Council resolution.

Subdivision 3. Renewal License Fees. Renewal license applications shall be filed by November 1 of the preceding license year, and renewal fees shall be paid in full at the time of application for renewal. At the earliest practicable time after application is made for renewal of an On-Sale Intoxicating Liquor License or On-Sale Wine License, and in any event prior to the time that the application is considered by the City Council, the applicant shall file with the City Manager's designee a statement prepared by a Certified Public Accountant that shows the total gross sales and the total food sales of the restaurant for the twelve month period immediately preceding the date for filing renewal applications. A foreign corporation shall file a current Certificate of Authority. If, in the judgment of the City Council, good and sufficient reason is shown by the applicant for 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. A late renewal charge set by City Council resolution shall be applied to renewal license applications that are submitted after November 1. All license and investigation fees shall be paid into the general fund of the City.

Subdivision 4. Pro Rata Fees. The fee for all Liquor licenses, except temporary Liquor licenses, that are granted after the commencement of the license year shall be prorated for the remainder of the year. In computing such pro rata license fee, the fee shall be prorated on a monthly basis for an On-Sale or Off-Sale 3.2 Percent Malt Liquor License, and prorated on a daily basis for an On-Sale Intoxicating Liquor License. When the Liquor license is for a property on which the building is not ready for occupancy, the commencement date for computation of the license fee for the initial license period shall be the date on which a certificate of occupancy is issued.

Subdivision 5. Refund of License Fees. Temporary Liquor license fees are non-refundable. No part of the fee paid for any other type Liquor license issued under this Chapter shall be refunded by the City except in the following instances upon application to the City Council within 30 days from the happening of the event. The City Council may, in its judgment, refund a pro rata portion of the fee for the unexpired period of the license, computed on a monthly basis, when operation of the licensed business ceases not less than one month before expiration of the license because of:

a. destruction or damage of the licensed Premises by fire or other peril;
b. the licensee's illness;
c. the licensee's death; or
d. a change in the City's ordinances making it unlawful for the licensed business to continue.

Section 11-111. APPLICATIONS FOR LICENSE.

Subdivision 1. Requirements for Liquor Licenses; Excludes Temporary On-Sale. Every application for a Liquor license shall be made on a form supplied by the City and shall be filed with the City Manager's designee. No person shall make a false statement in an application. In addition to the information that may be required by the Commissioner of Public Safety, the application shall contain the following information:

a. Whether the applicant is a natural person, corporation, partnership, or other form of entity;

b. Type of Liquor license that the applicant seeks;

c. A personal information form, as provided by the City, filled out by the sole owner; each partner; each manager, proprietor, or other person with management responsibilities for the Premises; each person who, singly or together with the person's spouse, or a parent, brother, sister, or child of either of them, own or control an interest in said corporation or association in excess of five percent (5%); and, if a club, each officer, each member of the executive committee, and each member of the board of directors containing the following information on each individual:

1. Full legal name, place and date of birth, and street residence address of the individual;

2. Whether the individual has ever used or been known by a name other than such legal name and, if so, what was such name, or names, and information concerning dates and places where used;

3. Whether the individual is married or single. If the individual is married, he or she must provide the legal name, place and date of birth, and street residence address of his or her current spouse;

4. Whether the individual and his or her current spouse are registered voters and, if so, the city and state in which each of them is registered;

5. Street addresses at which the individual and his or her current spouse have lived during the preceding ten years;

6. Type, name, and location of every business or occupation that the individual and his or her current spouse have been engaged in during the preceding ten years;

7. Names and addresses of the individual's and his or her current spouse's employers and business partners, if any, for the preceding ten years;

8. Whether the individual or his or her current spouse, or a parent, brother, sister, or child of either of them, has ever been convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor, other than a traffic offense. If so, the individual shall furnish information as to the date, place, and type of offense;

9. Whether the individual or his or her current spouse, or a parent, brother, sister, or child of either of them has ever been engaged as an employee or in the operation of a saloon, Hotel, Restaurant, cafe, tavern, bar, or other business of a similar nature. If so, the individual shall furnish information as to the date, place, and length of time of the employment or operation;

10. Whether the individual has ever been in military service. If so, the individual shall, upon request by the City, exhibit all discharges;

11. The name, address, and business address of each person who is engaged in Minnesota in the business of selling, manufacturing, or distributing intoxicating liquor and who is nearer of kin to the individual or his or her current 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 individual or his or her current spouse;

12. The amount of the investment that the individual has in the business, building, Premises, fixtures, furniture, stock in trade, et cetera, and proof of the source of such money; and

13. The names, residences, and business addresses of three persons who are residents of the State of Minnesota who are of good moral character and not related to the individual or financially interested in the Premises or business, who may be referred to with respect to the individual's character.

d. A legal description of the property to be licensed together with a site plan of the property showing dimensions and location of buildings;

e. If a permit from the federal government is required by the laws of the United States, indicate whether or not such permit has been issued, and if so required, in what name it was issued and the nature of the permit;

f. The names and addresses of all persons, other than the applicant, who have any financial interest in the business, buildings, Premises, fixtures, furniture, stock in trade, if applicable; the nature of such interest, amount thereof, and terms for payment or other reimbursement. This shall include, but not be limited to, any lessees, lessors, mortgagees, mortgagors, lenders, lien holders, trustees, trustors, and persons who have cosigned notes or otherwise loaned, pledged, or extended security for any indebtedness of the applicant, but shall not include persons owning or controlling less than five percent (5%) interest in the business if a corporation;

g. A statement as to whether or not all real estate and personal property taxes for the Premises to be licensed that are due and payable have been paid, and if not paid, the years and amounts which are unpaid; and

h. Such other information as the City Manager's designee shall require.

