STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

Riddhi Mistry, being first duly sworn, deposes and says that on the eighth day of October she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

PZA II LLC
d/b/a Vineria Cossetta
211 7th Street West Suite B-100
Saint Paul, MN 55102
Attn: David Cossetta

David Cossetta
5904 South Robert Trail
Inver Grove Heights, MN 55077

Bocce LLC
211 7th St. W.,
Saint Paul, MN 55102-2520

West 7th/Fort Road Federation
West Seven Street/Fort Road Federation
395 West Superior Street
Saint Paul, MN 55102
Attn: Julia McColley, Executive Director

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

Riddhi Mistry

Subscribed and sworn to before me
This eighth day of October 2024

Notary Public

CHRISTINE M. HAAS
Notary Public-Minnesota
My Commission Expires Jan. 31, 2028

SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8571 | Fax: 651-298-5619

October 8, 2024

**NOTICE OF INTENT TO DENY LICENSE**

PZA II LLC
d/b/a Vineria Cossetta
211 7th Street West Suite B-100
Saint Paul, MN 55102
Attention: David Cossetta

RE: Liquor Off Sale license application submitted PZA II LLC d/b/a Vineria Cossetta for the premises located at 211 7th Street West Suite B-100, Saint Paul, MN 55102
License ID #: 20150002722

Dear Applicant:

The Department of Safety and Inspections will recommend denial of Liquor Off Sale license application submitted by PZA II LLC d/b/a Vineria Cossetta ("Licensee") located at 211 7th Street West Suite B-100, in Saint Paul.

**Legal Basis for Adverse Action:**

*Saint Paul Legislative Code §310.01, defines Adverse Action as:*

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code §310.03 states: "In any case where the council may or intends to



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consider any adverse action, including the revocation or suspension of a license, the imposition of conditions upon a license, or the denial of an application for the grant, issuance or renewal of a license, or the disapproval of a license issues by the State of Minnesota, the applicant or licensee must be given notice and an opportunity to be heard as provided herein. The council may consider such adverse actions when recommended by the director, by the director of any executive department established pursuant to Chapter 9 of the Charter, by the city attorney or on its own initiative."

Saint Paul Legislative Code §409.01 states: "Unless otherwise allowed under Minn. Stat. ch. 340A, 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 of permit."

**Adverse Action Recommendation:**

Because your Liquor Off-Sale license application failed to complete the application requirements and supporting documents such as: Workers Comp, Fire Inspection, Liquor Liability Insurance, Application A&GE, Lease Agreement, Proof of in-house training and Necessary Building Permits. The Department of Safety and Inspections will recommend denial of the Liquor Off-Sale license application based on violation to Saint Paul Legislative Code § 310.01 and 409.01.

**Factual basis for denial of Auto Repair Garage license application:**

On December 1, 2013, you submitted Class "N" License Application for a Liquor Off Sale.

On January 28, 2020, a letter was sent to you from Licensing Manager, Eric Hudak from the Department of Safety and Inspections (DSI). The letter stated in order to process the Off-Sale Liquor license application for Vineria Cossetta, an application for a building permit must be made. You were also requested to submit a completed building permit application with construction plans to DSI for the establishment of an off-sale liquor store at 211 7th Street West on or before March 28, 2020. Failure to provide the completed building permit application with constructions plans to DSI on or before March 28, 2020, could result in proceedings to deny license application.



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A Resolution was adopted on April 13, 2022, as RES 22-577, approving and issuing the Liquor Off Sale license to PZA II LLC d/b/a Vineria Cossetta (License ID # 20150002722) for the premises located at 211 Seventh Street West, in Saint Paul.

You have five (5) options on how to proceed:

1. If I have not heard from you by **October 18, 2024**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Agenda for approval of the proposed remedy and denial of you license application.

2. Submit the required information requested to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **October 18, 2024.**

3. If you wish to admit the facts but you contest the penalty, you may have a hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **October 18, 2024.** The matter will then be scheduled before the City Council to determine whether or not your Liquor Off Sale license application should be denied. You will have an opportunity to appear before the City Council and make a statement on your own behalf.

