

CITY OF FARMINGTON LICENSE PROCESS

3.2 On-Sale / Off-Sale Beer License

Retail on-sale 3.2 beer licenses can only be issued to drugstores, restaurants, hotels, clubs and establishment for the sale of non-intoxicating malt beverages, all forms of tobacco, beverages and soft drinks at retail.

Retail off-sale 3.2 beer license spermit the licensee to sell non-intoxicating malt liquors in original packages for consumption off the premises only.

Please review Title 3 Chapter 2 of the city code for complete details. All licenses expire December 31 of each year. Following is the process to obtain a 3.2 on-sale or off-sale beer license:

1. Application forms, fees a Certificate of Insurance showing liquor liability coverage through December 31 of the current year, or affidavit of gross annual sales, should be submitted to the city of Farmington at least one week prior to a Council meeting.
2. A background check will be performed by the Farmington Police Department.
3. The application will be submitted to the City Council for approval. Council meetings are held the first and third Mondays of every month.
4. Upon City Council approval, the application is submitted to the state for approval and a license is issued. The state can take up to one week to approve it. The applicant should submit an application to the state for a Buyer's Card which allows them to purchase beer to sell. The entire application process takes approximately three weeks.
5. Fees: On-Sale Beer \$250/year
Off-Sale Beer \$75/year

If you have questions, please contact:

Shirley Buecksler, City Clerk
City of Farmington
430 Third Street
Farmington, MN 55024
Tel: 651-280-6803
E-mail: SBuecksler@FarmingtonMN.gov



Checklist for 3.2 On-Sale/Off-Sale Beer License

Business Name: _____

Please return this list with your application materials. Incomplete applications cannot be processed until all of the items listed are received and complete.

| <u>Required Documents</u> | <u>Applicant Initials</u> | <u>City Staff Initials</u> |
|--|---------------------------|----------------------------|
| 1. City of Farmington Liquor License Application (Form LLIC2009) | _____ | _____ |
| 2. State License Certification Form (Form 9011-5/06) | _____ | _____ |
| 3. Workers' Comp. Certificate of Compliance (Form FGTN2009) | _____ | _____ |
| 4. Malt Liquor Beverages Affidavit of Gross Annual Sales | _____ | _____ |
| 5. Ordinances 3-2-7 & 3-2-8 | _____ | <u>N/A</u> |
| 6. All applicable Fees (See fee schedule below) | _____ | _____ |
| 7. Certificate of liability insurance | _____ | _____ |
| 8. Floor plan of premises | _____ | _____ |
| 9. Application for Retailer's (Buyer's) Card | _____ | _____ |

Applicant sends form directly to State of MN Alcohol and Gambling Enforcement Division

3.2. On-Sale / Off-Sale Beer License Fees

| | |
|----------------|------------|
| Beer, Off-Sale | \$75/Year |
| Beer, On-Sale | \$250/Year |



Application for City 3.2 On-Sale / Off-Sale Beer License
(Form LLIC2009)

EVERY QUESTION MUST BE ANSWERED UNLESS OTHERWISE NOTED

If a corporation, an officer must execute this application; if a partnership, LLC, a partner must execute this application.

APPLICANT INFORMATION

Type of License Requested _____ 3.2.On-Sale Beer _____ 3.2 Off-Sale Beer

Applicant's Full Name: _____ Date of Birth ____/____/____
(First) (Full Middle Name) (Last)

Are you a U.S. citizen? ____ Yes ____ No Naturalized? ____Yes ____No
If yes, date/place _____

Type of Business _____ Restaurant _____ Hotel _____ Bowling Alley _____ Billiard Parlor
_____ Retail / Convenience Store

Trade Name or DBA: _____

Business Name: _____
(Business, partnership, LLC, corporation)

Business Address: _____
(Street) (City, State, ZIP) (County)

Business Phone: _____ Applicant's Home Phone: _____

Workers Compensation Insurance Company Name: _____ Policy # _____

Licensee's MN Sales & Use Tax ID # _____ Federal Tax ID # _____

CORPORATIONS

If a corporation, give name (first, middle & last), title, address and date of birth for each officer. If a partnership, LLC, give name, address and date of birth of each partner:

| Partner/Officer Full Name & Title | Address | DOB |
|-----------------------------------|---------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Date of Incorporation ___/___/_____ State _____ Certificate Number _____

Is corporation authorized to do business in Minnesota? _____Yes _____No

If a subsidiary of another corporation, give name and address of parent corporation: _____

OTHER INFORMATION

Names (first, middle & last), and addresses of all persons who will own or be actively or inactively involved in the management of the establishment where the license will be used.

