| | |
|---|---|
| | ***New* Off Sale Intoxicating Liquor License** |
| | **LICENSE APPLICATION INSTRUCTIONS** |
| | City of Maple Grove•P.O. Box 1180 Maple Grove, MN 55311•763-494-6010 |

**The attached forms must be completed or provided by the individual making a new application for an Off Sale Liquor License**

**Item numbers 1-6 are attached to be completed by applicant and returned with your application**

☑ 1. Liquor License Application

☑ 2. Application for Off Sale Intoxicating Liquor License
*This is a Minnesota Department of Public Safety form that is returned with your application.*

☑ 3. Application for Retailer's (Buyer) Card
*This application must be returned to the Minnesota Department of Public Safety with $20.00 fee.*

☑ 4. Background and Financial Investigation Consent and Release
*Any person(s) whose name appears in Part II of the Liquor License Application must complete this form*

☑ 5. Certificate of Compliance Dept. of Revenue Information

☑ 6. Certificate of Compliance Minnesota Worker's Compensation Law

**Item numbers 7-10 are provided by applicant and returned with your application**

☑ 7. Copy of summon or notice received by applicant pursuant to Minnesota Statutes 340A.802 during the preceding year

☑ 8. Copy of Articles of Partnership or Articles of Corporation and Bylaws

☑ 9. Description of the premises including a ***diagram*** of the licensed area

☑ 10. Certificate of Liability Insurance *(sample certificate is attached for your reference)*
***Note: the liquor liability must cover the license period of July 1 through June 30.***

**These forms are to be submitted with the following fees:**

$500 Investigative fee for partnership/corporation/LLC licensee *(not pro-rated and non-refundable)*
$250 Investigative fee for individual licensee *(not pro-rated and non-refundable)*
$200 Off Sale liquor license fee *(pro-rated)*
*Please make check payable to the City of Maple Grove; call 763-494-6010 for pro-rated amount*
*Licensing period is July 1 through June 30*

**Review and Approval Process**

Upon City Council approval and the state, a license will be prepared and mailed to the applicant

***Return Completed Documents to***
*City of Maple Grove*
*Administration Department/Licensing*
*P.O. Box 1180*
*Maple Grove, MN 55311-6180*
*Contact 763-494-6010*

# LIQUOR LICENSE APPLICATION

City of Maple Grove•PO Box 1180 Maple Grove, MN 55311•763-494-6010

| Type of License | Annual Fee |
|---|---|
| *On Sale Intoxicating Liquor/Sunday Sale* | *$8,000.00 (On Sale); $200.00 (Sunday Sale)* |
| *On Sale Wine and 3.2% Malt Liquor* | *$2,300.00* |
| *On Sale 3.2% Malt Liquor* | *$300.00* |
| *On Sale Brewer Taproom/Sunday Sale* | *$600.00* |
| *On Sale Culinary Class* | *$100.00* |
| *Off Sale Intoxicating Liquor* | *$200.00* |
| *Off Sale 3.2% Malt Liquor* | *$35.00* |
| *Brew Pub Off Sale Intoxicating* | *$200.00* |
| *Brewer Off Sale* | *$200.00* |

**Type of License**

☐*On Sale Intoxicating Liquor/ Sunday Sale*
☐*On Sale 3.2% Malt Liquor* ☐*On-Sale Brewer Taproom/Sunday Sale* ☐*On Sale Culinary Class*
☐*On Sale Wine & 3.2% Malt Liquor* ☐*Off Sale Intoxicating Liquor* ☐*Off Sale 3.2% Malt Liquor*
☐*Brew Pub Off Sale Intoxicating* ☐*Brewer Off Sale*

**Part I:** Business Information

| Legal Corporate Name of Business | Trade Name (DBA) | Business Telephone Number | |
|---|---|---|---|
| Business Address/Location | City | State | Zip Code |
| Mailing Address (if Different than Business Address) | City | State | Zip Code |
| Name of Person Filling out this Application | Title | Telephone Number | |
| E-mail Address | *(The City would like to have an e-mail address if needed (for receipt of renewal and licensing information)* ← | | |

| Type of Ownership: | Date & State of Incorporation: |
|---|---|
| ☐Sole Proprietor ☐Corporation ☐Partnership ☐LLC | |

**Part II:**

- Provide a mailing address and date of birth for each applicant and for the person or persons responsible for day-to-day operations and management of the applicant's establishment.
- If the applicant is a business entity (including without limitation a corporation, limited liability company, or partnership), provide the state of incorporation or organization and the names, mailing addresses, and dates of birth for any individual who owns at least a 20% interest in the applicant.
- If the owner of any such 20% or greater share in a business entity applicant is another business entity, provide the names, mailing address, and dates of birth of any individual who owns at least a 50% interest in such business entity.

***The City requires consent to conduct background investigations for any person(s) who meets the criteria stated above.***

| First and Last Name | Mailing Address<br>City/State/Zip Code | Date of Birth |
|---|---|---|
| | | |
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**Part III:** List all names who will have management or control over the business:

***A written notification to the City is required when management changes.***

| |
|---|
| |
| . |
| |

**Part IV:** List three (3) references with knowledge of the applicant <u>and/or</u> the business, provide name, complete mailing address and telephone number:

| First and Last Name | Complete Mailing Address | Telephone Number |
|---|---|---|
| | | |
| | | |
| | | |

**Part V:** Are you a Brewer? ☐ Yes or ☐No
If yes, do you produce less than 3, 500 barrels of malt liquor per year? ☐ Yes or ☐No
If yes, will the malt liquor sold for consumption on site be produced on licensed premises? ☐Yes or ☐No
If yes, please provide a copy of your Application for a Wholesaler's/Manufacturer's Intoxicating Liquor License - approved by Dept. of Public Safety..

**Part VI:** Does your establishment have amusement machines? ☐Yes or ☐No
If yes, please provide contact number, name and complete address of the vending company.

**Part VII:** Has your business been approved by the City for outdoor seating? ☐Yes or ☐No
If yes, please provide a layout of the outdoor seating.

**Part VIII:** Are any real estate taxes, assessments or other financial claims delinquent or unpaid that would prevent the approval of this license? ☐Yes or ☐No If yes, provide details.