4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge ("ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **October 18, 2024.** At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a hearing will need to be scheduled before the City Council. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

**Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to recommend that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code §310.05 (k).**



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5. You can withdraw your Liquor Off Sale license application. Complete and return the attached REQUEST TO WITHDRAW REQUEST FOR REFUND form to the Department of Safety and Inspections (DSI), located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **October 18, 2024**.

**If you have not contacted me by October 18, 2024, I will assume that you do not contest the denial of your Liquor Off Sale application. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please contact my Paralegal, Riddhi Mistry at (651) 266-8835 or riddhi.mistry@ci.stpaul.mn.us.

Sincerely,

Sly Onyia
Assistant City Attorney
License No. 0402320

Cc: David Cossetta, 5904 South Robert Trail-Inver Grove Heights, MN 55077
Bocce LLC, 211 7th St. W., Saint Paul, MN 55102-2520
Julia McColley, Executive Director, West 7th/Fort Road Federation, West Seven Street/Fort Road Federation, 395 West Superior Street, Saint Paul, MN 55102

Attachments:
Copy of Class N license Application dated 12/01/2013
Letter from DSI Licensing Manager, Eric Hudak to David Cossetta 01/28/2020
Adopted Resolution # RES 22-577 – 04/13/2022
Saint Paul Legislative Code - §310.01
Saint Paul Legislative Code - §409.01
Minnesota Statue Section- 340A



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# CITY OF ST. PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS
375 JACKSON STREET, SUITE 220
ST. PAUL, MINNESOTA 55101-1806
Phone: 651-266-8989 Fax: 651-266-9124
Visit our Website at: www.stpaul.gov/dsi

## CLASS N LICENSE APPLICATION

LICENSES ARE NOT TRANSFERRABLE
*Payment must be received with Each Application*
*(This application is subject to review by the public)*

| Types of License(s) being applied for: (Office Use Only) | Fees |
|---|---|
| Liquor Off Sale | 1087.00 |
| | |
| | |
| | |
| | |
| | |
| Total | 1087.00 |

Anticipated Date of Opening: 6 / 1 / 2014 Company Name: Cossetta's Inc.

Business Name (DBA): Wine Cellar Business Phone: 651-222-3075

Business Type (circle one): (CORPORATION) PARTNERSHIP SOLE PROPRIETORSHIP Date of Incorporation: 04 / 28 / 1983

Business Address (business location): 211 7th St. W. St. Paul MN 55102-2520
Street (#, Name, Type, Direction) City State Zip + 4

Mail To Address (if different than business address): _____
Street (#, Name, Type, Direction) City State Zip + 4

Applicant Name and Title: David Richard Cossetta

Home Address: [redacted]
Street (#, Name, Type, Direction) City State Zip + 4

Phone [redacted] Alternative Phone: [redacted] Email: _____

Date of Birth: [redacted] Place of Birth: [redacted]

Driver Licens[redacted] State of Issue: [redacted]

Have you ever been convicted of any felony, crime or violation of any city ordinance other than traffic? YES _____ NO ✓

Date of Arrest: _____ Where? _____

Charge: _____

Conviction: _____ Sentence: _____

List licenses which you currently hold, formerly held, or may have an interest in: Restaurant, Retail, Catering, Food Processing

Have any of the above named licenses ever been revoked? _____ YES ✓ NO If yes, list the dates and reasons for revocation:

Are you going to operate this business personally? ✓ YES _____ NO If not, who will operate it?

David R. Cossetta [redacted]
First Name Middle Initial (Maiden) Last Date of Birth

Home Address: Street (#, Name, Type, Direction) City State Zip + 4 ( ) Phone Number

**APPLICANT INFORMATION (Continued) :**

**Are you going to have a manager or assistant in this business?** ✓ **YES** ____ **NO If the manager is not the same as the Operator, please complete the following information:**

| First Name | Middle Initial | (Maiden) | Last | [redacted] |
|---|---|---|---|---|
| Ryan | F | | Caulfield | |

[redacted]

| Home Address: Street (#, Name, Type, Direction) | City | State | Zip + 4 | Phone Number |
|---|---|---|---|---|

**Licensee Work History** *(list name, address and phone number of all employers for the previous 5 year period)*

**List all other officers of the corporation (use additional pages if necessary):**

| Officer Name | Title | Home Address | Home Phone | Business Phone | Date of Birth |
|---|---|---|---|---|---|