Subdivision 2. <u>On-Sale Club Liquor License.</u> In addition to the requirements listed in Subdivision 1, the application for an On-Sale Club Liquor License shall contain the following information:

a. The name of the club;

b. The date that the club was first incorporated. The applicant shall provide copies of the club's articles of incorporation, bylaws, and the names and street addresses of all officers, members of the executive committee, managers, and board of directors;

c. A sworn statement that the club has been in existence for more than three years. The statement shall be made by a person who has personal knowledge of the facts stated therein. In the event that no person can make such a statement, satisfactory documentary proof may be submitted in support of such facts;

d. A statement of the number of club members that is certified by the club treasurer; and

e. If a passcard, password, passkey, or other indicia of membership is a condition of entrance to the club, the applicant shall provide the City Manager's designee with such indicia of membership to be used only for the purposes set forth in this Chapter.

Subdivision 3. On-Sale Intoxicating Liquor and On-Sale Wine Licenses. In addition to the requirements listed in Subdivision 1, the application shall contain the following information:

a. 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 Minnesota Statutes, Chapter 333, certified by the Clerk of District Court, shall be attached to the application;

b. If the applicant is a partnership, the managing partner and all other partners shall be named. The interest of each partner in the business shall be disclosed. A 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 Minnesota Statutes, Chapter 333, a copy of such certificate certified by the Clerk of District Court shall be attached to the application;

c. If the applicant is a corporation or other organization, the name, and if incorporated, the state of incorporation; copies of the certificate of incorporation, articles of incorporation or association agreement, and bylaws; if a foreign corporation, a certificate of authority as described in Minnesota Statutes, Chapter 303, and a list of all officers or directors of said corporation or organization;

d. A floor plan of the dining room, or dining rooms, that will be open to the public. The floor plan shall show all room dimensions and shall indicate the number of persons intended to be served in each of the rooms; and

e. If the application is for Premises that is planned, 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.

Subdivision 4. Temporary On-Sale Intoxicating Liquor License. Every application for a Temporary On-Sale Intoxicating Liquor License shall be in the form prescribed by the Commissioner of Public Safety. The form shall be verified and filed with the City Manager's designee.

Subdivision 5. Temporary On-Sale 3.2 Percent Malt Liquor License. Every application for a Temporary On-Sale 3.2 Percent Malt Liquor License shall be made on a form supplied by the City. Every application shall state the name of the organization; name, address, and telephone number of the applicant; date, time, and location of event; and other information as the City Council may require from time to time. No person shall make a false statement in an application. Applications must be filed with the City Manager's designee a minimum of thirty calendar days in advance of the proposed event.

Subdivision 6. Consumption and Display Permit and One-Day Temporary Consumption and Display Permit. Every application for a Consumption and Display Permit or a One-Day Temporary Consumption and Display Permit shall be made in the form prescribed by the Commissioner of Public Safety. The form shall be verified and filed with the City Manager's designee.

Section 11-112. 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 an officer thereof; if by a partnership, by one of the partners, however, the application, license, and bond (or insurance policy) shall be made and issued in the name of all partners; if by an unincorporated association or other type of organization, by the manager or managing officer thereof.

Section 11-113. TRANSFER OF LIQUOR LICENSE. No transfer of Liquor license shall be permitted from place to place or person to person without complying with the requirements of an original application, except 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.

Section 11-114. INVESTIGATION OF APPLICATIONS. All applications for a Liquor license, excluding temporary Liquor licenses, shall be referred by the City Manager's designee to such other City departments as the City Manager's designee shall deem necessary for verification and investigation of the facts set forth in the application. The City Manager's designee is empowered to conduct background and financial investigations to verify the information in the application, including, but not limited to, ordering a computerized criminal history inquiry obtained through the Criminal Justice Information System and/or a driver's license history inquiry as recorded by the State Department of Public Safety on the applicant. The City Manager's designee shall cause to be made such investigation of the information requested in this Chapter as shall be necessary and shall make a written recommendation and report to the City Council. The City Council may authorize such additional investigation as it shall deem necessary.

Section 11-115. APPROVAL OF LICENSES AND PERMITS BY CITY COUNCIL. All Liquor licenses and permits set forth in this Chapter shall be subject to review and approval by the City Council.

Section 11-116. PERSONS INELIGIBLE FOR LIQUOR LICENSE. In addition to the requirements contained in Minnesota Statutes, Section 340A.402, as it may be amended from time to time, no license shall be granted to or held by any of the following persons (which shall also include the characteristics of any owners, officers, managers, employees, or others who require investigation under this Chapter):

1. Who is not the proprietor of the establishment for which the license is issued;

2. Who is not a citizen of the United States or a resident alien, or upon whom it is impractical to conduct a background and financial investigation due to the unavailability of information;

3. Who is or during the period of the Liquor license becomes the holder of a federal retail liquor dealer's special tax stamp for the sale of intoxicating liquor at any place unless there has also been issued to him or her a local license to sell intoxicating liquor at such place;

4. Who, if a corporation, does not have a manager who is eligible pursuant to the provisions of this Chapter;

5. Who is the spouse of a person ineligible for a license pursuant to the provisions of this Chapter or who, in the judgment of the City Council, is not the real party in interest or beneficial owner of the business operated, or to be operated, under the license; and

6. An on-sale Liquor license will not be renewed if, in the case of an individual, the licensee is not a resident of the Twin Cities Metropolitan Area at the time of the date for renewal; if, in the case of a partnership, the managing partner is not a resident of the Twin Cities Metropolitan Area at the time of the date for renewal; or in the case of a corporation, if the manager is not a resident of the Twin Cities Metropolitan Area at the time of the date for renewal. The "TWIN CITIES METROPOLITAN AREA" is defined as being comprised of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Section 11-117. PLACES INELIGIBLE FOR LIQUOR LICENSE.