**Part IX:** Indicate the name and complete address of the company you lease from, if applicable.

**Part X:** Applicant Information

Applicant Name_____

***Person responsible for receiving notice, administrative or criminal, and serving as the City's contact person for issues related to the license.***

**Is Applicant the owner and operator of the business ☐Yes or ☐No If no, please identify name and address of the owner/operator**

_____

***The applicant acknowledges that (1) this application is made pursuant and subject to all laws of the State of Minnesota, the ordinances and regulations of said City and the regulations of the Alcohol and Gambling Enforcement Division of the Department of Public Safety related to the sale and places of sale of intoxicating liquors ; (2) the applicant has answered all questions in a true and correct manner to the best of the applicant's knowledge and belief ; (3) when applying for a new license or a change in applicant information, the applicant will be charged, in advance, a nonrefundable investigation fee pursuant to City Code.***

***The Applicant may be the person responsible for receiving any notices (administrative or criminal) sent by the City to the Licensee.***

| **Signature of Applicant** | **Date** |
|---|---|
| | |

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

# APPLICATION FOR OFF SALE INTOXICATING LIQUOR LICENSE

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

Workers compensation insurance company. Name _____ Policy # _____

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

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

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

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

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

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

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

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

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

4. Name and address of building owner: _____
_____
Has owner of building any connection, directly or indirectly, with applicant? ☐ Yes ☐ No

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

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

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

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

---

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

_____

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

_____

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

_____

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

---

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

Check one

☐ A. Liquor Liability Insurance (Dram Shop) - $50,000 per person, $100,000 more than one person; $10,000 property destruction; $50,000 and $100.000 for loss of means of support.

or

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

or

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

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

| Print name of applicant & title | Signature of Applicant | Date |
|---|---|---|
| | | |

**REPORT BY POLICE\SHERIFF'S DEPARTMENT**

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

_____

_____

_____ _____ _____

Police/Sheriff's Department Title Signature

_____ PS 9136-(2009)

County Attorney's Signature

---

**IMPORTANT NOTICE**

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

Print Form

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

| CARD NUMBER |
|---|
| *(Office Use Only)* |

**APPLICATION FOR RETAILER'S (BUYER'S) CARD FOR LIQUOR AND WINE**

**PLEASE RETURN THIS APPLICATION WITH FEE $20.00**

| ISSUING AUTHORITY | 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)

# BACKGROUND AND FINANCIAL INVESTIGATION CONSENT AND RELEASE

City of Maple Grove•P.O. Box 1180 Maple Grove, MN 55311•763-494-6010

NEW LICENSE APPLICATION

The City of Maple Grove requires authorization to conduct a background check and to make inquiries into an applicant's personal or business financial accounts to determine whether the applicant meets the requirements of state law and City Code for liquor licensees. While you are free to refuse to provide such authorization, your application cannot be processed without it. If you want to proceed with the application process, complete the authorization below for the applicant and all persons or entities that provide financing for the applicant's business operations.

*I hereby give my consent for the City of Maple Grove to conduct a personal background investigation, which may include a criminal history check, to be used in the determination of whether my application is to be approved. The results of such investigation shall be made public according to state law upon appropriate City Council approval or denial of the license application. I hereby authorize the City of Maple Grove to make inquiry into my personal and business financial records and accounts for the purpose of determining compliance with the State and City requirements for liquor licensees. I authorize representatives of the bank or other institutions listed below to provide such information to the City as requested for this purpose.*

*I hereby release the City of Maple Grove and any of its agents or employees, from any and all liability for its receipt and use of information and records received pursuant to this consent. I further acknowledge that I have carefully read this release, fully understand its terms and legal significance, and execute it voluntarily.*

**TYPE OF LICENSE:** ☐ *On Sale/Sunday Sale* ☐ *On Sale Wine and 3.2* Malt Liquor ☐ *On Sale 3.2 Malt Liquor*
☐ *On Sale Brewer Taproom/Sunday Sale* ☐ *On Sale Culinary Class* ☐ *Off Sale Intoxicating Liquor*
☐ *Off Sale 3.2 Malt Liquor* ☐ *Brew Pub Off Sale Intoxicating* ☐ *Brewer Off Sale*

**Business Name:**

**Applicant Information:**

| First Name | Middle Name | Last Name |
|---|---|---|
| | | |

| | |
|---|---|
| Home Address | City/State/Zip |
| Home Telephone | Business Telephone |
| Date of Birth | City and State of Birth |
| Drivers License Number | State |

**Physical Information:**

| Sex | Race | Height | Weight | Eye Color | Hair Color |
|---|---|---|---|---|---|
| | | | | | |

Other Known Names:

Have you ever been convicted of a felony, gross misdemeanor, or misdemeanor? ☐Yes ☐No

If yes, state jurisdiction, type of violation and disposition

**Type of Account:** ☐ Personal ☐ Corporate

Account Holder -Individual, Entity, etc.:
Bank or Other Financial Institution:
Contact Information:
Relationship to Applicant:

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

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

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

| Signature | Date |
|---|---|
| | |

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

***Submit additional information if necessary.***

# CERTIFICATE OF COMPLIANCE

## DEPARTMENT OF REVENUE INFORMATION

City of Maple Grove•P.O. Box 1180 Maple Grove, MN 55311•763-494-6010

Pursuant to Minnesota Statute 270C.72 Tax Clearance; Issuance of Licenses, the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant (person signing the application).

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 license authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
3. Failure to supply this information may jeopardize or delay the processing of your license issuance.

Please supply the following information and return along with your application:

**Personal Information:**

| | |
|---|---|
| Applicant Name | |
| Applicant Address | City/State/Zip |
| Social Security Number | Phone Number |

**Business Information:**

| | |
|---|---|
| Business Name | |
| Business Address | City/State/Zip |
| **Minnesota Tax ID #** | **Federal Tax ID #** |

***If a Minnesota Tax ID number is not required, please attach explanation.***

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

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

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

| | |
|---|---|
| Applicant Signature | |
| Position | Date |

# CERTIFICATE OF COMPLIANCE

## MINNESOTA WORKERS' COMPENSATION LAW

City of Maple Grove•P.O. Box 1180 Maple Grove, MN 55311•763-494-6010

Minnesota Statute, 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 an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirements of Minnesota Statute 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.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if the required information is not provided or is falsely stated, it shall result in a $2000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry. This information will be collected by the City and retained in the files.

**A valid workers' compensation policy must be kept in effect at all times by employers as required by law.**
Please supply the following information and return along with your application:

Business Name *(Individual name only if no company name used)*

DBA *(doing business as name, if applicable)*

Business Address/City/State/Zip

**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 Agency or 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 liability coverage because:*

☐ I have no employees

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

_____

☐ Other: _____

_____

**ALL APPLICANTS COMPLETE THE FOLLOWING SECTION:**

***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 | 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.

**ACORD**™

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 01/05/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Name and Address of Insurance Agency
Phone, Fax & E-mail of Contact Person

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL ADDRESS:

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : AM Best Rating of A-VII required | |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED Licensee Name and Trade Name must appear here exactly as on the MN State Form including spelling and punctuation.