**If business is a partnership, please include the following information for each partner (use additional pages if necessary):**

| First Name | Middle Initial | (Maiden) | Last | Date of Birth |
|---|---|---|---|---|

| Home Address: Street (#, Name, Type, Direction) | City | State | Zip + 4 | ( ) Phone Number |
|---|---|---|---|---|

| First Name | Middle Initial | (Maiden) | Last | Date of Birth |
|---|---|---|---|---|

| Home Address: Street (#, Name, Type, Direction) | City | State | Zip + 4 | ( ) Phone Number |
|---|---|---|---|---|

**FALSIFICATION OF ANSWERS GIVEN OR MATERIAL SUBMITTED WILL RESULT IN DENIAL OF APPLICATION**

I hereby state that I have answered all of the preceding questions and that the information contained herein is true and correct to the best of my knowledge and belief.

**CONSENT TO BACKGROUND CHECK**

[redacted] Police Department and the Department of Safety and Inspections (DSI) to use the stories, arrest and driving records, and warrant information; and for the Police Department rney to determine my eligibility for a Class N License. I understand that the information on is not public, except that it may be conveyed to other law enforcement or licensing e date below.

President — Title

12/1/13 — Date

**All Class N applications must be submitted with the following documents:**

1. Provide a copy of your executed (signed) rental lease and/or assignment and, if intended use not specified in lease, a letter of permission from the landlord to allow this type of business operation on the premises. Otherwise, provide a copy of your Purchase Agreement and/or Bill of Sale for the property.
2. If incorporated or a partnership, provide proof of current filing status with the Office of the Minnesota Secretary of State and documentation outlining ownership distribution and/or allocation of corporate shares.

DEPARTMENT OF SAFETY AND INSPECTIONS
*Ricardo X. Cervantes, Director*

CITY OF SAINT PAUL

*Business Licensing*
*375 Jackson Street, Suite 220*
*Saint Paul, Minnesota 55101-1806*

***Telephone:*** *651-266-8989*
***Facsimile:*** *651-266-9124*
***Web:*** *www.stpaul.gov/dsi*

January 28, 2020

PZA II, LLC.
Attn. David Cossetta
211 7th Street West
Saint Paul, MN 55102

**Re: Pending Off-Sale Liquor License Application – ID #150002722**
**211 7th Street West – Cossetta's**

Mr. Cossetta:

As discussed during our recent phone conversation, in order for the Department of Safety and Inspections (DSI) Licensing Division to continue processing the above-referenced Off-Sale Liquor license application for Vineria Cossetta you must make application for a building permit.

You are hereby requested to submit a completed building permit application with construction plans to DSI for the establishment of an off-sale liquor store at 211 7th Street West on or before March 28, 2020. Failure to submit a completed building permit application with construction plans to DSI on or before March 28, 2020 may result in proceedings to deny the license application.

For building code and construction requirements please contact (651) 266-9007.

For off-sale liquor licensing information please contact Kristina Schweinler at (651) 266-9110.

Respectfully,

Eric Hudak
Licensing Manager, Department of Safety and Inspections
(651) 266-9132

*375 Jackson Street, Suite 220*
*Saint Paul, MN 55101-1806*

CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS

PZA II, LLC.
Attn. David Cossetta
211 7th Street West
Saint Paul, MN 55102

# City of Saint Paul

## Signature Copy

**Resolution: RES 22-577**

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

**File Number: RES 22-577**

Approving a Liquor Off Sale license to PZA II LLC d/b/a Vineria Cossetta (License ID #20150002722) for the premises located at 211 Seventh Street West.

WHEREAS, PZA II LLC d/b/a Vineria Cossetta (License ID #20150002722) applied for a Liquor Off Sale license for the premises located at 211 Seventh Street West in Saint Paul; and

WHEREAS, the Department of Safety and Inspections received no objections to the approval of the licenses; and

WHEREAS, the Council finds that the license conditions are reasonable given the license applied for, the application is in order and there are no grounds to deny approval of the licenses; now, therefore, be it,

RESOLVED, a Liquor Off Sale license are hereby approved and issued to PZA II LLC d/b/a Vineria Cossetta (License ID #20150002722) for the premises located at 211 Seventh Street West in Saint Paul.

At a meeting of the City Council on 4/13/2022, this Resolution was adopted.