Subdivision 1. No Liquor license shall be granted for sale on any Premises if the licensee has been convicted of any willful violation of this Chapter or of Minnesota Statutes, Chapter 340A, or if any license hereunder has been revoked for cause until one year has elapsed after such conviction or revocation.

Subdivision 2. No on-sale Liquor license shall be granted for a bona fide club that has not been in operation and eligible to receive a license for at least six months immediately preceding the application for a license.

Subdivision 3. No Liquor license shall be granted, or renewed, for operation on: 1) any Premises, on which any taxes, assessments, or other financial claims of the City, County, or State are due, delinquent, or unpaid; or 2) any Premises that is part of a larger tax parcel on which ad valorem real estate taxes or assessments collected with such taxes are due, delinquent, or unpaid. In the event an action has been commenced pursuant to the provisions of Minnesota Statutes, Chapter 278, questioning the amount or validity of taxes, the City Council may, on application by the licensee, waive strict compliance with this provision. However; no waiver shall be granted by the City Council for taxes, or any portion thereof, that remain unpaid for a period exceeding one year after becoming due.

Subdivision 4. No Liquor license shall be granted for a Premises owned by a person to whom a Liquor license may not be granted under this Chapter, except for Premises owned by a minor, nonresident alien, or a person who has been convicted of a crime other than a violation of Minnesota Statutes, Chapter 340A.

Subdivision 5. No Liquor license shall be granted for a Premises that 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.

Subdivision 6. No Liquor license shall be granted if the Premises is located within 300 feet of, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses: a school, day care center, church, hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna, or another on-sale Liquor establishment.

Section 11-118. CONDITIONS OF LIQUOR LICENSE. Every Liquor license shall be granted subject to the following conditions and any other applicable ordinance of the City or State law:

1. The Liquor license shall be posted in a conspicuous place in the licensed establishment at all times;

2. Any police officer, building inspector, or any employee so designated by the City Manager, shall have the unqualified right to enter, inspect, and search the licensed Premises during business hours without a warrant. "Business hours" shall be deemed any time when licensee or employees are present on the Premises. Refusal to permit such an inspection is a violation of this Chapter and grounds for revocation of the license;

3. Every licensee shall be responsible for the conduct of the place of business and the conditions of sobriety and order in the place of business and on the Premises. 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 Chapter and State law equally with the employee;

4. No on-sale Liquor establishment shall sell intoxicating liquor off-sale;

5. No Liquor license shall be effective beyond the Premises named in the license for which it was granted;

6. No on-sale Liquor establishment shall display Liquor to the public during hours when the sale is prohibited;

7. Continuing compliance with the financial responsibility requirements of State law and of this Chapter;

8. The business records of the licensee, including federal and State tax returns, shall be available for inspection by the City Manager, or other duly authorized representative of the City at all reasonable times. Business records for accounting functions required to demonstrate compliance with the provisions of this Chapter shall be prepared in accordance with standard accounting practices as determined by the City Manager's designee; and

9. Any changes in the corporation, entity or club's officers, directors, partners, corporate charter, articles of incorporation, bylaws, or partnership agreement shall be submitted to the City Manager's designee within 30 days after such changes are made. In the case of a corporation, the licensee shall immediately notify the City Manager's designee when a person not listed in the license application acquires an interest that, together with that of the person's spouse, parent, brother, sister, or child, exceeds five percent (5%), and shall give all information about said person as is required of a person pursuant to the provisions of this Chapter.

Section 11-119. HOURS OF OPERATION.

Subdivision 1. Hours of Operation. The hours of operation and days of sale shall be those set by Minnesota Statutes, Section 340A.504, as it may be amended from time to time.

Subdivision 2. 2 A.M. Closing Special Liquor License. No Liquor licensee may sell on-sale Liquor or consume or display Liquor on the licensed Premises between the hours of 1 a.m. and 2 a.m. unless the licensee has obtained an optional 2 A.M. Liquor Permit from the Commissioner of Public Safety and has been issued the 2 A.M. Closing Special Liquor License by the City.

Section 11-120. RESTRICTIONS ON PURCHASE AND CONSUMPTION. In every prosecution for a violation of the provisions of Minnesota Statutes, Section 340A.503, relating to the sale or furnishing of intoxicating liquor to persons under the age of 21 years, and in every proceeding before the City Council with respect thereto, the fact that the person involved has obtained and presented to the licensee, his or her employee or agent, a verified identification from which it appears that said person was 21 years of age and was regularly issued such identification card, shall be prima facie evidence that the licensee, his or her agent or employee is not guilty of a violation of such a provision and shall be conclusive evidence that a violation, if one has occurred, was not willful or intentional.

Section 11-121. LIABILITY INSURANCE AND PROOF OF FINANCIAL RESPONSIBILITY.

Subdivision 1. Insurance Required. All applicants for any Liquor license or a Consumption and Display Permit must, as a condition to the issuance of the license or permit, provide proof of Liquor liability insurance to the City Manager's designee, which shall be subject to the approval of the City Council. The issuer or surety on any liability insurance policy or bond shall be licensed to do business in the State of Minnesota, and all documents shall be approved as to content, form, and execution by the City Attorney. The licensee and the City shall be named as joint insureds on the liability insurance policy. The policy shall be effective for the entire license year.

