340A.509 LOCAL RESTRICTIONS.

A local authority may impose further restrictions and regulations on the sale and possession of alcoholic beverages within its jurisdiction.

- Evacuation ordinance
- Sunday restrictions
- Number of On/Off Sale licenses
- Fee Structure
License Required

340A.401 LICENSE REQUIRED,

EXCEPT AS PROVIDED IN THIS CHAPTER, NO PERSON MAY DIRECTLY OR INDIRECTLY, ON ANY PRETENSE OR BY ANY DEVICE, SELL, BARTER, KEEP FOR SALE, CHARGE FOR POSSESSION, OR OTHERWISE DISPOSE OF ALCOHOLIC BEVERAGES AS PART OF A COMMERCIAL TRANSACTION WITHOUT HAVING OBTAINED THE REQUIRED LICENSE OR PERMIT.

Who Can Have a Retail Alcohol License?

MN Statute 340A.402

Must be 21
No direct or indirect interest in a manufacturer, brewer, or wholesaler
No felony (any felony) conviction within five years (check during background).
Can affect renewal city/county may choose not to renew
No liquor license revoked within five years (check during background).
Good moral character and repute?
General License Information

- All alcoholic beverage licenses are valid for one year. (Exception county issued seasonal).
- Licenses are renewed annually.
- All licenses start with an application process at either the state or local level.
- All licenses require applicant background checks.
- State issued and approved licenses require a pre-license inspection. (Annual inspections of state issued and approved licenses is a goal).

Liquor License

Liquor Licenses are not a commodity, they cannot be sold or given to another

Not transferable - New owner = New License

Not movable - New location = New License
Limited Off-Sale by On-Sale License

Limited off-sale by on-sale license with take out food orders has ended.
Per statute, the authority to make limited off-sales of malt liquor, hard seltzer, cider, and wine expired when the closure of restaurants as set forth in Executive Orders expired or were terminated or rescinded.

Outdoor Seating?

No more creativity related to compact and contiguous.
What is Licensed?

Licensed premises is the premises described in the approved license application (i.e. patio or adjoining space)

Must be compact and contiguous
(MN Statute 340A.410 subd.7, MN Rules 7515.0430 subp.2)

No parking lots (areas where motor vehicles are regularly parked or operated)

*Exception only for restaurants, clubs or exclusive on-sale located on golf course
(MN Statute 340A.101 Subd.15)

Basic Licensing Info

✓ New Licenses require;
  ✓ New insurance certificate
  ✓ New buyer’s card

✓ No more than one liquor license for one address
  ✓ Use Suite #s, Floors, etc. to separate
On-Sale License
MN Statute 340A.404

On-sale is the sale of alcoholic beverages for consumption on the licensed premises only.

Issued by municipality and certified by the state.

Allows for the sale and service of all liquor types:
- Intoxicating liquor
- Wine
- Malt beverage
- Fee set by city
Certification of On Sale, On Sale Sunday & 3.2 On & Off Sale

Brew Pubs
City Issued On Sale
Brewery Taproom

Distillery Cocktail Room
On-Sale Wine License
MN 340A.404 subdivision 5

Issued to Restaurants with seating for at least 25 customers or Live Performance Theaters

Wine Only – Sales of wine up to 24% by volume

City/County issued 3.2% on-sale license – Sales of wine and 3.2% beer

Authorization for Strong Beer Sales – Sales of wine and all beers
License fees see MN Statute 340A.408
Club License

MN Statute 340A.404 subd.1

Club is:

- Civic, fraternal, social, or business purposes, for intellectual improvement, or for the promotion of sports, or a congressionally chartered veterans’ organization
- In existence for at least three years
- Has more than 30 members
- Has owned or rented a building or space in a building for more than one year that is suitable

Liquor sales will only be to members and bona fide guests

*Requires documentation

License fees see MN Statute 340A.408
Alcohol Catering Permits  
MN Statute 340A.404 subd.12

| Licensee applies directly to AGED  
| Must have valid on-sale license (full or wine)  
| Must be a restaurant with the legal ability to cater food requirements to cater alcohol legally in MN  
| Permit Holder MUST cater food  
| MUST notify local Law Enforcement  
| (Fee $300.00 good for one year liquor liability for off-site catered events required)  

Licensee_s Name

AGED Official

Date: 3/7/2022

Expiry Date: 3/6/2023

License Number: AG000012345

Address: 123 Main St, St. Paul, MN 55101

Alcohol Catering Permit

Minnesota Department of Public Safety  
Alcohol & Gambling Enforcement Division  

Minneapolis Department of Public Safety  
Alcohol & Gambling Enforcement Division

AG000012345  
3/6/2023  
123 Main St, St. Paul, MN 55101

Alcohol Catering Permit

Minnesota Department of Public Safety  
Alcohol & Gambling Enforcement Division

Minneapolis Department of Public Safety  
Alcohol & Gambling Enforcement Division
Can This Be Licensed?