**Yea:** 7 Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, and Councilmember Yang

**Nay:** 0

**Vote Attested by Council Secretary** Shari Moore — **Date** 4/13/2022

**Approved by the Mayor** Melvin Carter III — **Date** 4/14/2022

Sec. 310.01. - Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section have the following meanings:

*Adverse action* means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

*Bond* means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

*Building official* means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

*Chapters* and *these chapters* mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

*Class R licenses* means those licenses and certain permits which can be issued by the director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

| **Business Licenses** | **Fee** | **Class** | **Ordinance/ Legislative Code** |
|---|---|---|---|
| **CLASS R** | | | |

| | | | |
|---|---|---|---|
| Agricultural Vehicle Permit | $23.00 | R | 165 |
| Amusement Rides—Annual | $85.00 | R | 317 |
| Animal Boarding (Commercial) | $83.00 | R | 348 |
| Animal Boarding (Home Occupation) | $83.00 | R | 348 |
| Animal Day Care (Commercial) | $83.00 | R | 348 |
| Animal Day Care (Home Occupation) | $83.00 | R | 348 |
| Animal Foods Manufacturing and Distribution | $85.00 | R | 316 |
| Bituminous Contractor | $210.00 | R | 320 |
| Bowling Centers | $210.00 | R | 426 |
| Building Contractors | $210.00 | R | 326 |
| Building Trade Business License | $188.00 | R | 369 |
| Building Trades Certificate of Competency | $24.00 | R | 370 |
| Bulk Oil Storage | $210.00 | R | 342 |
| Christmas Tree Sales | $85.00 | R | 323 |
| Commercial Vehicle | $78.00 | R | 158 |
| Commercial Vehicle—Exempt | $0.00 | R | 158 |
| Courtesy Bench | $26.00 | R | 127 |
| Courtesy Benches Transfer | $17.00 | R | 127 |
| Finishing Shop | $85.00 | R | 371 |

| | | | |
|---|---|---|---|
| Game Room | $210.00 | R | 406 |
| House Sewer Contractor | $210.00 | R | 338 |
| Laundry/Dry-cleaning Plant | $210.00 | R | 327 |
| Laundry/Dry-cleaning Pick Up Station | $85.00 | R | 327 |
| Lawn Fertilizer and Pesticide Applicator | $85.00 | R | 377 |
| Liquid Fuel Dealer | $210.00 | R | 332 |
| Liquid Fuel Dealer Vehicle | $85.00 | R | 332 |
| Liquor Catering (State Cater/City Liq) | $192.00 | R | 409 |
| Mechanical Amusement Device | $21.00 | R | 318 |
| Massage Center—A (1 Practitioner) | $100.00 | R | 414 |
| Massage Center—A (Commercial) | $262.00 | R | 412 |
| Massage Center—B (Home Location) | $106.00 | R | 412 |
| Massage Practitioner | $106.00 | R | 414 |
| Massage Practitioner-Additional Location | $31.00 | R | 412 |
| Mercantile Broker | $85.00 | R | 340 |
| Mobile Retail Vehicle | $85.00 | R | 346 |
| Pedal Car | $118.00 | R | 374 |
| Pedal Car Business | $352.00 | R | 374 |
| Pedal Car Driver | $51.00 | R | 374 |

| | | | |
|---|---|---|---|
| Peddler | $85.00 | R | 345 |
| Peddler—Fee Waived | $0.00 | R | 345 |
| Pedicab Driver | $51.00 | R | 374 |
| Pedicab Vehicle | $113.00 | R | 374 |
| Pest Control | $210.00 | R | 334 |
| Pet Grooming Facility | $85.00 | R | 382 |
| Pet Shop | $210.00 | R | 347 |
| Pool & Billiard Hall | $210.00 | R | 322 |
| Recycling Collection Center | $210.00 | R | 408 |
| Recycling Processing Center | $958.00 | R | 408 |
| Rental of Hospital Equipment | $85.00 | R | 350 |
| Rental of Hospital Equip-Vehicle | $85.00 | R | 350 |
| Rental of Kitchenware | $85.00 | R | 351 |
| Roller Rink | $85.00 | R | 353 |
| Sanitary Disposal Vehicle | $405.00 | R | 354 |
| Second-Hand Dealer | $85.00 | R | 355 |
| Second-Hand Dealer (Comp/Elec) | $85.00 | R | 355 |
| Second-Hand Dealer (Antiques/Comp/Elec) | $85.00 | R | 356 |
| Second-Hand Dealer (Antiques) | $85.00 | R | 355 |