Subdivision 2. Proof of Financial Responsibility. All applicants for any Liquor license or a Consumption and Display Permit must, as a condition to the issuance of the license or permit, demonstrate proof of financial responsibility. Proof of financial responsibility may be provided by supplying to the City Manager's designee any of the following information:

a. An insurance certificate stating that there is in effect for the license or permit period an annual aggregate insurance policy of not less than $300,000 per policy year for the Premises for dram shop insurance; or

b. A bond of a surety company with minimum coverage as provided in clause (a); or

c. A certificate from the Commissioner of Finance that states that the licensee or permittee has deposited with the Commissioner of Finance $300,000 in cash or securities that may legally be purchased by savings banks or for trust funds having a market value of $300,000.

Subdivision 3. Any liability insurance required by this Section must provide that it may not be canceled for any cause by either the insured or the insurer unless the canceling party has first given ten days' notice in writing to the City of the intent to cancel the policy.

Subdivision 4. Temporary On-Sale Liquor License holders are subject to the provisions of Subdivisions 1 through 3 of this Section, with the exception that the minimum dram shop insurance policy limit shall be no less than $500,000 for events held on City-owned property, such as parks.

Section 11-122. CITY COUNCIL DISCRETION TO GRANT OR DENY A LICENSE OR PERMIT. The City Council in its discretion may either grant or deny the application for any license or permit or for the renewal of any license. No applicant has a right to a license or permit under this Chapter. Each license or permit shall be issued to the applicant only and shall not be transferable to another holder. Each license or permit shall be issued only for the Premises described in the application. If an applicant for a Special Event Permit has to postpone the event because of weather, the City Manager's designee has the authority to change the effective dates of the permit, as long as the total amount of hours approved by the City Council does not change. Licensed Premises that are granted both On-Sale Wine and On-Sale 3.2 Percent Malt Liquor Licenses by the City Council are authorized to sell beer with an alcohol content in excess of 3.2 percent.

Section 11-123. GAMBLING REGULATIONS.

Subdivision 1. Lawful Gambling Permitted. No gambling or any gambling device shall be permitted on any licensed Premises with the exception of lawful gambling on a licensed on-sale Liquor Premises by licensed charitable nonprofit organizations that have been in existence in Brooklyn Center for at least three years.

Subdivision 2. Lease Agreement Terms. The charitable organization's use of the licensed on-sale Liquor Premises shall be by means of a written lease agreement between the Liquor licensee and the charitable organization. The lease shall be for a term of at least one year; a copy of which shall be filed with the City Manager's designee, and an additional copy must be kept on the Premises and available for public inspection upon request. The lease shall contain the following terms:

a. The amount of rent charged may not exceed the amount authorized by law;

b. Rental payments shall not be based on a percentage of profits from gambling;

c. The charitable organization shall not reimburse the Liquor licensee for any Liquor license fees or other gambling related expenses incurred by the Liquor licensee. The only compensation that the Liquor licensee may obtain from the charitable organization is the rent fixed in the lease agreement;

d. Lawful gambling shall not be conducted by employees of the Liquor licensee or at the bar service area; and

e. The lease shall contain a provision permitting the Liquor licensee to terminate the lease if the charitable organization is found guilty of any violation of State or local gambling statutes, ordinances, rules, or regulations.

Subdivision 3. Limit on Organizations. Only one charitable organization shall be permitted to conduct lawful gambling on the licensed on-sale Liquor Premises.

Subdivision 4. Minimum Hours. The Liquor licensee must commit to a minimum of twenty-five (25) hours of lawful gambling on the licensed Premises for the charitable organization per week.

Subdivision 5. Responsibility for Violations. The Liquor licensee shall be responsible for the charitable organization's conduct of lawful gambling. The City Council may order that the lawful gambling cease on the licensed Premises for a period up to sixty (60) days or disallow lawful gambling altogether on the licensed Premises for any violation of State or local gambling laws or regulations that occur on the Premises by anyone, including the Liquor licensee or the charitable organization. Any violation of this Section may also be considered by the City Council as grounds for suspension or revocation of the Liquor license.

Section 11-124. PROHIBITED ACTIVITIES.

Subdivision 1. Prohibition. It is unlawful for any licensee, permittee, owner, or manager of any establishment licensed under this Chapter to cause, commit, permit, or allow in the licensed Premises any of the prohibited activities listed in this Section or any similar activities or to sell Liquor in any Premises from which any such prohibited activities may be viewed or heard.

Subdivision 2. Prohibited Activities. Prohibited activities referred to in Subdivision 1 of this Section include the following:

a. Nudity, sadomasochistic abuse, or sexual conduct as those terms are defined in Section 19-1700 of this Code, either actual or simulated;

b. Mud wrestling, wet T-shirt contests, lingerie shows or displays, or strip-tease dancing; and

c. The display of any of the foregoing by any means including, but not limited to, books, printed material, magazines, movies, pictures, videos, plays, exhibitions, recordings, closed circuit television, productions, or any other device or contrivance in any way that is capable of being used or adapted to arouse interest, or to affect the human senses, whether through the medium of reading, observation, sound, or any other means.

Subdivision 3. Penalty. Violation of this Section is grounds for revocation of any Liquor license or permit issued under this Chapter.

Section 11-125. REVOCATION AND SUSPENSION. The City Council may suspend or revoke any Liquor license or permit and may impose a civil penalty not to exceed $2,000 pursuant to Minnesota Statutes, 340A.415, for the violation of any provision or condition of this Chapter or of any State law or rule or federal law regulating the sale of Liquor. The City Council shall revoke a Liquor license for any willful violation that, under the laws of the State, is grounds for mandatory revocation, including the licensee's failure to maintain the insurance required by Section 11-121 of this Chapter in full force and effect.

Revocation or suspension of a Liquor license or permit by the City Council shall be preceded by written notice to the licensee and a public hearing. The notice shall give at least 10 days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice may be served upon the licensee or permittee personally or by leaving the same at the licensed Premises with the person in charge thereof. No suspension after public hearing shall exceed 60 days.