NOTE: The location manager must be listed.

| Full Name & Title | Address | DOB |
|-------------------|---------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Please answer all of the following:

___Yes ___No Has the applicant, partners, officers or employees ever has any Liquor Law violations in Minnesota or elsewhere, including State Liquor Control Penalties? If yes, please attach explanation with date, charges and final outcome.

___Yes ___No During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. If yes, please attach a copy of the summons.

___Yes ___No Has the applicant, partners, officers or employees had an intoxicating liquor license within five years of this application?

___Yes ___No Do the applicant have any interest, directly or indirectly, in any other liquor establishments in Minnesota? If yes, please give the name and address of the establishment(s).

___Yes ___No Does any person other than the applicants listed here, have any right, title or interest in the furniture, fixtures or equipment in the licensed premises? If yes, attach the names and details.

___Yes ___No Will you serve liquor on Sunday?

___Yes ___No Do you acknowledge review of the Farmington City Code Chapter 3 regarding alcoholic beverages? (Can be viewed on the City’s website, or paper copies are available upon request.)

LOCATION / RESTAURANT INFORMATION

Name of building owner: _____ Owner's address: _____

Does the building owner have any connection, direct or indirect, with the applicant? ___Yes ___No

Are property taxes current? ___Yes ___No Posted occupant load of establishment: _____

Are there any plans currently pending or anticipated for the sale or transfer of the business or premises for which the license is applied? ___Yes ___No

Days/hours food will be available: _____

Number of people restaurant employs: _____ Will food service be the principal business? ___Yes ___No

I certify that I have read this entire application and that the responses given are true and correct to the best of my knowledge. I am aware that any misrepresentation in such responses may result in rejection of this application. I authorize the City of Farmington to investigate the information and contact persons/organizations named on this application.

Name of Applicant (please print) _____

Title _____

Signature _____ Date _____

Subscribed and sworn to before me this _____ day of _____, _____.

Signature of Notary Public _____

APPROVALS

| Department | Signature | Date | Comments |
|-------------------------|-----------|-------|----------|
| Police | _____ | _____ | _____ |
| City Clerk/Deputy Clerk | _____ | _____ | _____ |

**Please return completed application to: City of Farmington
Attn: Liquor Licensing
430 Third Street
Farmington, MN 55024**

**CITY OF FARMINGTON
GENERAL AUTHORIZATION AND RELEASE OF DATA**

In order to comply with State and Federal Data Privacy Act Laws, the City of Farmington is requesting your authorization and consent to permit the City to conduct a background investigation. Please provide the following personal data, read the paragraphs below and sign where indicated.

Full Name: _____
(First, Middle, Last)

Address: _____
Number Street City County State Zip Code

Date of Birth: _____ Driver's License Number: _____
Month/Date/Year

Have you ever been convicted of any crime, either felony or misdemeanor? _____ If yes, please state place and nature of offense: _____

I, the undersigned, hereby authorize and grant my informed consent to permit the Bureau of Criminal Apprehension (hereafter "BCA") and the Farmington Police Department (hereafter "FPD") to release to and make available to the City of Farmington, Minnesota (hereafter "City") and/or its representatives all data classified as private which concerns me and which may be in your possession. The data, classified as private under M.S. 13.02, Subd. 12, includes all data which has been collected, created, received, retained or disseminated in whatever form which in any way relates to my dealings with the BCA and/or the FPD. I understand the purpose of permitting the City to have access to this information is to determine my suitability for licensure.

By signing this authorization, I hereby release the BCA and the FPD from any and all liability which otherwise may or does accrue as a result of the release of any and all data, regardless of its accuracy. I also release the City from any and all liability for its receipt and use of data received pursuant to this consent. I understand that if I am rejected on the basis of a criminal conviction, I will be notified in writing and be given rights of redress subject to applicable laws. I also understand that I am not legally required to sign this form, but if I do not, the City will not be able to determine whether my conviction record is a license-related consideration.

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

(Signature)

(Date)

(Full Name Printed)

Please return to:
City of Farmington
Attn: Administration
430 Third Street
Farmington, MN 55024

CITY OF FARMINGTON – DATA PRACTICES ACT NOTICE

Minnesota law requires that you be informed of your rights as they pertain to private information (“private data”) collected from you by the City of Farmington (“the City”). Private data is that information held by the City which is available to you, but not to the public.

You have the right to refuse to provide the information requested on this application form, however, without certain information, the City may be unable to approve the license applied for. If you feel that certain information requested is an unwarranted invasion of privacy, please contact the Human Resources Director.