| | | | |
|---|---|---|---|
| Second Hand Dealer—Motor Vehicle Parts | $507.00 | R | 355 |
| Second-Hand Dealer—Multiple Dealers | $405.00 | R | 355 |
| Short-Term Rental (Non-Owner Occupied) | $45.00 | R | 379 |
| Short-Term Rental (Owner Occupied) | $45.00 | R | 379 |
| Short-Term Rental Platform | $11,181.00 | R | 379 |
| Sidewalk Cafe | $40.00 | R | 106 |
| Sidewalk Contractor | $210.00 | R | 356 |
| Solicitor | $85.00 | R | 345 |
| Solid Fuel Dealer | $210.00 | R | 333 |
| Solid Fuel Dealer Vehicle | $85.00 | R | 333 |
| Solid Waste Hauler & Vehicle | $405.00 | R | 357 |
| Solid Waste Hauler (Ea Add'l Veh) | $85.00 | R | 357 |
| Solid Waste Transfer Station | $1,913.00 | R | 357 |
| Sound Trucks & Broadcast Vehicle | $85.00 | R | 359 |
| Swimming Pool—Public | $405.00 | R | 360 |
| Tanning Facility | $106.00 | R | 380 |
| Taxicab Driver | $51.00 | R | 376 |
| Taxicab Vehicle | $469.00 | R | 376 |
| Taxicab Vehicle (Reciprocity Event) | $37.00 | R | 376 |

| | | | |
|---|---|---|---|
| Taxicab Service Company | $456.00 | R | 376 |
| Theaters and Movie Theaters | $210.00 | R | 416 |
| Tire Recapping Plant | $85.00 | R | 372 |
| Tobacco Products Shop | $535.00 | R | 324 |
| Tobacco Shop | $535.00 | R | 324 |
| Tow Truck/Wrecker (Operator) | $405.00 | R | 361 |
| Tow Truck/Wrecker (Vehicle) | $85.00 | R | 361 |
| Trade Worker Registration—Tier 1 | $37.00 | R? | 370 |
| Trade Worker Registration—Tier 2 | $70.00 | R | 370 |
| Trade Worker Registration—Tier 3 | $59.00 | R | 370 |
| Trailer Rental | $210.00 | R | 352 |
| Tree Trimmer & 1 Vehicle | $210.00 | R | 362 |
| Tree Trimmer—Each Add'l Vehicle | $85.00 | R | 362 |
| Vehicle Immobilization Service | $405.00 | R | 383 |
| Veterinary Hospital | $210.00 | R | 364 |
| Window Cleaning | $210.00 | R | 365 |
| Wrecking of Buildings | $65.00 | R | 368 |

*Class T licenses* means those licenses which can be approved or denied by the director, if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class T Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation

and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(3). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

| Business Licenses | Fee | Class | Ordinance/ Legislative Code |
|---|---|---|---|
| **CLASS T** | | | |
| Amusement Rides—Temporary | $32.00 | T | 317 |
| Bingo/Rfls/P-Tabs/Tpbrds/Pdlwhls | $59.00 | T | 402 |
| Close Out Sale | $85.00 | T | 325 |
| Entertainment—Temporary | $35.00 | T | 411 |
| Liquor Catering (State Cater Only) | $59.00 | T | 409 |
| Liquor—Extension of Service Area | $68.00 | T | 410 |
| Liquor—Under Age Access (Temporary) | $35.00 | T | 409 |
| Liquor On Sale—Temporary | $59.00 | T | 409 |
| Malt On Sale (3.2)—Temporary | $59.00 | T | 410 |
| Massage Practitioner—Temporary | $50.00 | T | 412 |
| Second Hand Dealer—Exhibition | $210.00 | T | 355 |
| Tag Days | $26.00 | T | 391 |
| Temp On Sale Malt Brewery/Distillery | $59.00 | T | 410 |
| Transient Merchant | $85.00 | T | 345 |

| | | | |
|---|---|---|---|
| Wine On Sale-Temporary | $59.00 | T | 409 |
| Winery Annual Festival—Temporary | $59.00 | T | 409 |