Section 11-126. PENALTIES. Any person violating any provisions of this Chapter or Minnesota Statutes, Chapter 340A, as it may be amended from time to time, or any rules promulgated under Minnesota Statutes, Chapter 340A, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars ($1,000) and imprisonment for not more than 90 days, or both, together with the cost of prosecution.

City of Brooklyn Center *6301 Shingle Creek Parkway, MN 55430-2199*
(763) 569-3300

APPLICATION FOR ON-SALE INTOXICATING LIQUOR LICENSE
PART I – GENERAL INFORMATION

Directions: This form must be filled out with typewriter or hand printed in ink. If the application is by a natural person, by such person; if by a corporation, by an officer thereof; if by a limited liability company, by a member thereof; if by a partnership, by one of the partners; if by an unincorporated association, by the manager or managing officer thereof.

1. Name of applicant (name of individual, partnership, corporation, or association):

_____

2. Business Name:_____

Business Address:_____

Phone Number:_____

3. Type of applicant:

_____Natural Person (Individual) _____Partnership

_____Corporation _____Association, LLC, or other_____

4. Type of license applicant seeks:

_____On-Sale Intoxicating Class: A B C D E F *(circle one)*

_____On-Sale Sunday _____On-Sale Wine Only _____On-Sale Club

_____Optional 2 A.M. Closing _____On-Sale Wine and 3.2 _____Brewer Taproom

INDIVIDUAL

If business is to be conducted under a designation, name, or style other than full individual name of the applicant, attach a copy of the Certificate of Assumed Name under provisions of Chapter 333, Minnesota Statutes, certified by Secretary of State's Office.

If applicant is a natural person (individual), state full legal name, place and date of birth, residence and business address, and telephone numbers:

Full Legal Name:_____
(Last) (First) (Middle)

Place of Birth:_____ DOB:_____

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

The full legal name, place and date of birth, residence address, and telephone number of the Operating Manager in charge of the individual owner's premises at such time as the owner is absent:

Full Legal Name:_____
(Last) (First) (Middle)

Place of Birth:_____ DOB:_____

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

A PART II - PERSONAL INFORMATION form must be completed and attached for each of these individuals.

PARTNERSHIP

If the application is for a partnership, attach a copy of the partnership agreement and a copy of the certificate of trade name under provisions of Chapter 333, Minnesota Statutes, certified by Secretary of State's Office.

If the applicant is a partnership, state full legal names, dates of birth, residence and business addresses, telephone numbers, and interest of each member of the partnership (attach additional sheets if necessary):

Full Legal Name:_____ DOB:_____ Interest:_____%
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____ DOB:_____ Interest:_____%
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____ DOB:_____ Interest:_____%
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

The managing partner will be:

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

The full legal name, date of birth, residence address, and telephone number of the Operating Manager and any other individual with management responsibilities of the partnership's premises to be licensed: (if more than one operating manager, attach additional sheet with information)

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

A PART II - PERSONAL INFORMATION form must be completed and attached for each of these individuals.

CORPORATION/LIMITED LIABILITY COMPANY/ASSOCIATION OR OTHER ORGANIZATION

If the application is for a corporation, LLC, association or other, attach a copy of articles of incorporation or organization or association agreement; a copy of bylaws or operating agreement; foreign corporations shall attach a copy of certificate of authority as described in Chapter 303, Minnesota Statutes.

Provide the name of the corporation, LLC, association, or other organization, Brooklyn Center address and phone number, and home office address and phone number.

Name_____State of Incorporation or Association:_____

Brooklyn Center Address:_____Phone:_____
(Street, City, State, Zip)

Home Office Address:_____Phone:_____
(Street, City, State, Zip)

The full legal names, dates of birth, residence addresses, and telephone numbers of all officers or directors of said corporation or association:

President:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, ZIP)

Vice -President:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, ZIP)

Secretary:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, ZIP)

Treasurer:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, ZIP)

CORPORATION/LIMITED LIABILITY COMPANY/ASSOCIATION OR OTHER ORGANIZATION – CONTINUED

The full legal names, dates of birth, residence addresses, and telephone numbers of all persons who singly or together with their spouse and his or her parents, brothers, sisters, or children, own or control an interest in said corporation or association in excess of five percent:

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

(If additional space is necessary, attach additional sheets)

The full legal name, date of birth, residence address, and telephone number of the Operating Manager, and any other individual with management responsibilities for the premises to be licensed (if more than one operating manager, attach additional sheet with information):

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

A PART II - PERSONAL INFORMATION form must be completed and attached for each of the individuals listed on this page.

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ALL APPLICANTS

5. Describe the premises to be licensed – where customers will be allowed to drink, list all decks, patios, outside areas (applicant must also submit a site plan showing dimensions, location of buildings, patios, decks, pavilions, street access, and parking facilities):

_____

_____

_____

6. Is premises located within 300 feet of, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses: a school, day care center, church, hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna, or another on-sale liquor establishment? Yes_____ No_____

7. How are the premises zoned under the Brooklyn Center Zoning Ordinance?

_____

8. Does any manufacturer, brewer, or wholesaler of intoxicating liquor have any ownership, in whole or in part, in the business of the applicant? Yes_____ No_____
If Yes, explain:_____

9(a) If the owner of the building wherein the licensed business will be located is other than the applicant, state full legal name, date of birth, residence and business address, and telephone number of the owner or owners:

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Business Address:_____ Phone:_____
(Street, City, State, Zip)

9(b) Where the building is owned by other than applicant, state in summary the conditions of the lease arrangement, such as term of lease, monthly rental, renewal privileges, etc. (One copy of the lease shall be attached):