COVERAGES — CERTIFICATE NUMBER: Sample Liquor — REVISION NUMBER:

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | GENERAL LIABILITY<br>X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY PRO-JECT LOC | | | | | | EACH OCCURRENCE | $ 1,000,000 |
| | | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 50,000 |
| | | | | | | | MED EXP (Any one person) | $ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY | $ 1,000,000 |
| | | | | | | | GENERAL AGGREGATE | $ 1,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | $ 1,000,000 |
| | | | | | | | | $ |
| | AUTOMOBILE LIABILITY<br>ANY AUTO<br>ALL OWNED AUTOS<br>SCHEDULED AUTOS<br>HIRED AUTOS<br>NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | | | | | | | BODILY INJURY (Per pe | |
| | | | | | | | BODILY INJURY (Per ac | |
| | | | | | | | PROPERTY DAMAGE (Per accident) | |
| A | X UMBRELLA LIAB X OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED RETENTION $ | | | | | | EACH OCCURRENCE | $ |
| | | | | | | | AGGREGATE | $ |
| | | | | | | | | $ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | | N / A | | | | X WC STATU-TORY LIMITS OTH-ER | |
| | | | | | | | .L. EACH ACCIDENT | $ 100,000 |
| | | | | | | | .L. DISEASE - EA EMPLOYEE | $ 100,000 |
| | | | | | | | .L. DISEASE - POLICY LIMIT | $ 500,000 |
| A | Liquor Liability - | | | | | | $1,500,000 Each Common Cause<br>$2,000,000 Aggregate | |

**ITEMS REQUIRED ON ALL LIQUOR LIABILITY INSURANCE CERTIFICATES**

**MINIMUM LIMITS REQUIRED**

Liquor Policy Effective Dates must read:
**7/1/16 to 7/1/17**
or
**CONTINUOUS UNTIL CANCELLED**

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The Liquor Liability limits apply per location (list Maple Grove Location here) and are not subject to any self-insured retention or deductible. (Coverage must extend to outdoor seating if applicable.)

CERTIFICATE HOLDER

City of Maple Grove
Attn: City Clerk
P.O. Box 1180
Maple Grove, MN 55369

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Signature of Agent

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 01/05/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Name and address of Insurance Agency
Phone, Fax & E-mail of Contact Person

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL ADDRESS:

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : AM Best Rating of A-VII required | |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED Licensee Name and Trade Name must appear here exactly as on the MN State Form including spelling and punctuation.

COVERAGES — CERTIFICATE NUMBER: Sample Liquor incl w/GL — REVISION NUMBER:

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | GENERAL LIABILITY<br>X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>X Including Liquor<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY PRO-JECT LOC | | | | | | EACH OCCURRENCE | $ 1,500,000 |
| | | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 50,000 |
| | | | | | | | MED EXP (Any one person) | $ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY | $ 1,500,000 |
| | | | | | | | GENERAL AGGREGATE | $ 2,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | $ 2,000,000 |
| | | | | | | | Liq Aggregate | $ 2,000,000 |
| | AUTOMOBILE LIABILITY<br>ANY AUTO<br>ALL OWNED AUTOS<br>SCHEDULED AUTOS<br>HIRED AUTOS<br>NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | | | | | | | BODILY INJURY (Per person) | $ |
| | | | | | | | BODILY INJURY (Per accident) | |
| | | | | | | | PROPERTY DAMAGE (Per accident) | |
| A | X UMBRELLA LIAB X OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED RETENTION $ | | | | | | EACH OCCURRENCE | $ |
| | | | | | | | AGGREGATE | $ |
| | | | | | | | | $ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | | | | | X WC STATU-TORY LIMITS OTH-ER | |
| | | | | | | | E.L. EACH ACCIDENT | $ 100,000 |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE | $ 100,000 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | $ 500,000 |

Liquor Policy
Effective Dates must read:
**7/1/16 to 7/1/17**
or
**CONTINUOUS UNTIL CANCELLED**

**ITEMS REQUIRED ON ALL LIQUOR LIABILITY INSURANCE CERTIFICATES**

**MINIMUM LIMITS REQUIRED**

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The Liquor Liability limits apply per location (list Maple Grove Location) and are not subject to any self-insured retention or deductible. (Coverage must extend to outdoor seating if applicable.) The Liquor Liability limits are combined with the General Liability limits in a Package Policy.

CERTIFICATE HOLDER

City of Maple Grove
Attn: City Clerk
P.O. Box 1180
Maple Grove, MN 55369

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Signature of Agent

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ARTICLE XII. – INSURANCE REQUIREMENTS

**Sec. 16-431. - Intoxicating liquor licenses.**

(a) Every applicant and licensee under chapter 4, article II, pertaining to intoxicating liquor, except for on-sale temporary licenses, shall file with the clerk proof of financial responsibility, which filing shall be a condition of the issuance or renewal of any license, permit or authorization pursuant to chapter 4, article II.

(b) Proof of financial responsibility with regard to liability imposed by Minn. Stats. 340A.801 may be given by filing any one of the following:

(1) A certified copy of a bond of a surety company with minimum coverage as provided in subsection (b)(3) of this section, and the surety company shall have a minimum Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent;

(2) A certificate of the state treasurer that the applicant or licensee has deposited with him $500,000.00 in cash or securities having a market value of $500,000.00 which may legally be purchased by savings banks or for trust funds; or

(3) An insurance policy or certificate of insurance acceptable to the city and issued by an insurer authorized to do business in the state for the following minimum coverage for the period of the license:

| | |
|---|---|
| Bodily injury—Each person limit | $500,000.00 |
| Bodily injury—Each occurrence limit | 500,000.00 |
| Property damage—Each occurrence limit | 500,000.00 |
| Loss of means of support—Each person limit | 500,000.00 |
| Loss of means of support—Each occurrence limit | 500,000.00 |
| Annual aggregate limit | 500,000.00 |

(c) The insurance required in subsection (b)(3) of this section shall also provide the following:

(1) The policy may not be canceled or not renewed for any cause either by the insured or the insurance company without the canceling party first giving 30 days' written notice addressed to the city clerk of its intent to cancel or not renew the policy, except such required notice shall be ten days for nonpayment of premium.

(2) Proof of financial responsibility required in subsection (b) of this section will be submitted by the city to the commissioner.

(3) The insurance policy shall be written by an insurer having a minimum Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent.

(4) The liquor liability (dram shop) limits shall apply separately from the general liability limits. In the event the licensee's insurance policy has combined liquor and general liability limits in a package policy and the liquor limits are not part of a separate coverage part in the package policy, the

Chapter 4 - ALCOHOLIC BEVERAGES

## ARTICLE I. – INTOXICATING LIQUOR AND 3.2 PERCENT MALT LIQUOR

### Sec. 4-1. - Adoption of state law by reference.

The provisions of Minn. Stats. ch. 340A, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sale, 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 article as if set out in full. It is the intention of the city council that all future amendments to Minn. Stats. ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this chapter is adopted.

(Ord. No. 08-06, § 1, 4-21-2008)

### Sec. 4-2. - City may be more restrictive than state law.

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

(Ord. No. 08-06, § 1, 4-21-2008)

### Sec. 4-3. - Definitions.

Unless the context clearly indicates otherwise, the words, combinations of words, terms, and phrases used in this article shall have the meanings set forth in Minn. Stats. ch. 340A and in this section.

In addition to the definition in Minn. Stats. § 340A.101, as it may be amended from time to time, the following terms are defined for purposed of this article:

Interest includes any pecuniary interest in the ownership (of 20 percent or greater), operation, management, or profits of a retail liquor establishment, and a person who receives money from time to time directly or indirectly from a licensee, in the absence of consideration and excluding gifts or donations, has a pecuniary interest in the retail license.

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

Restaurant 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, and must have a restaurant license from the department of health in order to be deemed a restaurant for liquor licensing purposes. An establishment which 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 article.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 15-13, § 1, 9-21-15)

**Sec. 4-4. - Nudity on the premises of licensed establishments prohibited.**

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

(b) It is unlawful for any licensee, responsible party or other person to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a nontransparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breast and genitals covered with a nontransparent material.

