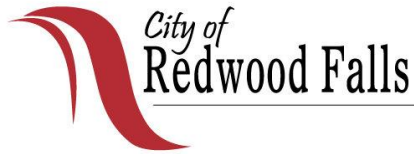


Deputy City Clerk's Office
333 South Washington Street, PO Box 526
Redwood Falls, MN 56283
507-637-5755
Email: akerkhoff@ci.redwood-falls.mn.us

Procedure to Apply for a Temporary 3.2 On-Sale Malt Liquor License

1. Complete City Form "Application for Liquor License".
2. Complete "Certificate of Compliance – Minnesota Workers' Compensation Law" form.
3. Applicant must supply the City a "Certificate of Liability Insurance" showing premise/area in which sales will occur and alcohol consumed is covered by liquor liability with State limits. City of Redwood Falls must be listed as Certificate Holder/Additional Insured: "City of Redwood Falls, PO Box 526, 333 South Washington Street. Redwood Falls, MN 56283". (See: City Code and State Statute 340A.409)
4. Applicant pays an application fee of **\$30/day** payable to the City of Redwood Falls.
5. Upon receiving completed Application, Fee, Workers' Compensation Certificate of Compliance and Certificate of Liability Insurance, the Application will go before the City Council for consideration. Upon approval by the City Council, the license will be issued and sent to the Applicant.

Enclosures: City Form "Application for Liquor License"
"Certificate of Compliance – Minnesota Workers' Compensation Law"
City Code – Chapter 5.31 "Temporary 3.2% Malt Liquor License" and 5.32 "Hours and Days of 3.2% Malt Liquor Sales –AND- State Statute 340A.409 "Liability Insurance"



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Application for Liquor License

LICENSE REQUESTED: (if applying during the middle of the year, the fees will be prorated, provided that, for licenses where the fee is \$100 or less, a minimum license fee is not less than one-half of the annual license.)

- | | |
|---|--|
| <input type="checkbox"/> On-Sale Liquor = \$2,750/yr. + \$109.75 Background Fee | <input type="checkbox"/> On-Sale Sunday Liquor = \$200/yr. (add on to On-Sale Liquor) |
| <input type="checkbox"/> 3.2% On-Sale Malt Liquor = \$250/yr. + \$109.75 Background Fee | <input type="checkbox"/> 3.2% Off-Sale Malt Liquor = \$175/yr. + \$109.75 Background Fee |
| <input type="checkbox"/> Wine = \$275/yr. + \$109.75 Background Fee | <input type="checkbox"/> Temporary 3.2% On-Sale Malt Liquor = \$30 |
| <input type="checkbox"/> Temporary On-Sale Liquor = \$125 | |

APPLICANT INFORMATION:		
Name:		
<i>First</i>	<i>Full Middle Name</i>	<i>Last Name</i>
Applicant Current Address:		
City, State, Zip:		
Telephone: Home:	Work:	Cell:
E-Mail Address:	Date of Birth:	Social Security #:

BUSINESS INFORMATION:	
Business Name:	
Type of Ownership: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Corporation <input type="checkbox"/> Other	
Trade Name or DBA:	
Address of Business:	
City State, Zip:	
Mailing Address (if different from above):	
Federal Employer Identification No.:	Minnesota Business ID No.:
Business Phone:	Alternate Number:
Manager of Business:	
Address of Manager:	
If the above named licensee is a Corporation, Partnership, or LLC, complete the following for each partner/officer:	
Owner #1:	
<i>First</i>	<i>Full Middle Name</i>
<i>Last Name</i>	
Current Address:	
City, State, Zip:	

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires 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 Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

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

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)		
Policy number	Effective date	Expiration date

I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

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

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

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

Print name

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.

§ 5.31 TEMPORARY 3.2% MALT LIQUOR LICENSE.

Subd. 1. *Applicant.* A club or charitable, religious or non-profit organization shall qualify for a temporary on-sale 3.2% malt liquor license. The organizations shall be duly incorporated as a non-profit or religious corporation under the laws of the state and having its registered office and principal place of activity within the city. The license may not authorize the sale of 3.2% malt liquor in any school or school buildings.

Subd. 2. *Conditions.*

- A. An application for a temporary license shall state the exact dates or the time period and place of proposed temporary sale.
- B. No applicant shall qualify for a temporary license for more than a total of 12 days in any calendar year. (4 consecutive days max)
- C. The Council may, but at no time shall it be under any obligation whatsoever to, grant a temporary 3.2% malt liquor license on premises owned or controlled by the city. Any such license may be conditioned, qualified or restricted as the Council sees fit. The license shall be issued only on the condition that the applicant will not sell in excess of \$10,000 (retail value) worth of 3.2% malt liquor in any calendar year, and will not be exempt from proof of financial responsibility as provided herein.
(Ord. 35, Third Series, passed 6-1-1999; Ord. 51, Third Series, passed 5-16-2000; Ord. 97, Third Series, passed 4-6-2004)

§ 5.32 HOURS AND DAYS OF 3.2% MALT LIQUOR SALES.