_____

_____

_____

10. If the building is owned by the applicant, state:

Date purchased:_____

Name, address, and phone number of person purchased from:_____

_____

Purchase price:_____ Amount of down payment:_____

Who currently holds the mortgage? Name, address and phone number:_____

_____

Term of mortgage:_____Rate of interest:_____

Term of contract for deed:_____Rate of interest:_____

State the monthly payment at which the mortgage and/or contract for deed is being liquidated:_____

_____

Are the payments on the mortgage and/or contract for deed up to date:_____

11(a) State the total cost of assets acquired to start this business, including the business premises, if purchased, fixtures, furniture, equipment, merchandise for resale, cash for working capital, prepaid insurance, and any other assets (if acquired from predecessor, attach purchase agreement):

_____

_____

11(b) What is the appraised value of the premises, including, but not limited to all fees, site development, construction costs, utilities, furnishing and fixtures, but exclusive of land costs (provide one copy of appraisal):

_____

11(c) Of the above cost of assets acquired, state the amount that is provided by the person(s) investing in this business (attach supporting proof of the source of such money):_____

12. Give full legal names, dates of birth, addresses, telephone numbers of all persons, other than the applicant, who have any financial interest in the business, buildings, premises, fixtures, furniture, or stock in trade. State the nature of the interest amount thereof, and the terms for payment or other reimbursement (this shall include, but not be limited to, any lessees, lessors, mortgagors, lendors, lien holders, trustees, trustors, and persons who have co-signed notes or otherwise loaned, pledged, or extended security for any indebtedness of the applicant):

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Nature of Interest, etc.:_____

_____

_____

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Nature of Interest, etc.:_____

_____

_____

Full Legal Name:_____ DOB:_____
(Last, First, Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Nature of Interest, etc.:_____

_____

_____

If this application 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 of the City, no additional plans need be filed with this application.

13(a) State the general area and all rooms where intoxicating liquor and/or wine is to be sold and consumed. Applicant shall attach a floor plan showing dimensions (minimum 1,800 square feet) and indicating number of persons intended to be served in the said rooms.

_____

_____

13(b) If the premises is a restaurant, is there a dining area open to the general public and provisions for seating a minimum of 150 persons (75 for wine license application) at one time? _____Yes _____No

Number of Seats: Restaurant_____ Bar_____

14. What permits or licenses required by the State of Minnesota have been applied for or issued for the premises? In what name were these applied for or issued and what is the nature of the permit or license? (Attach one copy of all permits obtained.)

_____

_____

_____

15. What permits or licenses required by the Federal Government have been applied for or issued for the premises? In what name were these applied for or issued and what is the nature of the permit or license? (Attach one copy of all permits obtained.)

_____

_____

_____

16. Are there any real estate taxes, personal property taxes, assessments, or other financial claims of the City, County, or State due, delinquent, or unpaid on the premises to be licensed, including if the premises is part of a larger tax parcel on which ad valorem real estate taxes or assessments collected with such taxes are due, delinquent, or unpaid, and if not paid, the years and amounts which are unpaid?
Yes_____ No_____ If yes, give details.

_____

_____

17. Proposed commencing date of license:_____

Any falsification of answers to the preceding questions will result in denial of the application

THE MINNESOTA DATA PRACTICES ACT requires that we inform you of your rights about the private data we are requesting on this form. Private data is available to you, but not to the public. We are requesting this data to determine your eligibility for a license from the City of Brooklyn Center. Providing the data may disclose information that could cause your application to be denied. You are not legally required to provide the data, however, refusing to supply the data may cause your license to not be processed. Under MS 270.72, the City of Brooklyn Center is required to provide the Minnesota Department of Revenue your MN Tax ID Number and Social Security number. The Department of Revenue may supply information to the Internal Revenue Service. In addition, this data can be shared by Brooklyn Center City Staff, Department of Public Safety, Hennepin County Auditor, Bureau of Criminal Apprehension, and other persons or entities deemed necessary for verification of information submitted in the application. Your signature on this application indicates you understand these rights.

The undersigned hereby applies for a liquor license and acknowledges receipt of a copy of City Ordinance Chapter 11, Liquor Ordinance, and agrees to comply at all times with all laws, ordinances, or regulations applicable whether they be federal, state, county, or municipal. Submitted with this application is proof of workers' compensation insurance coverage and Minnesota business tax identification number. Information is collected to determine eligibility for license. Failure to provide information requested may result in denial of application.

APPLICANT NAME (please print)_____

being first duly sworn upon his/her oath, deposes and says that he/she is the person who has executed the foregoing information and that the statements made herein are true of his/her own knowledge and belief. I also understand that if any of the foregoing information is proven to be false, it is grounds for denial of the license for which I have applied.

_____ _____

SIGNATURE OF APPLICANT **DATE**

I request that my residence address and telephone number be considered private data. My alternative address and telephone number are as follows:

Address:_____

Telephone Number:_____

Subscribed and sworn to before me this _____ day of _____

Notary Public Signature_____

County_____

My Commission Expires_____

(Notary Public stamp or seal)

City of Brooklyn Center *6301 Shingle Creek Parkway, MN 55430-2199*
(763) 569-3300

IN SUPPORT OF AN APPLICATION FOR LIQUOR LICENSE
PART II – PERSONAL INFORMATION

Directions: This form must be filled out in ink by the sole owner, by each partner, by each manager, proprietor, or other person with management responsibilities for the premises, by each person who by combined ownership or control has an interest in a corporation or association in excess of five percent (5%).