(c) A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation, suspension or non-renewal of any liquor, wine or 3.2 percent malt liquor license or the imposition of a civil penalty.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-5. - Consumption in public places.**

No person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this article.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-6. - License required.**

It is unlawful for any person directly or indirectly, on any pretense or by any device, to manufacture, import, sell, exchange, barter, dispose or keep for sale any intoxicating liquor or 3.2 percent malt liquor as part of a commercial transaction, whether directly or indirectly, without first obtaining a license therefor.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-7. - Types of intoxicating liquor licenses.**

Licenses for intoxicating liquor shall be of the following categories, which licenses shall be granted only for the purposes permitted by state statutes and limited by this article:

(1) On-sale intoxicating liquor, which may be issued only to restaurants as defined in section 4-3 of this article, and to clubs and hotels as defined in Minn. Stats § 340A.101, as it may be amended from time to time and shall permit the sale and consumption of alcoholic beverages on the licensed premises only.

(2) On-sale wine licenses, with the approval of the commissioner of public safety to restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of Minn. Stats. § 340A.404, subd. 5, as it may be amended from time to time. The holder of an on-sale wine license who also holds an on-sale 3.2 percent malt liquor license is authorized to sell malt liquor with a

content over 3.2 percent (strong beer) without an additional license if their gross receipts are at least 60 percent attributable to the sale of food.

(3) Off-sale intoxicating liquor, which may be issued only to exclusive liquor stores.

(4) Brewpub off-sale malt liquor license as provided in Minn. Stats. § 340A.301, subd. 7, which may be issued to a brewer who holds a brewer license issued by the Minnesota Commissioner of Public Safety for the operation of a brewpub and shall be operated in and as a part of a restaurant establishment for which an on-sale intoxicating liquor license has been issued by the city.

a. An off-sale license may be issued solely for the malt liquor produced and packaged on the licensed premises and only upon approval of the license by the Minnesota Commissioner of Public Safety.

b. Off-sale of malt liquor shall be limited to the legal hours for off-sale pursuant to section 4-19 and must be removed from the licensed premises before the applicable off-sale closing time requirements. Notwithstanding any prohibition found in section 4-19, sales of off-sale malt liquor shall be permitted on Sundays during the hours of 8:00 a.m. to 10:00 p.m., except for December 25 or December 24 after 8:00 p.m.

c. Only malt liquor may be brewed or manufactured at the licensed premises and not more than 3,500 barrels of malt liquor in a calendar year may be brewed or manufactured at the licensed premises.

d. The malt liquor sold off-sale shall be packaged in 64-ounce containers commonly known as "growlers" and shall have the following requirements for packaging:

i. The containers shall bear a twist type closure, cork, stopper or plug.

ii. At the time of sale, a paper or plastic adhesive band, strip or sleeve shall be applied to the container and extend over the top of the twist type closure, cork, stopper or plug forming a seal that must be broken upon opening of the container.

iii. The adhesive band, strip or sleeve shall bear the name and address of the brewer/licensee selling the malt liquor.

iv. The containers shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer/licensee selling the malt liquor, and the contents in the container packaged as required herein shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

(5) Sunday on-sale intoxicating liquor licenses may be issued only to: (i) a restaurant, club or hotel, which holds an on-sale intoxicating liquor license and serves liquor only in conjunction with the service of food; and (ii) a holder of an on-sale brewer taproom license.

(6) Temporary on-sale licenses may be issued to a club, charitable, religious, or nonprofit organization that has been in existence for at least three years and be in connection with a social event within the city sponsored by the licensee.

a. The license may authorize sales for up to four consecutive days, and may also authorize 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 the city.

b. Temporary on-sale intoxicating liquor licenses are subject to the terms imposed by the city, including fees and are not valid until approved by the commissioner of public safety.

c. The city may issue a limited number of temporary licenses in a single year.

(7) On-sale community center authorization, which may be granted only to the holder of a retail on-sale intoxicating liquor license issued by the city or by an adjacent municipality (referred to in this subsection as the "licensee"). Upon such authorization, the licensee may dispense, if approved by the park board, intoxicating liquor at any convention, banquet, conference, meeting, or social affair conducted on the premises of the Maple Grove Community Center. Authorized licensees may be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the premises, may dispense intoxicating liquor only to persons attending the event, and may not dispense intoxicating liquor to any person attending or participating in an amateur athletic event held on the premises.

a. Licensees authorized to dispense intoxicating liquor in the Maple Grove Community Center shall comply with the requirements imposed upon on-sale intoxicating liquor licensees within the city, including but not limited to insurance requirements, as well as any policies established by the city for the Maple Grove Community Center. Any insurance certificate provided to the city by a licensee shall name the city as an additional insured.

b. Authorization to dispense intoxicating liquor within the community center shall be granted for a period of one year, at the time on-sale intoxicating liquor licenses are issued by the city. Licensees seeking authorization to dispense intoxicating liquor in the Maple Grove Community Center shall make application therefor to the deputy city clerk. To defray the costs of processing the application, licensees shall submit with their application the application fee as set from time to time by the city as set forth in section 16-81.

c. For the purposes of this subsection (7) the term Maple Grove Community Center shall include the Maple Grove Community Center, the Maple Grove Town Green, and Central Park of Maple Grove.

(8) On-sale brewer taproom license may be issued to a brewer licensed under Minn. Stats. §§ 340A.301, subd. 6(c), (i) or (j) for the on-sale of malt liquor subject to the following conditions:

a. The on-sale of malt liquor shall be limited to the legal hours for on-sale pursuant to section 4-19.

b. A brewer may only hold one brewer taproom license under this chapter.

c. The only alcohol that may be sold or consumed on the premises of a brewery taproom will be the malt liquor produced by the brewer.

d. The license may only be issued to a licensee operating in the I, industrial zone.

(9) Brewer off-sale malt liquor license, as provided in Minn. Stats. § 340A.301, subd. 6d, may be issued to a brewer licensed under Minn. Stats. §§ 340A.301, subd. 6(c), (i) or (j), and issued an on-sale brewer taproom license for the off-sale of malt liquor subject to the following conditions:

a. An off-sale license may be issued solely for the malt liquor produced and packaged on the licensed premises.

b. Off-sale of malt liquor shall be limited to the legal hours of off-sale pursuant to section 4-19 and malt liquor sold off-sale must be removed from the licensed premises before the applicable off-sale closing time requirements. Notwithstanding any prohibition found in section 4-19, sales of off-sale malt liquor shall be permitted on Sundays during the hours of 8:00 a.m. to 10:00 p.m., except for December 25 or December 24 after 8:00 p.m.

c. The amount of malt liquor sold at off-sale may not exceed the amount set forth in Minn. Stats. § 340A.301, subd. 6d.

d. The malt liquor sold off-sale shall be packaged in 64-ounce containers commonly known as "growlers" and shall have the following requirements for packaging:

i. The containers shall bear a twist-type closure, cork, stopper or plug.