*Class N licenses* means those licenses which must be approved or denied by the council. Class N Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(2). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

| **Business Licenses** | **Fee** | **Class** | **Ordinance/ Legislative Code** |
|---|---|---|---|
| **CLASS N** | | | |
| Auto Body Repair Shop | $507.00 | N | 423 |
| Auto Body Repair/Painting Shop | $507.00 | N | 423 |
| Auto Repair Garage | $507.00 | N | 423 |
| Bingo Hall | $229.00 | N | 403 |
| Cabaret—Class A | $210.00 | N | 322 |
| Cabaret—Class B | $210.00 | N | 426 |
| Conversation/Rap Parlor(A) | $405.00 | N | 413 |
| Conversation/Rap Parlor (B) | $405.00 | N | 413 |
| Culinary On Sale—Wine/Malt | $255.00 | N | 409 |
| Dance or Rental Halls | $497.00 | N | 405 |

| | | | |
|---|---|---|---|
| Dance Halls—Exempt | $0.00 | N | 405 |
| Entertainment—Extension | $0.00 | N | 411 |
| Entertainment (A) | $278.00 | N | 411 |
| Entertainment (B) | $672.00 | N | 411 |
| Entertainment (C) | $3,191.00 | N | 411 |
| Firearms | $405.00 | N | 225 |
| Gambling Hall | $445.00 | N | 278 |
| Gambling Location | $84.00 | N | 225 |
| Gas Station | $154.00 | N | 424 |
| Health/Sport Club | $405.00 | N | 427 |
| Health/Sport Club—Adult | $405.00 | N | 427 |
| Health/Sport Club-Exercise Only Facility | $405.00 | N | 427 |
| Infectious Waste Processing Facility | $1,913.00 | N | 427 |
| Liquor-Extension of Service Hours | $405.00 | N | 409 |
| Liquor—Microdistillery Cocktail Room | $712.00 | N | 409 |
| Liquor—Off Sale Micro Distillery | $205.00 | N | 409 |
| Liquor Off Sale | $1,500.00 | N | 409 |
| Liquor On Sale—100 seats or less | $5,361.00 | N | 409 |
| Liquor On Sale—101-180 Seats | $5,937.00 | N | 409 |

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|---|---|---|---|
| Liquor On Sale—181-290 Seats | $6,360.00 | N | 409 |
| Liquor On Sale—291 or more Seats | $6,448.00 | N | 409 |
| Liquor On Sale—2 AM Closing | $59.00 | N | 409 |
| Liquor On Sale—Exempt | $0.00 | N | 409 |
| Liquor On Sale—Over 100 seats (B) | $5,022.00 | N | 409 |
| Liquor On Sale—Over 200 seats (A) | $5,454.00 | N | 409 |
| Liquor On Sale—Sunday | $200.00 | N | 409 |
| Liquor On Sale—Sunday—Exempt | $0.00 | N | 409 |
| Liquor On Sale—Theater | $1,914.00 | N | 409 |
| Liquor On Sale—Additional Family Members | $62.00 | N | 409 |
| Liquor On Sale (Government Agencies) | $0.00 | N | 409 |
| Liquor On Sale (Small Brewery—128 oz) | $30.00 | N | 409 |
| Liquor On Sale-Club under 200 Mbrs—A | $300.00 | N | 409 |
| Liquor On Sale-Club 201-500 Mbrs—B | $500.00 | N | 409 |
| Liquor On Sale-Club 501-1000 Mbrs—C | $650.00 | N | 409 |
| Liquor On Sale-Club 1001-2000 Mbrs—D | $800.00 | N | 409 |
| Liquor On Sale-Club 2001-4000 Mbrs—E | $1,000.00 | N | 409 |
| Liquor On Sale-Club 4001-6000 Mbrs—F | $2,000.00 | N | 409 |
| Liquor On Sale-Club over 6000 Mbrs—G | $3,000.00 | N | 409 |