No sale of 3.2% malt liquor shall be made between the hours of 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, nor between the hours of 1:00 a.m. and 12:00 noon on Sunday. (Ord. 97, Third Series, passed 4-6-2004)

340A.409 LIABILITY INSURANCE.

Subdivision 1. Insurance required.

(a) No retail license may be issued, maintained or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by section [340A.801](#). The issuing authority must submit to the commissioner the applicant's proof of financial responsibility. This subdivision does not prohibit a local unit of government from requiring higher insurance or bond coverages, or a larger deposit of cash or securities. The minimum requirement for proof of financial responsibility may be given by filing:

(1) a certificate that there is in effect for the license period an insurance policy issued by an insurer required to be licensed under section [60A.07, subdivision 4](#), or by an insurer recognized as an eligible surplus lines carrier pursuant to section [60A.206](#) or pool providing at least \$50,000 of coverage because of bodily injury to any one person in any one occurrence, \$100,000 because of bodily injury to two or more persons in any one occurrence, \$10,000 because of injury to or destruction of property of others in any one occurrence, \$50,000 for loss of means of support of any one person in any one occurrence, \$100,000 for loss of means of support of two or more persons in any one occurrence, \$50,000 for other pecuniary loss of any one person in any one occurrence, and \$100,000 for other pecuniary loss of two or more persons in any one occurrence;

(2) a bond of a surety company with minimum coverages as provided in clause (1); or

(3) a certificate of the commissioner of management and budget that the licensee has deposited with the commissioner of management and budget \$100,000 in cash or securities which may legally be purchased by savings banks or for trust funds having a market value of \$100,000.

(b) This subdivision does not prohibit an insurer from providing the coverage required by this subdivision in combination with other insurance coverage.

(c) An annual aggregate policy limit for dram shop insurance of not less than \$300,000 per policy year may be included in the policy provisions.

(d) A liability insurance policy required by this section must provide that it may not be canceled for:

(1) any cause, except for nonpayment of premium, by either the insured or the insurer unless the canceling party has first given 60 days' notice in writing to the insured of intent to cancel the policy; and

(2) nonpayment of premium unless the canceling party has first given ten days' notice in writing to the insured of intent to cancel the policy.

(e) In the event of a policy cancellation, the insurer will send notice to the issuing authority at the same time that a cancellation request is received from or a notice is sent to the insured.

(f) All insurance policies which provide coverage with regard to any liability imposed by section [340A.801](#) must contain at least the minimum coverage required by this section.

Subd. 2. Market assistance.

The market assistance plan of the Minnesota Joint Underwriting Association shall assist licensees in obtaining insurance coverage.

Subd. 3. Minnesota Joint Underwriting Association.

(a) The Minnesota Joint Underwriting Association shall provide coverage required by subdivision 1 to persons rejected under this subdivision.

(b) A liquor vendor shall be denied or terminated from coverage through the Minnesota Joint Underwriting Association if the liquor vendor disregards safety standards, laws, rules, or ordinances pertaining to the offer, sale, or other distribution of liquor.

Subd. 3a. Notification by insurer of status of claim.

Upon the request of the insured, an insurer who is providing coverage required by subdivision 1 shall inform the insured of the status of any claims made under the policy. The information must include:

(1) the employees of the insured that may be involved and the nature of their involvement;

(2) any amount the insurer is holding in reserve for payment of a claim or has paid in the disposition of the claim; and

(3) any amount paid in the defense of the claim.

This subdivision does not require disclosure of otherwise nondiscoverable information to an adverse party in litigation.

Subd. 4. Insurance not required.

Subdivision 1 does not apply to licensees who by affidavit establish that:

(1) they are on-sale 3.2 percent malt liquor licensees with sales of less than \$25,000 of 3.2 percent malt liquor for the preceding year;

(2) they are off-sale 3.2 percent malt liquor licensees with sales of less than \$50,000 of 3.2 percent malt liquor for the preceding year;

(3) they are holders of on-sale wine licenses with sales of less than \$25,000 for wine for the preceding year;

(4) they are holders of temporary wine licenses issued under law; or

(5) they are wholesalers who donate wine to an organization for a wine tasting conducted under section [340A.418](#) or [340A.419](#).