ii. At the time of sale, a paper or plastic adhesive band, strip or sleeve shall be applied to the container and extend over the top of the twist-type closure, cork, stopper or plug forming a seal that must be broken upon opening of the container.

iii. The adhesive band, strip or sleeve shall bear the name and address of the brewer/licensee selling the malt liquor.

iv. The containers shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer/licensee selling the malt liquor, and the contents in the container packaged as required herein shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

(10) On-sale culinary class license, which may be issued to a business establishment that is not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation is required. This license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to six ounces of wine or 12 ounces of intoxicating malt liquor during and as part of the class, for consumption on the licensed premises only. Any such licenses shall be issued pursuant to Minn. Stat. § 340A.4041 as may be amended from time to time.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 09-15, § 1, 12-21-2009; Ord. No. 15-07, § 1, 3-2-2015; Ord. No. 15-10, § 1, 6-30-2015; Ord. No. 15-13, § 2, 9-21-2015; Ord. No. 15-15, § 1, 10-19-2015)

**Sec. 4-8. - Types of 3.2 percent malt liquor licenses.**

(a) Types of licenses.

(1) Off-sale license;

(2) On-sale license; and

(3) Temporary 3.2 percent malt liquor license.

(b) Limitation on issuance.

(1) The on-sale 3.2 percent malt liquor licenses may only be issued to restaurants, hotels, clubs, bowling centers, golf courses, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco, food and soft drinks. The off-sale license may not be issued to an establishment that as a part of its business sells or otherwise provides fuel for use by motor vehicles.

(2) Temporary 3.2 percent malt liquor licenses are subject to the terms set by the city and may be issued to any of the following: a club, charitable, religious or nonprofit organization. Notwithstanding any other provision of this article, the fees for a special permit on-sale license may be waived by the council.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-9. - License fees.**

(a) Time of payment. All license fees, as established by the council from time to time and set forth in section 16-81, shall be paid at the time of filing the application for a license under this article.

(b) Application and investigation fees.

(1) The application for a license pursuant to this article shall be accompanied by an application fee and investigation fee.

(2) The investigation fee shall not be refundable if the license is denied.

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

(d) Failure to pay. Failure to pay any license fee required automatically terminates the license and it may only be reinstated after a hearing before the council.

(e) Changes in fees. Any change of a license fee shall take effect immediately for new licenses, but for renewal licenses shall take effect at the expiration of the current license year in which the increase or decrease was approved, after a public hearing, by the council.

(f) Waivers. Notwithstanding any other provision of this article or chapter 16, the council may for good cause shown waive all or a portion of any fee otherwise required to be paid in connection with any application for a license or transfer of license.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-10. - Application for license.**

(a) Every application for a license issued under this article, new or renewal, shall be on a form provided by the city. Such application form shall be completed to the satisfaction of the city. If the application form is not completed to the satisfaction of the city, the form and the application shall be returned by the city to the applicant. Every application shall state the name of the applicant, the applicant's date of birth, driver's license number or other government approved identification (subject to the review and approval of the city), with references as the city may require, the type of license applied for, the business in connection with which the proposed license will operate and its location, a description of the premises, whether the applicant is owner and operator of the business, who will manage the business, how long the applicant has been in that business at that place, and other information as the city may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the commissioner of public safety and shall also contain the information required in this section. The form shall be verified and filed with the city. No person shall make a false statement in an application.

(b) A partnership must file with its application a true copy of the articles of partnership. Any change thereof must be reported to the city clerk within 14 days prior to the making of the change.

(c) A corporation must file with its application a true copy of the articles of incorporation and bylaws of the corporation. Any change in either the articles or the bylaws must be reported to the city clerk within 14 days before such change has been adopted by the corporation or filed.

(d) Each applicant for the issuance or renewal of a license must submit with the application a copy of each summons or notice received by the applicant pursuant to Minn. Stats. § 340A.802 during the preceding year.

(e) The applicant shall submit a specific description and a site plan clearly showing the compact and contiguous area within which liquor may be dispensed and consumed (the "licensed premises"). The interior of the building and any permanently constructed and attached deck, patio, or exterior space may be included as part of the licensed premises, provided any such deck, patio, or exterior space is completely enclosed by a physical barrier and access to it is secure and controlled by the licensee. An application for the proposed enlargement, alteration or extension of any existing licensed premises shall be provided to the city clerk at least 60 days prior to such proposed enlargement, alteration or extension and shall be treated the same as an application for a new license. Failure to obtain approval for any such enlargement, alteration or extension shall be grounds for revocation, suspension or non-renewal of any license. No application for a license or for enlargement, alteration or extension will be considered by the city council until a complete application is received and approved by city staff. All premises licensed under this article shall be in compliance with all federal, state, municipal, building, zoning, and fire codes and regulations and failure to comply shall be grounds for revocation, suspension or non-renewal of any license.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 15-13, § 3, 9-21-2015)

**Sec. 4-11. - Qualifications of applicant for license.**

In addition to complying with state statutes, the following shall apply:

(1) A false material statement made in an application for the license required by this article is grounds for revocation, suspension or denial of a license or refusal to renew an existing license.

(2) The time periods set forth in this section shall be computed from the date of application for a license.

(3) For purposes of this section, the term "applicant" shall include, in addition to the person signing or submitting the application, any corporation, partnership, association, enterprise, business, or firm in which such person may have an interest, including, but not limited to, the premises to be licensed or the business conducted thereon.

(4) No retail license may be issued to a person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler, except as permitted in Minn. Stats. § 340A.301, subd. 7.

(5) Alcohol compliance training is mandatory for all managers and employees involved in the service of intoxicating liquor of all applicants for new or renewal licenses under this chapter. Such training shall be conducted in a time, place and manner designated by the city and no substitute training shall be accepted. Licensees must maintain a certificate indicating proof of completion of such training on the licensed premises at all times for each such manager and employee. All newly-hired managers and employees must complete the alcohol compliance training within six months of the first date of employment by the licensee. Failure to comply with this provision shall be a sufficient basis for denial, suspension or non-renewal of any license. Compliance with this provision does not alleviate applicants or their managers or employees from civil or criminal penalties for violation of this chapter.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 13-05, § 1, 2-4-2013; Ord. No. 15-13, § 4, 9-21-2015)

**Sec. 4-12. - Financial responsibility and insurance requirements.**

Financial responsibility and insurance requirements under this article shall be as provided in chapter 16, article XII.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-13. - Investigation of applicant for license.**

(a) The council shall cause an investigation to be made of all the representations set forth in a license application under this article.

(b) Every new or renewal application or application for transfer of a license required in this article, except for on-sale temporary license, shall be referred to the Maple Grove Police Department for investigation of each individual. Every individual having any interest in the license shall be so investigated in accordance with section 2-1.

(c) The Maple Grove Police Department shall make necessary inquiry and list all violations of federal and state law or municipal ordinance, including verified complaints that occurred at the establishment being investigated while under the same ownership. He shall report his or her findings and comments to the city administrator, who shall order or conduct such additional investigations as he deems necessary or as the council directs.