The dissemination and the use of private data we collect is limited to that necessary for the administration and management of the City’s licensing program. Persons or agencies with whom this information may be shared include:

- City personnel, including law enforcement personnel, administering the license program;
- The Bureau of Criminal Apprehension;
- The City Attorney and support staff of the City Attorney’s office;
- Federal, state, local, and contracted private auditors;
- Federal and State agencies with oversight or responsibility related to the licensed business;
- Those individuals or agencies as to whom you give your express written permission for release of the information.

Unless otherwise authorized by state statute or federal law, other governmental agencies utilizing the reported private data must also treat the information as private.

You may wish to exercise your rights as contained in the Minnesota Government Data Practices Act. These rights include:

- The right to see and obtain copies of data maintained about you;
- The right to be told the contents and meaning of the data; and
- The right to contest the accuracy and completeness of the data.

To exercise these rights, contact the Farmington Human Resources Director at 430 Third Street, Farmington, MN 55024 (651) 280-6800. I have read and I understand the above information regarding my rights as a subject of government data.

Applicant

Date

**CERTIFICATION OF COMPLIANCE
MINNESOTA WORKERS' COMPENSATION LAW**

Form FG TN2009

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 requirement of Chapter 176. The information required will be collected by the licensing agency and retained in their files. The information required is: name of insurance company, policy number, and dates of coverage or 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 this information is not provided or falsely stated, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name: _____
(**Not** the insurance agent)

Policy Number: _____

Dates of Coverage: _____ to _____

(or)

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

- () I have no employees.
- () I am self-insured (include permit to self-insure).
- () I have no employees who are covered by the workers' compensation law, (these include: spouse, parents, children and certain farm employees).

I certify that the information provided above is accurate and complete and that a valid workers' compensation policy will be kept in effect at all times as required by law.

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

Doing business as (DBA): _____
(Business name if different than your name)

Business address: _____
(Street) (City, State, ZIP)

Phone: _____ **Email:** _____

Signature: _____ **Date:** _____

176.182 BUSINESS LICENSES OR PERMITS; COVERAGE REQUIRED

Every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Section 176.181, subdivision 2, by providing the name of the insurance company, the policy number, and the dates of coverage or the permit to self-insure. The commissioner shall assess a penalty to the employer of \$2,000 payable to the assigned risk safety account, if the information is not reported or is falsely reported.

Neither the state nor any governmental subdivision of the state shall enter into any contract for the doing of any public work before receiving from all other contracting parties acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Section 176.181, subdivision 2.

This section shall not be construed to create any liability on the part of the state or any governmental subdivision to pay workers' compensation benefits or to indemnify the special compensation fund, an employer, or insurer who pays workers' compensation benefits.

HIST: 1982 c 346 s 94; 1983 c 290 s 114; 1987 c 332 c 332 s 47; 1992 c 510 art 3 s 19; 1995 c 231 art 2 s 72

MALT LIQUOR BEVERAGES
AFFIDAVIT OF GROSS ANNUAL SALES
(For 3.2% On-Sale / Off-Sale Beer License Applicants Only)

I, the undersigned, hereby certify that the prior year's gross annual sales of on-sale malt liquor beverages did not exceed ten thousand dollars (\$10,000) or off-sale malt liquor beverages did not exceed twenty thousand dollars (\$20,000) at the following establishment.

Further, at such time during the term of the license period, gross sales of on-sale malt liquor beverages shall equal ten thousand dollars (\$10,000) or off-sale malt liquor beverages gross sales shall equal twenty thousand dollars (\$20,000), all further sales of malt liquor beverages shall cease until proof of financial responsibility by Title 3, Chapter 12, Section 9 of the Farmington City Code is demonstrated.

Place of Business: _____

Signature: _____ Date: _____

Subscribed and sworn to before me this _____ day of _____, _____.

Signature of Notary Public _____



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
 445 Minnesota Street, Suite 1600 St. Paul, MN 55101
 Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

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

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

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

Circle One: New License License Transfer _____ Suspension Revocation Cancel _____
 (former licensee name) (Give dates)
 License type: (check all that apply) On Sale Intoxicating Sunday Liquor 3.2% On Sale 3.2% Off Sale

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

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

Business Trade Name _____ Business Address _____ City _____

Zip Code _____ County _____ Business Phone _____ Home Phone _____

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

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

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

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

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

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

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

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

Workers Compensation Insurance Company Name: _____ Policy # _____

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

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

ON SALE INTOXICATING LIQUOR LICENSEES ONLY, must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7507, or visit our website at <https://dps.mn.gov/divisions/age/Pages/default.aspx>.