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|---|---|---|---|
| Liquor-Outdoor Service Area (Patio) | $85.00 | N | 409 |
| Liquor-Outdoor Service Area (Sidewalk) | $40.00 | N | 409 |
| Malt Off Sale (Brewery) | $205.00 | N | 410 |
| Malt Off Sale (Growler) | $205.00 | N | 410 |
| Malt Off Sale | $225.00 | N | 410 |
| Malt On Sale (3.2) | $712.00 | N | 410 |
| Malt On Sale (3.2)—Fee Waived | $0.00 | N | 410 |
| Malt On Sale (3.2)—2 AM Closing | $0.00 | N | 410 |
| Malt On Sale (Brewery Taproom) | $712.00 | N | 410 |
| Malt On Sale (Strong) | $712.00 | N | 410 |
| Massage Center—C (Adult) | $405.00 | N | 412 |
| Mini Motion Picture Theater-Adult (C) | $405.00 | N | 415 |
| Minnesota Currency Exchange | $405.00 | N | 381 |
| Motor Vehicle Dealer—New Vehicles | $405.00 | N | 401 |
| Motor Vehicle Salvage Dealer | $405.00 | N | 422 |
| Motorcycle Dealer | $210.00 | N | 401 |
| Parking Lot | $405.00 | N | 417 |
| Parking Lot/Parking Ramp | $405.00 | N | 417 |
| Parking Ramp (Government) | $0.00 | N | 417 |

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|---|---|---|---|
| Parking Ramp | $405.00 | N | 417 |
| Parking Ramp/Garage (Private) | $396.00 | N | 417 |
| Pawn Shop | $3,191.00 | N | 344 |
| Second Hand Dealer—Motor Vehicle | $507.00 | N | 344 |
| Steam Room/Bath House (A) | $405.00 | N | 428 |
| Steam Room/Bath House (B)—Adult | $405.00 | N | 428 |
| Theaters and Movie Theaters-Drive In | $210.00 | N | 416 |
| Transportation Network Company | $41,115.00 | N | 373 |
| Wine On Sale | $2,000.00 | N | 409 |
| Wine On Sale (Government Agencies) | $0.00 | N | 409 |

*Department* means the department of safety and inspections.

*Director* means the director of the department of safety and inspections and/or the director's designee or designees.

*Fee* means and includes both the license fee and application fee unless otherwise provided.

*License* means and includes all licenses and permits provided for or covered by these chapters.

License also includes licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of such licenses, for the purposes of making procedures in chapter 310 of the Legislative Code applicable to the approval or disapproval of such licenses.

*Class N License District Council Notification Form* means the form, provided by the Department to the license applicant as part of the Class N License application packet, which must be mailed or personally delivered to the district council by the license/applicant prior to the submission of the application for a license.

*Person* means and includes any person, firm, corporation, partnership, company, organization, agency, club or any group or association thereof. It shall also include any executor, administrator, trustee, receiver or other representative appointed by law.

*Zoning administrator* means the official in the department of safety and inspections charged with responsibility for enforcement of the zoning code.

(Ord 22-46, § 2, 11-9-22; Ord 23-32, § 2, 9-6-23)

**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 $310,000 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.

**History:** *1985 c 200 s 2; 1985 c 305 art 6 s 9; 1985 c 309 s 7-9; 1Sp1985 c 16 art 2 s 3 subd 1; 1Sp1986 c 3 art 1 s 38; 1987 c 107 s 1; 1987 c 152 art 1 s 1; 1988 c 534 s 1; 1991 c 249 s 31; 1994 c 485 s 61,62; 1997 c 129 art 1 s 5,6; 2003 c 112 art 2 s 50; 2009 c 101 art 2 s 109; 2010 c 255 s 4,5; 2010 c 384 s 96; 2017 c 40 art 1 s 110*

Sec. 409.01. - License required; catering approval class T—Temporary on-sale liquor license—Caterer and class N—On-sale caterer's license.

(a) Unless otherwise allowed under Minn. Stat. ch. 340A, 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. Rental of or permission to use a public facility is not a commercial transaction for the purposes of this chapter.

(b) *Class T—Temporary on-sale liquor license.* No person holding a catering permit issued under the provisions of Minn. Stat. § 340A.404, Subd. 12, who does not have an appropriate on-sale liquor license issued by the city shall sell intoxicating liquor at any time or place in the city without first obtaining the required Class T—Temporary on-sale liquor license as prescribed in this chapter. The applicant must follow the procedures for obtaining a Class T license as laid out in Saint Paul Legislative Code Section 310.