(d) Each application for a new license or a renewal of a previously issued license shall be investigated as is deemed necessary by the fire chief and building official to establish that the business operation and structure to be licensed is in full compliance with all building and fire codes, laws and regulations of the state and the city. No license shall be issued until the building official and fire chief have found the proposed licensed operation and premises to be in full compliance with such building and fire codes, laws and regulations.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 12-03, § 1, 3-5-2012)

**Sec. 4-14. - Burden of proof of licensees.**

(a) The applicant for or holder of a license pursuant to this article has the burden of proving to the city, upon request, the following:

(1) That the person applying for the license or holding the license is in fact the true proprietor thereof and that each individual having any interest in the license has in fact been listed correctly on the application, and the council has been accurately apprised promptly of any and all changes in the person holding the license or an interest therein, regardless of whether an individual, partnership, corporation or group by whatever arrangement organized.

(2) That the applicant, licensee shall be responsible for his or her agents and employees and for the conduct of his or her place of business and for conditions of sobriety and order therein.

(3) That there is full compliance with the provisions of this article and any other city ordinances as well as state and federal laws.

(b) If the applicant for a license, or a holder of an existing license, shall fail to make full disclosure to the city or any of its personnel, or shall fail to promptly produce books, records, leases, or subleases, or to promptly correct any deficiency in the operation or management of the premises as requested, then such refusal or noncompliance may be sufficient grounds of itself for denial of the new license or transfer of the existing license, revocation or suspension of an existing license, or refusal to renew an existing license.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-15. - Granting of license.**

(a) No license for the sale of intoxicating liquor on-sale, off-sale, wine or Sunday sale shall be granted by the council until a public hearing shall have been conducted by the council at least ten days after published notice in the official newspaper, unless such license shall be a renewal of a license previously granted at the same location to the same licensee.

(b) An opportunity shall be given at a regular or special meeting of the council to any person to be heard for or against the granting of any license.

(c) After investigation and approval of the required application and insurance, the council shall grant or refuse such license or in its discretion; provided no license may be issued, transferred, or renewed if the results of the investigation show, to the satisfaction of the city council, that issuance, transfer, or renewal would not be in the public interest.

(d) The city shall, within ten days of the issuance of a license granted under subsection (a) of this section, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The city shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

(e) Pro rata licenses may be issued to new licensees as provided in this article for a partial year. Any period of less than one month that the license is in effect shall be considered and computed as one month for the payment of a pro rata fee.

(f) The city council shall not grant a license until the premises at issue has received a certificate of occupancy.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-16. - Restrictions on issuance of license.**

In addition with limitations in state statutes, the following shall apply:

(1) No license shall be granted under this article to any manufacturer, brewer, or distiller of intoxicating liquor, or to anyone interested in the ownership or operation of any such place, or to a person operating a licensed place owned by a manufacturer, brewer, distiller, or exclusive wholesale distributing agent, except as provided in Minn. Stats. § 340A.301.

(2) No manufacturer, brewer, or wholesaler shall either directly or indirectly own or control or have any financial interest in any retail business selling intoxicating liquor, except as provided in Minn. Stats. § 340A.301.

(3) No license shall be granted for operation of any premises upon which taxes or assessments or other financial claims of the city are delinquent and unpaid.

(4) No on-sale intoxicating liquor license or on-sale wine license under this article shall be granted or renewed to a restaurant that has failed to submit a statement signed by the licensee attesting that not less than 51 percent of the restaurant's combined sales of food, non-alcoholic beverages, and alcoholic beverages is from the sale of food, including non-alcoholic beverages (hereinafter "compliance statement"). In the case of renewals, the compliance statement shall be based on the last 12 months of sales, or the duration of the license, whichever is longer. In the case of a new application, the compliance statement shall be provided within 12 months of the issuance of the initial license. The city may review the financial records of a licensee, upon reasonable notice, to determine that the percentage of sales is in compliance with this section. In the event noncompliance is found in the city review, the licensee shall be responsible for the costs of city review and the noncompliance shall be grounds for license revocation.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 13-20, § 1, 9-3-2013)

**Sec. 4-17. - Transfer of intoxicating liquor licenses.**

(a) No intoxicating liquor license issued under this article shall be transferable either as to the licensee or location of licensed premises without the approval of the council and, in the case of off-sale licenses, the approval of the commissioner. Except as otherwise provided in subsection (c) of this section, in all cases where the approval of the council is required, a new application, new investigation, new license fee, and a new processing pursuant to this article is necessary.

(b) Each corporate licensee having a change in ownership of ten percent or more of the stock of the corporation shall report to the clerk within ten days prior to each and any proposed change of legal ownership or beneficial interest in any of its shares of stock.

(1) The report shall be in writing and shall list all stockholders, their age, occupation, their residence address, and the number of shares held by each, whether individually or for the benefit of others.

(2) The report shall include all powers of attorney for proxies granted that relate to the voting of the corporate shares of stock.

(3) Each such proposed transfer shall require the city's approval. Upon review and approval by the city, a corporate licensee may provide for a plan of transition to the new ownership through a management agreement.

(c) In cases where a new application is required herein the following shall apply:

(1) A new application, new investigation, new license fee and a new processing pursuant to this article is necessary.

(2) The failure to obtain such prior approval of the council or to produce books or other records in compliance with this section shall be grounds for automatic revocation of the license pursuant to section 4-24.

(d) The council or any officer of the city so designated by it may, at any reasonable hour, examine the stock transfer records, minute books and all other business records of the corporate licensee as may appear necessary. This right is especially provided to disclose the extent of the interest of any and all persons in the licensed corporation, and the ownership and voting of shares of stock of the corporation, and to determine whether or not any change of the legal ownership of, or interest in, certain shares of stock by itself or together with other transfers of shares of stock has directly or indirectly resulted in a multiple ownership or in a change of control of the licensed business. Particular scrutiny shall be given to proxy voting and powers of attorney to vote stock shares.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 15-13, § 5, 9-21-2015)

**Sec. 4-18. - Transfer of 3.2 percent malt liquor license.**

A 3.2 percent malt liquor license is nontransferable with regard to the licensee or location of premises licensed.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-19. - Hours and days of sale.**

(a) The hours of operation and days of sale shall be those set by Minn. Stats. § 340A.504, as it may be amended from time to time.

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

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

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

(e) Any violation of any condition of this section shall be grounds for revocation, suspension or non-renewal of the license.

(f) A licensed premises may only sell intoxicating liquor between the hours of 1:00 a.m. and 2:00 a.m. if the licensed premises has obtained a special license from the Minnesota Commissioner of Public Safety.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-20. - Prohibited acts.**

(a) The licensee shall not permit any person who has not attained the age established by the state as the minimum age at which the person may consume alcoholic beverages to loiter or remain in the room where alcoholic beverages are being sold or served. However, any such underage person who is less than the age of 18 years may remain in such room if such person is accompanied by his or her parent or legal guardian of that person.

(b) No licensee shall knowingly permit on the licensed premises or any room in the licensed premises, or in any adjoining building directly or indirectly under his or her control any violation of city ordinances or state or federal law.

(c) No alcoholic beverages shall be consumed on a public highway.