Is This Legal?
Temporary Liquor License
MN Statute 340A.404 subd.10

Issued to charitable, non-profit organizations in existence for
3 years or…
A registered political committee
A state university
A club
A brewer of less than 3,500 barrels produced annually
A micro distillery

Temporary Licensing
Temporary Licensing

Email signed applications to:
AGE.TEMPORARYAPPLICATION@STATE.MN.US

A municipality may issue a three four-day, four three-day, six two-day, or twelve one-day temporary licenses in any combination, not to exceed 12 days per year to any one organization or political committee, or for any one location within a twelve month period. (MN Statute 340A.410 subdivision 10).

30 days between events (Does not apply to cities with a population of 5,000 or fewer)

Community Festival

A city may authorize a holder of a retail on-sale intoxicating liquor license (issued by city) to dispense intoxicating liquor off premises at a community festival held within the municipality.

The city shall specify the area where intoxicating liquor must be dispensed and consumed

Authorization shall not be issued unless the licensee has liability insurance to cover the event.

MN Statute 340A.404 subd.4
Consumption & Display

Allows for business to sell the mixes but not the alcohol
State issued with local consent
Staff cannot pour or store alcohol for consumers
Permit can be issued to:
- Applicant who has not had a felony or willful violation of the liquor chapter within five years
- Restaurant
- Hotel
- Establishment with 3.2 license
- Resort
- Club (can have lockers for storage)
- Bed and Breakfast

MN Statute 340A.414
Hours and Days of On Sale

MN Statute 340A.504

- To include Wine, Consumption and Display permits, Temporary permits, Clubs, Catering permits

- 8 am to 1 am
- All days of week

Optional 2 am Permit
Sunday license required for Sunday sales
Off-Sale Liquor license

Off-sale is the sale of alcoholic beverages in original packages for consumption off the licensed premises only.

Exclusive liquor store” is an establishment used exclusively for the sale of the following items:

- Liquor, Ice, Tobacco, Liquid mixes
- Food products that contain more than one-half of one percent alcohol by volume
- Home Brewing equipment
- Books, Magazines, videos about alcohol use
- Clothing with liquor store name
- Single use bags
- Cork extraction and safe storage devices

See 340A.408 for license fees
Brewer Off-Sale

Brew Pubs
City Issued State Approved Off Sale
Distillery Off-Sale

Combination License Off-Sale

MN Statute 340A.406

Issued in combination with an On-Sale Intoxicating license that is not a Wine License or a Club license.

Off-Sales may be from behind the bar or from a “bottle shop”

(Appplies to cities of the fourth class or a statutory city with a population of 10,000 or fewer. A city who issues these types of licenses may continue to do so when the population exceeds 10,000)
Combination License

Hours and Days of Sale
MN Statute 340A.504

Off-Sales open;
- 8 am to 10 pm
- Monday to Saturday
- 11 am to 6 pm Sunday

No sales on
  Thanksgiving
  Christmas
  After 8 pm on Christmas Eve
Filling out an application for a liquor license

Liquor License Application

- Corporate or individual name and physical address of location
- Name of actual business, same as sign name (not corporation)
- The time frame the business will be licensed (must be concurrent years)
- Individuals or Owners/Partners of those who share stock in company (will not accept NA or left blank)
- Important: It must accurately describe physical building and any additional space on the application in order to be licensed (i.e. patio)
Liquor License Application

8. State applicant's present occupation of the proposition being licensed: Is this a new license? □ Yes □ No
   □ If Yes, give name and address of establishment
   □ If No, please give name and address of establishment
   □ If Yes, give name and address of establishment
   □ If No, give name and address of establishment
   □ If Yes, give name and address of establishment
   □ If No, give name and address of establishment

9. This verifies that criminal record check was conducted, police and county attorney sign.
   □ Yes □ No □ Other □ Will be conducted

10. The entire section must be filled out, return to applicant if incomplete.
   □ Yes □ No □ Other □ Will be conducted

Liquor License Application

Insurance (ATTACH CERTIFICATE OF INSURANCE TO THIS FORM)
License must contain one of the following policies:
   A. Liquor Liability Insurance (Bartenders) $10,000 per person, $100,000 minimum liability
   B. Aesthetics, cost to be determined, minimum $10,000 per person, $100,000 minimum liability
   C. A certificate from the State Treasurer that the license has been deposited with the state

