

LICENSE APPLICATION REQUIREMENTS for Malt Off Sale 3.2

\$225.00

REQUIREMENT PRIOR TO SUBMITTING A LICENSE APPLICATION

Prior to submitting your license application to DSI you must submit to the District Council representing the area a completed Class N License District Council Form with supporting plans. District Council contact information may be found at the following website <https://www.stpaul.gov/residents/live-saint-paul/neighborhoods/district-councils>.

Note: Additional licenses, permits, and/or inspections (not listed) may be required depending on your mode(s) of business operation and business location.

ITEMS #1-6 AND THE APPLICABLE FEE MUST BE SUBMITTED for an application to be deemed complete:

1. The following completed application forms:
 - **Class N License Application**
 - **Personal Affidavit form** (NOTE: all owners/partners/corporate officers and/or managers associated with the operation of the business must be listed on the license and complete this application form).
 - **Certificate of Compliance Minnesota Workers Compensation Law**
 - **Contains Nonpublic Data** (MN sales tax ID #, Social Security #, or Federal Tax ID #; and credit card payment information (if paying by credit card)
 - **Zoning Summary Sheet** (see item #6 for additional required supportive documentation)
 - **State of Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division (AGED) Certification of an Off Sale 3.2% Liquor License** application.
2. If incorporated or partnership, provide:
 - A copy of your company's Certificate of Incorporation from the Minnesota Secretary of State (SOS), or proof of current registration with the SOS, demonstrating you have legal authorization to operate within Minnesota **AND one of the following:**
 - A signed statement listing the owners of the corporation (including the percentage of ownership held by each individual) **OR;**
 - Minutes of the first corporate meeting, elections of officers, and desire of corporation to enter into business (the first corporate meeting minutes should include the distribution / allocation of corporate shares).
3. Submit a **business plan** describing your proposed method of operating the business. The plan should include information such as the following: hours of operation, hours 3.2 malt beverage products (i.e., 3.2 beer) will be offered for sale (if different than the store hours), how you will ensure that 3.2 beer will only be sold to individuals 21 years of age or older, etc.
4. Submit a copy of your **signed business purchase agreement**.
5. Submit **a copy of a signed lease or purchase-agreement/proof-of-ownership for the property**. Please note, if your proposed use of the property is not specified within the lease, you must also submit a letter signed by the property owner (or their designated representative) allowing this type of use.
6. Supporting documents such as a **floor plan and site plan** are required with submission of the Zoning Summary Sheet. A change in ownership of an existing location does not exempt you from this requirement. Your site plan and floor plan should include information such as, but not necessarily limited to the following:
 - **Site Plan** – drawn to scale; dimensioned; showing all property lines, building location(s), any entry door(s) to the building, any garage bay door(s) to the building, driveway egress points, each individual parking space, clearly label which parking space(s) are allocated to each of the businesses operating at this location; etc.
 - **Floor Plan** – drawn to scale, dimensioned, showing all levels of the building, customer area, stating the square footages for each separate space, and the proposed and/or existing use(s) for each space, etc., the layout of any equipment (e.g., service/checkout counter, display shelves, coolers, etc.), the location where 3.2 beer products will be displayed, etc.

LIQUOR LIABILITY INSURANCE REQUIREMENTS (may be submitted after application has been made)

7. Prior to issuance of a license, you must provide a copy of proof of Liquor Liability (Dram Shop) Insurance.

Requirements: According to Minnesota Statutes 340.409, an applicant must provide the City of Saint Paul with a certificate of insurance with liability limits of at least:

- \$50,000 of coverage because of bodily injury to any one person in any one occurrence
- \$100,000 of coverage because of bodily injury to two or more persons in any one occurrence
- \$10,000 of coverage because of injury to or destruction of property of others in any one occurrence
- \$50,000 of coverage for loss of means of support of any one person in any one occurrence
- \$100,000 of coverage for loss of means of support of two or more persons in any one occurrence

A liability insurance policy must provide that it may not be canceled for any cause, except for nonpayment of premium, by either the insured or the insurer unless the canceling party has first given 30 days' notice in writing to the issuing authority of intent to cancel the policy.

Note: Insurance is not required for applicants who by affidavit establishes that: They are an off-sale 3.2 percent malt liquor licensees with sales of less than \$50,000 of 3.2 percent malt liquor for the preceding year.

Note: Insurance certificates must have the licensed Corporation Name and DBA (Doing Business As), and the licensed business address listed on the certificate. The insurance expiration date must run concurrent with the license.

REQUIRED INSPECTIONS / PUBLIC NOTIFICATION REVIEW PROCESS:

Upon receiving and processing the complete license application (approximately 1-2 weeks processing time), DSI will send out notification letters to your neighbors (within 300 feet), concerned constituents, block club / district councils, and city council, informing them of your application request and giving them 15 days to respond to your application.

- If no objections are received, your license could be issued (pending any other requirements not completely met) approximately one week past the date given in the notification letter.
- If objections are received, a hearing will be scheduled before a legislative hearing officer. All interested persons will receive notice of the time, place and date of the scheduled hearing from the Legislative Hearing Officer. At that hearing, the hearing officer will take testimony from all interested persons and will make a recommendation to the City Council as to whether the license(s) should be approved, approved with conditions or be referred to an administrative law judge for further review. The City Council will have the final authority to grant or deny the license application.

In addition to the required submission of the Class N License District Council Form, it's recommended you contact the district council representing this area to discuss your application.

This application will be administratively reviewed by DSI Licensing, Zoning, and Fire Inspection staff. This review may include on-site inspection(s) of the site to verify compliance with applicable regulations. You will be informed of any required inspection(s), including the name and telephone number of the inspector, after the submission of a completed license application. *The location must be in compliance with all applicable regulations and/or license conditions before any license may be issued.*

ADDITIONAL GOVERNMENTAL AGENCY REVIEWS

Upon City approval, your State Liquor Application and a copy of your liquor liability insurance will be hand delivered to the State AGED informing them of the City approval. If you have questions regarding this requirement, you may contact the State AGED at 651-296-6430 or go to their website <http://www.dps.state.mn.us/alcgamb/alcgamb.html>

Upon City of Saint Paul approval, you will also be required to contact the Department of The Treasury, Bureau of Alcohol, Tobacco and Firearms at (651) 290-3905 - ATF Tax Processing Center (TI), PO Box 145433, Cincinnati OH 45203, or http://www.ttb.gov/taxes_and_permits/index.htm for forms and information regarding Federal liquor laws / regulations and the yearly federal tax. All retail liquor licensees must have a current Federal Special Occupational Stamp. This stamp is issued by the Bureau of Alcohol, Tobacco and Firearms (651-290-3496).

If you are selling any food products you will be required to obtain a separate license from the Minnesota Department of Agriculture (MDA) website at <http://www.mda.state.mn.us/licensing.aspx>

For the opening inspection and liquor manual review, or if you have any questions about the license application procedure, please contact a licensing project facilitator at 651-266-8989.