(d) Nothing in this article shall be deemed to prohibit a non-age person from entering an establishment licensed under this article to do any of the following:

(1) Perform work for the establishment, including the serving of alcoholic beverages, unless otherwise prohibited by Minn. Stats. § 340A.412, subd. 10;

(2) Consume meals;

(3) Attend social functions that are held in a portion of the establishment where liquor is not sold; or

(4) No person shall be employed in a room constituting a place in which alcoholic beverages are sold unless the person has attained the age established by the state as the minimum age for consuming alcoholic beverages. Notwithstanding this restriction, a non-age person may be employed as a musician or to perform the duties of a bus boy or dishwashing services in places defined as a restaurant or, hotel when an intoxicating liquor or 3.2 percent malt liquor license has been issued to the premises.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-21. - Conditions of license.**

Any license granted under this article shall be granted, subject to the following conditions, any and all conditions imposed by the council at the time of issuance or renewal, all other conditions of this article and all other ordinances of the city applicable thereto, and all regulations promulgated by the commissioner and all statutes of the state applicable thereto:

(1) Every licensee shall be responsible for the conduct of his or her place of business and the conditions of sobriety and order therein.

(2) All premises for which any license is granted under this article shall be open to inspection by any police or health officer or other properly designated officer or employee of the city at any time during which the place so licensed shall be open to the public for business.

(3) All licensed premises shall have the license posted in a conspicuous place therein at all times.

(4) Wherein a combination on-sale and off-sale intoxicating liquor license has been issued to a person for a single premises, the licensee shall separate the area in which off-sales take place in such a manner that all off-sales are in a separate part of the building not accessible by patrons or employees of the on-sale portion of the premises without the patrons or employees first going outside of the building premises before gaining access to the off-sale portion of the premises.

(5) As a condition to the granting of an on-sale or Sunday sale license where sale of food and such other articles is permitted by the council, the council may by resolution restrict the sale and consumption of alcoholic beverages at any place so licensed to tables where food is served to patrons purchasing and consuming such alcoholic beverages, and may prohibit or limit the sale or consumption of alcoholic beverages at a bar, and may prohibit the maintenance of a bar on the premises where alcoholic beverages are displayed or dispensed.

(6) No on-sale, Sunday sale, or off-sale license shall be effective beyond the compact and contiguous space named in the license granted, except that the council may permit the following:

a. Sales of alcoholic beverages with meals in additional dining rooms open to the public and specified in the license where meals are regularly served to guests therein.

b. Sales of alcoholic beverages in hotels pursuant to such conditions as the council may specify in any such license issued thereto.

c. Sales of alcoholic beverages shall be in the licensed premises only and shall not be allowed in any unlicensed areas adjacent to the licensed premises.

(7) In any place licensed for on-sale, alcoholic beverages shall be served and consumed at tables, counters or bars equipped with chairs at which customers shall be encouraged to sit and be served.

(8) All licenses issued pursuant to this article expire on June 30 of each year, except the on-sale temporary license, which expires as indicated thereon.

(9) Every licensee is responsible for the conduct of the place of business. The licensee is responsible for the licensee's agents and employees.

(10) There shall be full compliance with the provisions of this article and any other city ordinances as well as state and federal laws.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 15-13, § 6, 9-21-2015)

**Sec. 4-22. - Renewal of license.**

An application for renewal of a license must be made at least 90 days prior to the renewal date. The application shall state any change in the information supplied with the original application and shall include the information required by this article. The city may deny the renewal of a 3.2 percent malt liquor license for the same reasons the initial issuance of a license may be denied.

(Ord. No. 08-06, § 1, 4-21-2008)

**Sec. 4-23. - Suspension and revocation of license.**

(a) The council shall either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any provision of this article or other applicable statute or regulation relating to liquor, as provided in subsection (b) below. Neither the charging of a criminal violation nor a criminal conviction is required in order for the council to suspend or revoke a license. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stats. §§ 14.57 to 14.70, as it may be amended from time to time. The council may act as the hearing body under the act, or it may contract with the office of hearing examiners for a hearing officer.

(b) The following are the suspension and revocation penalties that shall be imposed by the council for violations of the provisions of this article or Minn. Stats. ch. 340A, as it may be amended from time to time, or any rules promulgated under that chapter as they may be amended from time to time:

(1) For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2 percent malt liquor, the license shall be revoked.

(2) The licensee shall be penalized as set forth below after a finding by the city council that the licensee has failed to comply with any provision of this article or other applicable statute or regulation as set forth below:

a. On-sale licenses set forth in City Code §4-7 and §4-8 shall be suspended for at least two consecutive days for a first violation within any three-year period. Off-sale licenses set forth in City Code §4-7 and §4-8 may be suspended, in the discretion of the city council, for up to two consecutive days for a first violation within any three-year period.

b. On-sale licenses set forth in City Code section 4-7 and section 4-8 shall be suspended for at least five consecutive days for a second violation within any three-year period. Off-sale

licenses set forth in City Code section 4-7 and section 4-8 may be suspended, in the discretion of the city council, for up to five consecutive days for a second violation within any three-year period.

c. On-sale licenses set forth in City Code section 4-7 and section 4-8 shall be suspended for at least ten consecutive days for a third violation within any three-year period. Off-sale licenses set forth in City Code section 4-7 and section 4-8 may be suspended, in the discretion of the city council, for up to ten consecutive days for a third violation within any three-year period.

d. Both on-sale and off-sale licenses set forth in City Code section 4-7 and section 4-8 shall be revoked for a fourth violation within any three-year period.

The city council shall select the day or days during which the license will be suspended.

(c) Notice of cancellation or lapse of a current liquor liability policy shall constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the city clerk, a hearing before the council shall be granted within ten days. Any suspension under this paragraph shall continue until the council determines that the financial responsibility requirements of state law and this article have again been met.

(d) The provisions of section 4-24 pertaining to penalties may be imposed in addition to any suspension or revocation under this article.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 11-02, § 1, 1-18-2011)

**Sec. 4-24. - Penalties for violation of article or state law.**

(a) Any licensee, responsible party or other person violating any provision of this article or Minn. Stats. ch. 340A, as it may be amended from time to time, or any rules promulgated under that chapter, is guilty of the crime specified therein and upon conviction shall be punished criminally as provided by law.

(b) The council shall impose a civil penalty of up to $2,000.00 for each violation of this article and of Minn. Stats. ch. 340A. These civil penalties shall be in addition to any criminal penalties imposed under subsection (a) or any suspension or revocation imposed under section 4-23. Neither the charging of a criminal violation nor a criminal conviction is required in order for the council to impose the civil penalty. A hearing under the Administrative Procedures Act, Minn. Stats. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Nonpayment of the penalty is grounds for revocation, suspension or non-renewal of the license.

(c) The term "violation" as used in this section and in section 4-23 includes any and all violations of any provision of this article, or of Minn. Stats. ch. 340A, as it may be amended from time to time, or any rules promulgated under that chapter as they may be amended from time to time. Neither the charging of a crime nor a criminal conviction is required for the council to take the actions set forth in this section and in section 4-23.