The sale of intoxicating liquor must be incidental to food service as required under Minnesota Stat. 340A.404, Subd. 12.

The applicant shall provide adequate security for the event or occasion which must be described in the application. All requirements of law or ordinance relating to the sale and/or service of intoxicating liquor must apply to distribution made pursuant to a state issued caterer's permit and Class T—Temporary on-sale liquor license including, but not limited to, insurance coverages.

(c) *Class N—On-sale caterer's license.* A holder of a State of Minnesota caterer's permit issued under the provisions of Minnesota Stat. § 340A.404, Subd. 12 to a restaurant that holds an on-sale intoxicating liquor license within the city may apply to sell intoxicating liquor as an incidental part of food service at a place other than the premises for which the holder's on-sale intoxicating liquor license is issued by obtaining a Class N—Caterer's License for the City of Saint Paul. The applicant must follow the procedures for a Class N license application laid out in Saint Paul Legislative Code Chapter 310.02(2). Holders of a Class N on-sale caterer's license must comply with all provisions of the statutes, ordinances, and rules governing the retail sale of alcoholic beverages.

(d) Class T—Temporary on-sale liquor license and Class N—On-sale caterer's licensees must comply with the following provisions for all events that are catered within the City of Saint Paul:

(1) A license holder must receive written permission from the director to hold the event, or to provide ongoing catering services at a rental/dance hall. The written permission may contain reasonable conditions that must be followed during the event. Grounds for denial of a request for permission to hold an event include, but are not limited to:

a. The license holder has had prior adverse actions arising out of a private event;

b. The license holder has previously failed to obtain permission to host a private event;

c. The license holder has had other violations which relate to the licensed establishment.

(2) A license holder must keep a record of each event they cater in Saint Paul. The record must include the location of the event, the date and time, the event contact name(s) and phone number(s). The license holder must provide this register to city staff upon request.

(3) The city council may by resolution establish a list of premises for which a liquor caterer may not provide services at an event without explicit approval of city council.

(4) A private event cannot last more than one (1) day.

(5) Any licensee that is not a licensed rental hall being used for a private event may provide liquor catering services to the public up to four (4) times per calendar year for the duration of no more than three (3) consecutive days so as not to exceed twelve (12) days in a calendar year at one (1) location. Licensed rental halls, when used for a private event, are exempt from the limitation outlined in this section.

(6) No sale of beverage alcohol may occur after 1:00 a.m.

(7) All servers of alcohol at a catered event must have received alcohol server training as approved by the director and shall be at least eighteen (18) years of age.

(8) A license holder shall notify the Saint Paul Police Department and department of safety and inspections at least fifteen (15) full business days prior to any alcohol catered event or prior to the beginning of ongoing catering services at a rental/dance hall and provide pertinent details about the event using a form provided by the director.

(9) In addition to general grounds for denial of an application for a Class T—Temporary on-sale liquor license and Class N—On-sale caterer's licensees referenced in chapter 310 of the Saint Paul Legislative Code, a license application may be denied, and an issued Class T—Temporary on-sale license may be suspended or revoked without refund, for any of the following reasons:

a. The operation of an event does or will unreasonably disturb the peace, quiet or repose of surrounding residential or commercial areas.

b. The operation of an event does or will contribute to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the event's location.

c. Any violation of the laws relating to the sale or service of alcoholic beverages.

d. License holder's refusal to supply books of account and contracts pertaining to an event as set forth in this section.

e. Any violation of the terms of this section.

f. Any other good cause related to the operation of the business or venue.

(10)

Both state and city permits/licenses must be available for display upon request of any law enforcement officer or investigator designated by the licensing official for any catered event.

(11) License holders shall maintain adequate security at catered events in Saint Paul. The license holder may coordinate this with the host facility.

(12) If an event is to be held outside, the applicant shall indicate how the alcohol will be confined to a particular area. Exclusive outdoor events must provide at least one (1) portable toilet per every fifty (50) attendees.

(13) License holders shall submit to and/or facilitate any site inspections by police, fire, or other regulatory or health agency.

(d) Adverse action may be taken against a licensed establishment acting as a liquor caterer who provides or serves alcohol at an establishment that is in violation of this chapter.

(Ord 22-47, § 2, 11-9-22)