Name and Address of Corresponding Establishment (licensed or to be licensed in Brooklyn Center)

_____

Position With Establishment (i.e., owner, partner, general manager):_____

Full Legal Name:_____ Maiden Name:_____
(Last) (First) (Middle)

Residence Address:_____ Phone:_____
(Street, City, State, Zip)

Place of Birth:_____ Date of Birth:_____

Driver's License # and State:_____ Social Security #:_____

Are you a U. S. Citizen? YES:_____ NO:_____
If a naturalized citizen, give date and place of naturalization:_____
If not a U. S. Citizen, are you are resident alien? YES:_____ NO:_____

What race/ethnic group do you consider yourself? ___White, not of Hispanic origin ___Hispanic, Mexican
___African American, not of Hispanic origin ___American Indian or Alaskan Native ___Asian or Pacific Islander

If you have ever used or been known by a name or names other than the **full legal name** provided, list such name(s) and information concerning dates and places used:

_____

_____

Are you a registered voter? YES:_____ NO:_____
If YES, in what City and State are you registered:_____

Marital Status: Married:_____ Single:_____ Divorced:_____

If MARRIED, provide the following information about **YOUR CURRENT SPOUSE**:

Full Legal Name:_____ Maiden Name:_____
(Last) (First) (Middle)

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Place of Birth:_____ Date of Birth:_____

Driver's License # and State:_____ Social Security #:_____

Is your current spouse a registered voter? YES:_____ NO:_____
If YES, in what City and State is your current spouse registered:_____

1. Address(es) at which **YOUR CURRENT SPOUSE** has lived during preceding 10 years (begin with present or last address and work back):

Street Address	City/State/ZIP	Dates

2. Name, location, and description of every business or occupation **YOUR CURRENT SPOUSE** has been engaged in, including employers and business partners, during the preceding 10 years (begin with the present position and work back):

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

3. Address(es) at which **YOU** have lived during preceding 10 years (begin with present or last address and work back):

Street Address	City/State/ZIP	Dates

4. Name, location, and description of every business or occupation **YOU** have been engaged in during the preceding 10 years (begin with the present position and work back):

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

Employer/Partner:_____

Business Name:_____

Business Address:_____

Position Held:_____

Dates (To/From):_____

5. Have you, your current spouse, parent, brother, sister, or child of either of you, ever been convicted of any felony, crime, or violation of any ordinance, other than traffic? YES_____ NO_____
If YES, give information as to the date, place, and type of offense for which convictions were had:

_____

_____

6. Have you, your current spouse, parent, brother, sister, or child of either of you, ever been engaged as an employee or in operating a saloon, hotel, restaurant, cafe, tavern, or other business of a similar nature?
YES_____ NO_____ If YES, give information as to the date, place, and length of time:

_____

_____

7. Have you been in military service? YES____ NO____ If YES, was discharge honorable? YES___ NO___
(*Copies of discharge papers may be required.*)

8. Name, residence address, business address, date of birth (DOB), and telephone number of each person who is engaged in Minnesota in the business of selling, manufacturing, or distributing intoxicating liquor or 3.2 percent malt liquor, and who is nearer of kin to you or your current 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 you or your current spouse:

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

9. Are you a person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler?
YES_____ NO_____

10. Are you a person who has a direct or indirect interest in other establishments in the City of Brooklyn Center to which a liquor license has been issued?
YES_____ NO_____ If YES, list names, addresses, and interest:

_____

_____

11. Are you the spouse of a person who would be ineligible for a license? (Refer to City Code, Section 11-116 for persons ineligible for liquor license): YES_____ NO_____

12. Do you have any investment in the business, building, premises, fixtures, furniture, stock in trade, etc.? YES_____ NO_____ If YES, list what type and amount of investment that you will have in the business (you must be prepared to furnish proof of the source of such money):

_____

_____

13. Have you had an interest in an intoxicating liquor license or 3.2 percent malt liquor license that has been revoked within five years of the license application? YES_____ NO_____ If YES, explain in detail:

_____

_____

14. Are you a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage? YES_____ NO_____ If YES, explain in detail:

_____

_____

15. Have you had an interest in an intoxicating liquor license application or 3.2 percent malt liquor license application that has been denied? YES_____ NO_____ If YES, state circumstances:

_____

_____

16. Have you or your current spouse ever filed for bankruptcy either as individuals, jointly, or in connection with any business in which you have had an interest? YES_____ NO_____ If YES, explain in detail:

_____

_____

17. Names, dates of birth (DOB), and residence and business addresses of three residents of the State of Minnesota, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as to the applicant's character:

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

Full Legal Name:_____Relationship:_____DOB:_____

Residence Address:_____Phone:_____
(Street, City, State, Zip)

Business Address:_____Phone:_____
(Street, City, State, Zip)

Any falsification of answers to the above questions will result in denial of the application.

THE MINNESOTA DATA PRACTICES ACT requires that we inform you of your rights about the private data we are requesting on this form. Private data is available to you, but not to the public. We are requesting this data to determine your eligibility for a license from the City of Brooklyn Center. Providing the data may disclose information that could cause your application to be denied. You are not legally required to provide the data, however, refusing to supply the data may cause your license to not be processed. Under MS 270.72, the City of Brooklyn Center is required to provide the Minnesota Department of Revenue your MN Tax ID Number and Social Security number. The Department of Revenue may supply information to the Internal Revenue Service. In addition, this data can be shared by Brooklyn Center City Staff, Department of Public Safety, Hennepin County Auditor, Bureau of Criminal Apprehension, and other persons or entities deemed necessary for verification of information submitted in the application. Your signature on this application indicates you understand these rights.

APPLICANT NAME (please print)_____

being first duly sworn upon his/her oath, deposes and says that he/she is the person who has executed the foregoing information and that the statements made herein are true of his/her own knowledge and belief. I also understand that if any of the foregoing information is proven to be false, it is grounds for denial of the license for which I have applied.