Insurance Certificate: □ Yes □ No □ Other
If insurance does not match name or physical address, please return to applicant for completion.
Retail Identification Card Application

Top line is completed by AGED Staff not applicant

Name and Address should match exactly to license application

Retail Identification Card

Buyer’s Card ($20 Fee) is required for the Licensee to show a valid retail license so they purchase alcohol from licensed distributors.
Common Application Issues

Applications will be returned if:
- Missing information, double check to fill out everything
  Crossed out or hand-written additions not accepted
- Licensee did not answer questions
- No signature from licensee, police or city attorney
  County License needs all four signatures
*Remember, the responsibility falls on the applicant . . . . . . NOT THE Issuing Authority (You)
Do Not Accept an incomplete application!
Common Insurance Issues

AGED will not accept incomplete applications
- Insurance mistakes;
  - No Insurance
    - Has to have "Liquor Liability" on the certificate
- Dates do not match license dates
  - Has to be for continuous year period
  - Unless "Continuous Until Cancelled"
- Name and address of establishment does not match application exactly
  - Names of business must match
  - Physical Address only
  - NO P.O. Box Addresses (only physical addresses can be licensed)
  - No home addresses
  - Crossed out or hand-written addresses not accepted

Certificate of Insurance only
NO BINDERS, DECLARATIONS, OR QUOTES!

Liquor Liability Insurance Certificate
License Renewals

How do you know renewal is the correct form?

When no changes in ownership or location have occurred in the past year

Renewal Process;
The renewal is printed out by AGED
Then mailed to local issuing authorities to send out to their license holders.
Changes in percentage of ownership or removal of a person from ownership
Report any violations within past year
All signatures required to process
Must include Liquor Liability insurance
License Renewals

Insurance is required for renewal process:

AGED will not accept incomplete applications
- Insurance mistakes;
  - No Insurance
  - Has to included Liquor Liability on the certificate
- Dates do not match license dates
  - Must match local authority license period
  - Unless “Continuous Until Cancelled”
- Address of establishment does not match application exactly
  - Physical Address only
  - NO P.O. Box Addresses (only physical addresses can be licensed)
  - No home addresses
  - Crossed out or hand-written addresses not accepted

Certificate of Insurance only
NO BINDERS, DECLARATIONS, OR QUOTES!
# Liquor Liability Insurance Certificate

## Cheat Sheet

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<thead>
<tr>
<th>General Instructions for LLCs</th>
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<tbody>
<tr>
<td>1. Verify the LLC's active status in the state where the LLC is formed.</td>
</tr>
<tr>
<td>2. Obtain the LLC's EIN (Employer Identification Number) from the IRS.</td>
</tr>
<tr>
<td>3. Review the LLC's articles of organization to ensure compliance with state laws.</td>
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<td>1. Verify the company's active status in the state where the company is incorporated.</td>
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<td>2. Obtain the company's tax identification number from the IRS.</td>
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<td>3. Review the non-profit organization's articles of incorporation to ensure compliance with state laws.</td>
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<td>3. Review the sole proprietor's business registration with the state.</td>
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<td>2. Obtain the franchisor's tax identification number from the IRS.</td>
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<td>3. Review the franchisor's franchise agreement to ensure compliance with state and federal laws.</td>
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Liquor License Applications
https://dps.mn.gov/divisions/age/forms-documents/Pages/default.aspx

Liquor License Applications
Status of License
Liquor License Applications
Status of License


Alcohol & Gambling Enforcement License Office Contacts

James De LaHunt 651/201-7525  james.delahunt@state.mn.us
Brewers, Brew Pubs, Wineries, Distilleries, Wholesalers, Importers, Taproom, Brewer/Brew Pub Off Sales, Cocktail Room, Distillery Off Sale, Common Carrier/ Tour Boats and Branch’s, Brand Labels.

Crystal Pietrzak 651/201-7510  crystal.pietrzak@state.mn.us
All Wine, Club, Off-Sale, County Licenses, Combination licenses (New & Renewal), All Iron Range Cities (New and Renewal, On & Off Sales)

Carl Albrecht 651/201-7512  carl.albrecht@state.mn.us
City Issued On-Sale Licenses (New & Renewal), Caterer Permits, Optional 2 AM Licenses, All 3.2 licenses, Temporary Permits, Municipal Liquor Stores

Vacant
Consumption & Display permits, Ethyl Alcohol permits, and Buyer’s cards (New and Renewals)
That’s It!