



City of Maplewood | **Citizen Services Department**
1830 County Road B East | Maplewood, MN 55109
651-249-2005 | 651-249-2009 (fax)

**LAWFUL GAMBLING PREMISE
CONTINUOUS UNTIL CANCELLED
(No Fee)**

Guidance relating to Lawful Gambling is contained in the Maplewood City Code, Chapter 22. All license holders are required to be familiar with the provisions of this Chapter and with applicable Minnesota Statutes and federal regulations.

In submitting a license application, the applicant and their business associates declare that they meet the requirements for issue of said permit and that such business will be operated in compliance with the above regulations, statutes and ordinances.

Knowingly submitting an incomplete or inaccurate application constitutes fraudulent application; failure to comply with the aforesaid regulations, statutes and ordinances; or conviction for related felony or misdemeanor violations constitutes grounds for denial, suspension, or revocation of permits.

LICENSE APPLICATION CHECKLIST:

**To prevent delay, please ensure the following information is submitted.
Incomplete applications are not accepted and will be returned immediately.**

- Lawful Gambling Premise license application
- MN AGED Premises permit application (LG214)
- Background Investigation Fee of \$250.00 (if organization does not currently conduct gambling activity in Maplewood)
- \$10,000 Surety Bond issued in the position or name of the Gambling Manager, and in favor of the licensed organization
- Full Membership List showing names, address and date membership (must have at least 15 active members)
- Proof of Non-Profit Status (attach one of the following)
 - Minnesota Secretary of State – Current Certificate of Good Standing
 - Internal Revenue Service – IRS income tax exemption 501(c) letter in your organization's name
 - Internal Revenue Service – Affiliate of national, statewide, or international parent non-profit organization (charter);
If the organization falls under a parent organization, attach copies of **both** of the following:
 - IRS letter showing that the parent organization is a non-profit 501(c) organization with a group ruling, and
 - the charter or letter from the parent organization recognizing the organization as a subordinate.
- Copies of the following State forms:
 - Lease for Lawful Gambling Activity form (LG215)
 - Gambling Manager Application (LG212)
 - Internal Control Guidelines Worksheet (LG202)
- Copy of Federal Form 990-T
- Scale Drawing of premise, showing where gambling activity is conducted

Note: *Copies of your monthly Minnesota Gambling Tax Return must be filed with the City of Maplewood Finance Director each month, along with a check for 10% of net profit.*

Any changes desired by the applicant association may be made only with the consent of the City Council.

Applicant Information (person serving as Gambling Manager and person responsible to conduct, operate, and manage gambling)

Applicant Name _____ Date of Birth _____

Home Address _____

Phone Number (_____) _____ Drivers License No. _____ State _____

Email Address _____ Length of time as an active member of applying organization _____

Gambling Premise Information

Name of Establishment _____

Address _____

Operator of Establishment _____ Phone Number (_____) _____

Days and hours that gambling will occur at this location _____

Is there another organization currently conducting gambling at this site? Yes No Unknown

Has the premises where gambling is held been certified for occupancy by the City of Maplewood? Yes No

Amount of rent paid by applying organization for rent of premise _____

Will organization's lawful gambling activity be operated/managed solely by members of the organization? Yes No

If no, please explain _____

Organization Information

Complete, Legal Name of Organization _____

Address of Organization _____

Email Address _____ Website _____

Does this organization currently conduct gambling in Maplewood? Yes No

Is the applicant association organized under the laws of the State of MN as a nonprofit organization? Yes No

Type of non-profit organization Fraternal Veterans Religious Other _____

Date of Incorporation _____ Date registered with the State of MN _____

How long has organization been in existence? _____ How long has organization been in existence in Maplewood? _____

How many active members in the organization? _____

What is the purpose of the organization? _____

Address where organization's meetings are held _____

Day and time of organization's regular meetings _____

Officers of Organization (use additional page, if necessary):

Name	Address		
()	()		
Telephone: Home	Work	Title	Date of Birth

Name	Address		
()	()		
Telephone: Home	Work	Title	Date of Birth

Name	Address		
()	()		
Telephone: Home	Work	Title	Date of Birth

List all persons who pay for services to the organization (use additional page, if necessary):

Name	Address		
()	()		
Telephone: Home	Work	Title	Date of Birth

Name	Address		
()	()		
Telephone: Home	Work	Title	Date of Birth

In whose custody will the organization's records be kept?

Name	Address
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List all persons with the authority to sign checks for dispersal of gambling proceeds (use additional page, if necessary):

Name	Date of Birth
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Address	Member of Organization?
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Name	Date of Birth
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Address	Member of Organization?
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The proceeds of the games will be disbursed, after deducting prize layout costs and operating expenses, for the following purposes and uses: _____

Has the organization signed, or does it intend to sign, a consulting agreement or a managerial agreement to assist with the lawful gambling sales and/or record keeping? Yes No

If yes, give the name and address of the person and/or company contracted (**attach a copy of contract**)

Name Address

Name Address

If yes, how will such a consultant be paid (percentage, flat fee, gambling fund, general funds, etc.)? _____

Does the organization pay or intent to pay accounting fees out of gambling funds? Yes No

If yes, to whom will fees be paid? _____

If yes, how will the accounting fees be charged out (flat fee, hourly, etc.)? _____

Has the organization filed federal form 990-T? Yes No

If No, explain why: _____

The data in this application will be used to approve your license. Upon approval of license, the information contained in this application shall be deemed public unless private by State Statute. Private data is available to you and the City or State staff who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license if you do not provide it.

I have received from the City of Maplewood a copy of *Maplewood City Code*, Chapter 22 Article II (Lawful Gambling) and will familiarize myself with the provisions contained within it.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers on this application will result in denial of the application. I authorize the City of Maplewood to investigate and make whatever inquiries necessary to verify the information provided.