_____ _____

SIGNATURE OF APPLICANT **DATE**

I request that my residence address and telephone number be considered private data. My alternative address and telephone number are as follows:

Address:_____

Telephone Number:_____

Subscribed and sworn to before me this _____ day of _____

Notary Public Signature_____

County_____

My Commission Expires_____

(Notary Public stamp or seal)

City of Brooklyn Center

6301 Shingle Creek Pkwy 55430-2199
(763) 569-3300

Optional 2 A.M. Closing
Special Liquor License Application

This form must be completed by those establishments that possess an existing on-sale liquor license from the City of Brooklyn Center who are requesting an optional 2 A.M. closing special liquor license. This form, along with the appropriate fee, if necessary, and with the Application for Optional 2 A.M. Closing License from the State Alcohol and Gambling Enforcement Division, must be submitted to the City of Brooklyn Center, 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430.

1. Name of Licensee (Name of Individual, Partnership, Corporation, or Association shown on license):

   _____

2. Business Name:

   _____

3. Business Telephone Number:

   _____

4. Business Address:

   _____
   (Street, City, and Zip Code)

5. Contact Person, Title, Address, and Telephone Number:

   _____
   (First, Middle, and Last) (Title)

   _____
   (Street, City, and Zip Code)

   _____
   (Telephone Number)

6. Type of Optional 2 A.M. Closing Special Liquor License

   _____ On-Sale Intoxicating Liquor **$500**
   _____ On-Sale Club Intoxicating **$0**
   _____ On-Sale Wine Intoxicating and 3.2 Percent Malt Liquor Combination **$200**
   _____ On-Sale Wine Intoxicating Only **$0**
   _____ On-Sale 3.2 Percent Malt Liquor Only **$200**
   _____ On-Sale Brewer Taproom **$200**

Information is collected to determine eligibility for license. Failure to provide information requested may result in denial of application.

Signature:_____ Date:_____
(If the application is by a natural person, it shall be signed by such person; if by a corporation, by an officer thereof; if by a partnership, by one of the partners; if by an unincorporated association, by the manager or managing officer thereof.)

Print Name/Title:_____

City of Brooklyn Center

6301 Shingle Creek Pkwy. 55430-2199
(763) 569-3300

Affidavit/Statement Regarding Financial Claims of the City, County, or State

This form must be completed by the owner of the Premises (i.e., the owner of the building and land upon which the establishment is located). If you lease space, you must forward this to the landlord or lessor for completion. You are required to submit this affidavit/statement with your liquor license renewal.

1. **Name of Establishment:** _____

2. **Premises (Property) Address:** _____

3. **Owner of Premises (Property):** _____

Section 11-117, Subdivision 3, of the Brooklyn Center Code of Ordinances states that no Liquor license shall be granted, or renewed, for operation on any Premises on which any taxes, assessments, or other financial claims of the City, County, or State are due, delinquent, or unpaid or any Premises that is part of a larger tax parcel on which ad valorem real estate taxes or assessments collected with such taxes are due, delinquent, or unpaid.

I certify that there are no taxes, assessments, or other financial claims of the City, County, or State due, delinquent, or unpaid on the Premises identified in No. 2 above.

_____ _____
Owner of Premises Date

_____
Address (include street, city, state, zip code)

Subscribed and sworn to before me this _____ day of _____

Notary Public Signature_____

County_____

My Commission Expires_____

(notary stamp or seal)

City of Brooklyn Center
MINNESOTA BUSINESS TAX IDENTIFICATION NUMBER

Pursuant to Minnesota Statute 270C.72, Tax Clearance; Issuance of Licenses, the City of Brooklyn Center is required to provide to the Minnesota Commissioner of Revenue your Minnesota business identification number and the social security number of each license applicant. **Applicant** means an individual, if the license is issued to or in the name of an individual, or the corporation or partnership, if the license is issued to or in the name of a corporation or partnership. **Applicant** also means an officer of a corporation, a member of a partnership, or an individual who is liable for delinquent taxes, either for the entity for which the license is at issue or for another entity for which the liability was incurred, or personally as a licensee. 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, renewal, or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
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 licensing issuance or renewal application.

Please supply the following information and return along with your application to the City of Brooklyn Center. DO NOT RETURN TO THE DEPARTMENT OF REVENUE.

X License being applied for or renewed:_____

X License renewal date:_____

X **INDIVIDUAL INFORMATION (includes corporate officer or partner) Please Print:**

Applicant's Name:_____

Applicant's Address:_____

(Address, City, State, and Zip)

Social Security Number:_____

X **BUSINESS INFORMATION Please Print:**

Business Name:_____

Contact Person:_____

Business Address:_____

(Address, City, State, and Zip)

If a Minnesota Tax Identification Number is not required, please explain on the reverse side.

X Federal Tax Identification Number:_____

X Minnesota Tax Identification Number:_____

_____

Signature Position (Officer, Partner, etc.) Date

Certificate of Compliance
Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

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

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

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)

DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE

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

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

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

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

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

☐ I have no employees.

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

_____

☐ Other: _____.

ALL APPLICANTS COMPLETE THIS PORTION:

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

APPLICANT SIGNATURE (mandatory)	TITLE	DATE

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

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

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_____ Date_____
(title)

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.

(Form 9011-12/09)

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

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.

DEPARTMENT OF PUBLIC SAFETY
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
444 Cedar Street Suite 222
St. Paul, MN 55101-5133
Phone (651) 201-7507 TDD (651) 282-6555
Fax (651) 297-5259

CARD NUMBER
(Office Use Only)

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

ISSUING AUTHORITY	TYPE CODE	BUYER'S CARD EXPIRES	IDENTIFICATION #
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)