(Ord. No. 08-06, § 1, 4-21-2008; Ord. No. 15-13, § 7, 9-21-2015)

minimum liquor limits required in (b)(3) shall be increased to $500,000.00 each cause and $500,000.00 annual aggregate.

(5) The liquor (dram shop) limits shall not be subject to a self insured retention (SIR) or deductible.

(6) The liquor liability (dram shop) limits shall:

a. Apply per location, or

b. If the applicant/licensee has on-sale community center authorization, may provide an insurance policy or certificate of insurance acceptable to the city and issued by an insurer to do business in the state for the following minimum coverage for the period of the authorization:

| | |
|---|---|
| Bodily injury—Each person limit | $500,000.00 |
| Bodily injury—Each occurrence limit | 500,000.00 |
| Property damage—Each occurrence limit | 500,000.00 |
| Loss of means of support—Each person limit | 500,000.00 |
| Loss of means of support—Each occurrence limit | 500,000.00 |
| Annual aggregate limit | 500,000.00 |

(d) In addition to the requirements of subsection (b) of this section, the applicant or licensee shall file with the city clerk a comprehensive general liability policy or certificate of insurance on an occurrence basis for the period of the license, acceptable to the city, and issued by an insurance company authorized to do business in the state for the following minimum coverage:

| | |
|---|---|
| General aggregate | $500,000.00 |
| Products—Comp/ops aggregate | 500,000.00 |
| Personal and advertising injury | 500,000.00 |
| Each occurrence | 500,000.00 |

(1) Should the policy be canceled or not renewed for any cause prior to expiration date thereof, the issuing company shall mail 30 days' written notice to the city clerk, except such notice shall be ten days for nonpayment of premium.

(2) The policy shall be written by an insurance company having a Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent.

(3) If such policy of insurance is scheduled to expire prior to the end of the period covered by the license (because of multiple locations), a new policy or certificate referencing the same minimum coverage set forth in this subsection (d) must be submitted to the city clerk at least 30 days before the expiration of the policy.

(e) Cancellation or expiration of an insurance policy or certificate or bond required in this section and failure to provide another insurance policy or certificate or bond as required in this section shall be grounds for automatic denial, revocation, suspension, or failure to renew a license.

(f) Subsection (b) of this section does not apply to licensees who by affidavit establish that they are holders of on-sale wine licenses with sales of less than $25,000.00 for wine for the preceding year, or they are holders of a temporary wine license issued under law.

(Code 1984, § 805:18; Ord. No. 03-12, § 1, 4-21-2003; Ord. No. 05-04, § 1, 2-22-2005; Ord. No. 05-07, § 1, 3-7-2005; Ord. No. 06-10, § 1, 4-17-2006; Ord. No. 10-02, § 1, 2-1-2010; Ord. No. 10-08, § 1, 5-3-2010)

**Cross reference—** Alcoholic beverages, ch. 4.

**Sec. 16-432. - 3.2 percent malt liquor licenses.**

(a) Every applicant and licensee under chapter 4, article III, pertaining to 3.2 percent malt liquor, shall file with the clerk proof of financial responsibility, which filing shall be a condition of the issuance or renewal of any license pursuant to chapter 4, article III.

(b) Proof of financial responsibility with regard to liability imposed by Minn. Stats. 340A.801 may be given by filing any of the following:

(1) A certified copy of a bond of a surety company with minimum coverage as provided in subsection (b)(3) of this section, and the surety company shall have a minimum Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent;

(2) A certificate of the state treasurer that the applicant or licensee has deposited with him $500,000.00 in cash or securities having a market value of $500,000.00 which may be legally purchased by savings banks or for trust funds; or

(3) An insurance policy or certificate of insurance acceptable to the city and issued by an insurer authorized to do business in the state for the following minimum coverage for the period of the license:

| | |
|---|---|
| Bodily injury—Each person limit | $500,000.00 |
| Bodily injury—Each occurrence limit | 500,000.00 |
| Property damage—Each occurrence limit | 500,000.00 |
| Loss of means of support—Each person limit | 500,000.00 |
| Loss of means of support—Each occurrence limit | 500,000.00 |

| | |
|---|---|
| Annual aggregate limit | 500,000.00 |

(c) The insurance required in subsection (b)(3) of this section shall also provide the following:

(1) The policy may not be canceled or not renewed for any cause either by the insured or the insurance company without the canceling party first giving 30 days' notice addressed to the city clerk of its intent to cancel or not renew the policy, except such notice shall be ten days for nonpayment of premium.

(2) Proof of financial responsibility required in subsection (b) of this section will be submitted to the commissioner.

(3) The insurance policy shall be written by an insurer having a minimum Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent.

(4) The liquor liability (dram shop) limits shall apply separately from the general liability limits. In the event the licensee's insurance policy has combined liquor and general liability limits in a package policy and the liquor limits are not part of a separate coverage part in the package policy, the minimum liquor limits required in (b)(3) shall be increased to $500,000.00 each cause and $500,000.00 annual aggregate.

(5) The liquor (dram shop) limits shall not be subject to a self insured retention (SIR) or deductible.

(6) The liquor liability (dram shop) limits shall apply per location.

(d) In addition to the requirements of subsection (b) of this section, the applicant or licensee shall file with the city clerk a comprehensive general liability policy or certificate of insurance on an occurrence basis for the period of the license, acceptable to the city, and issued by an insurance company authorized to do business in the state for the following minimum coverage:

| | |
|---|---|
| General aggregate | $500,000.00 |
| Products—Comp/ops aggregate | 500,000.00 |
| Personal and advertising injury | 500,000.00 |
| Each occurrence | 500,000.00 |

(1) Should the policy be canceled or not renewed for any cause prior to expiration date thereof, the issuing company shall mail 30 days' written notice to the city clerk, except such notice shall be ten days for nonpayment of premium.

(2) The policy shall be written by an insurance company having a Best's Key Rating Guide of A-VII, or as approved by the city's insurance agent.

(3) If such policy of insurance is scheduled to expire prior to the end of the period covered by the license (because of multiple locations), a new policy or certificate referencing the same minimum coverage set forth in this subsection (d) must be submitted to the city clerk at least 30 days before the expiration of the policy.

(e) Cancellation or expiration of an insurance policy or certificate or bond required in this section and failure to provide another insurance policy or certificate or bond as required in this section shall be grounds for automatic denial, revocation, suspension, or failure to renew a license.

(f) Subsection (b) of this section does not apply to licensees who by affidavit establish that they are on-sale 3.2 percent malt liquor licensees with sales less than $25,000.00 of 3.2 percent malt liquor for the preceding year, or they are off-sale 3.2 percent malt liquor licensees with sales of less than $50,000.00 of 3.2 percent malt liquor for the preceding year.

(Code 1984, § 800:18; Ord. No. 03-12, § 2, 4-21-2003; Ord. No. 05-04, § 2, 2-22-2005; Ord. No. 05-07, § 2, 3-7-2005; Ord. No. 06-10, § 2, 4-17-2006; Ord. No. 10-02, § 2, 2-1-2010; Ord. No. 10-08, § 2, 5-3-2010)

**Cross reference—** 3.2 percent malt liquor, § 4-71 et seq.