Organization President or CEO

Gambling Manager

Date

Subscribed and sworn to before me a Notary Public

On _____ day of _____, 20_____

Notary
Seal

Office Use Only

Approved by City Council on _____

Approved by City Clerk _____ Date _____

Fee Paid _____ Receipt _____ Date _____ License No _____



**TO BE COMPLETED BY ORGANIZATION PRESIDENT OR CEO
AND GAMBLING MANAGER**

I understand and will uphold Maplewood Lawful Gambling Ordinance relating to lawful gambling in bars.

Further, I understand that my gambling booth must meet City standards; that 10% of the net profit from lawful gambling sales must be filed with the City of Maplewood Finance Director; and that 51% of net proceeds must remain in Maplewood or be used to support Maplewood residents.

Signature – Gambling Manager

Signature –Organization President or CEO

Organization Name

Gambling Location

Date

STATE STATUTE REQUIREMENTS:
TAX CLEARANCE

Minnesota Statute Chapter 270C, Section 72 requires the licensing authority to provide to the Minnesota Commissioner of Revenue the Minnesota business tax identification number and the social security number of each license applicant.

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 or renewal of your license in the event you owe Minnesota sales, employer's withholding or motor vehicle excise taxes;
2. Upon receiving this information, the licensing 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 or renewal application.**

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

Applicant's Full Name _____		Job Title _____	
SSN _____ - _____ - _____	Driver's License Number _____		State _____
Business Name _____		Business Trade Name _____	
Business Address _____		City _____	State _____ ZipCode _____
Federal Tax ID _____		MN State Tax ID _____	

STATE STATUTE REQUIREMENTS:
PROOF OF WORKERS' COMPENSATION

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 in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Section 176.181, Subd. 2. The information required is: The name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and put in their company file. It will be furnished, upon request, to the Department of Labor and Industry to check for compliance with Minnesota Statute Sec. 176.181, Subd. 2.

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 and/or is falsely reported, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of labor and Industry payable to the Special Compensation Fund. Provide the information specified above in the following spaces, or certify the precise reason your business is excluded from compliance with the insurance coverage requirement for workers' compensation:

<input type="checkbox"/> I carry Workers' Compensation Insurance Insurance Company Name (not the name of the agent): _____ Workers' Compensation Policy Number: _____ Effective Date: _____ Expiration Date: _____
<input type="checkbox"/> I am Self-Insured and have attached a copy of the permit to self-insure
<input type="checkbox"/> I am not required to have workers' compensation liability coverage because: <input type="checkbox"/> I have no employees. <input type="checkbox"/> I have employees but they are not covered by the Workers' Compensation law. (See MN Statute § 176.041 for a list of excluded employees) Explain why your employees are not covered: _____ _____
<input type="checkbox"/> Other: _____

I have read and understand my rights and obligations with regard to business license, permits and workers' compensation coverage and I certify that the information provided is true and correct.

Signature of Applicant _____ Date _____

Sec. 22-9. - Lawful gambling at on-sale establishments.

Lawful gambling at on-sale liquor, wine, and 3.2 percent malt liquor establishments shall be conducted in compliance with the following:

- (1) Only licenses for lawful gambling and raffles may be issued, except where the licensed gambling organization also holds the on-sale liquor, wine, or 3.2 percent malt liquor licenses for the premises, in which case any gambling license may be issued.
- (2) On-sale establishments shall be limited to one licensed gambling organization at any one time in the licensed premises and any rooms adjoining the premises under the same management. No lease shall be made with one organization while another lease is in effect for the same on-sale establishment.
- (3) Every agreement between a nonprofit organization and an on-sale premises for gambling shall be in the form of a written lease. The written lease shall be the complete agreement between the parties, and there shall be no unwritten terms or conditions. There shall be no other compensation paid to the on-sale establishment, directly or indirectly, other than the rental fee provided in the lease agreement. The lease shall specifically provide that the lessee shall operate only after issuance of a license and shall be subject to the terms of this chapter. Rental payments shall not exceed:
 - a. For booth operations - ten percent of gross profits (net after taxes) with a maximum of \$1,750.00 per month.
 - b. For bar operations - 20 percent of gross profits (net after taxes) with a maximum of \$2,000.00 per month.
- (4) A copy of any lease agreement between a nonprofit organization and an on-sale licensee shall be filed with the city clerk and the police chief with the gambling license application.
- (5) All gambling shall be conducted from a booth or the bar services area. The physical layout of the area set aside for gambling shall be subject to approval of the police department.
- (6) If gambling is conducted from a booth, it shall be constructed and maintained by the organization licensed to conduct gambling and shall be under the exclusive control of that organization. The organization licensed to conduct gambling shall prominently display its name and license number and shall indicate that all profits from gambling are for the benefit of the organization.
- (7) No person shall be jointly employed by both the nonprofit organization and the on-sale establishment. This section shall not apply when the licensed gambling organization is also the holder of the on-sale license for the establishment where the gambling is conducted.
- (8) No gambling funds shall be commingled with funds of the on-sale establishment.
- (9) No food, drink, or entertainment discounts or other promotions shall be offered in conjunction with the sale of gambling devices or chances.
- (10) The on-sale establishment shall allow the organization to conduct gambling at any time during its lawful business hours and shall prohibit gambling at any time other than its lawful business hours.
- (11) The on-sale licensee shall make no agreements with any gambling equipment distributor requiring the use of his gambling equipment in the establishment.
- (12) The city council may disapprove a gambling license application for an on-sale establishment in which gambling violations have previously occurred.

(Ord. No. 881, rev. 4-14-2008)