

Cigarette, Tobacco Products, or Tobacco-Related Devices License Information

Thank you for your interest in the Cigarette, Tobacco Products, or Tobacco-related devices License in St. Paul Park.

In order to obtain a Cigarette, Tobacco Products, or Tobacco-Related Devices License, you must meet all City Code, MN State statutes and rules, all Bureau of Alcohol, Tobacco and Firearms and MN Department of Revenue regulations in regards to tobacco licensing, zoning, and business operation.

You must be a citizen of the United States or a resident alien. You must be at least 18 years old. You must have a good morale character and repute. Within the past five year you must not have been convicted of a felony or a willful violation of a federal, state, ordinance or other regulation relating to tobacco, tobacco products, or tobacco-related devices. (MS 461, 297F, 325D.30, 609.685, and St. Paul Park City Code Chapter 22)

To apply for a Tobacco, Tobacco Products, or Tobacco-related devices License, you will need to:

- Submit proof verifying that the zoning of the property where the business will be located allows for such an endeavor.
- Submit proof of Minnesota Tax ID which can be obtained from the MN Department of Revenue at (651) 282-5225.
- Submit proof of FED ID Number which can be obtained from the Internal Revenue Services.
- Complete and submit the APPLICATION TO MAKE RETAIL SALES OF CIGARETTE AND OTHER TOBACCO PRODUCTS with the required fee of \$125. Incomplete and/or falsified applications shall not be approved. *Payable to the City of St. Paul Park.*

After all submittals are received and deemed complete, your application will be placed on the next Council Agenda. City Council meetings are generally held the first and third Mondays of each month. After approval by the St. Paul Park City Council, your application will be mailed to you. .

If you have any questions, please contact the City Clerk at (651) 459-9785.

Sincerely,

Sharon Ornquist
City Clerk

Enclosures

- CT102 Cigarette Application
- Brochure--Sales of Cigarettes and Tobacco Products in Minnesota



License Application to Make Retail Sales of Cigarette and Other Tobacco Products

To be completed by applicant when applying for a license with a city or county.

Print or type	Applicant's Minnesota tax ID number			← The Minnesota tax ID must be issued in the same legal name of the licensee below.	<i>FOR MUNICIPAL USE ONLY</i>	
					License number	
				Period covered		
				Date of issuance		
	Cigarettes/tobacco products will be sold (a separate license is required for each location or vending machine): <input type="checkbox"/> Over counter <input type="checkbox"/> Through vending machine <input type="checkbox"/> Both			Federal employer ID number (FEIN)		
	Licensee's legal name			Business trade name (doing business as)		Daytime phone
	Complete address of business location (permit location)		County	Other phone number		
	City	State	Zip code	Fax number		
Mailing address (if different than business address)		City	State	Zip code	Email address	

Business information	Type of legal organization (check one):					
	<input type="checkbox"/> Sole proprietor	<input type="checkbox"/> Minnesota corporation: Enter date of incorporation _____				
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Out-of-state corporation: State of incorporation _____				
	<input type="checkbox"/> Other (describe) _____	Are you registered to do business in Minnesota? <input type="checkbox"/> Yes <input type="checkbox"/> No				
	Corporate officers or partners (attach a list if necessary)					
	Name		Title			
Address		City	State	Zip code		
Name		Title				
Address		City	State	Zip code		

Statement of understanding	As a licensed tobacco products or cigarette retailer, I understand that:				
	1. I can purchase cigarettes only from a Minnesota distributor or subjobber who holds a license with the Minnesota Department of Revenue.				
	2. I must obtain a tobacco products distributor license if I purchase untaxed tobacco products from an out-of-state company.				
	3. I may not sell cigarettes affixed with Minnesota Native American stamps unless my retail business is located on a reservation that has a tax agreement with the State of Minnesota.				
	4. I may not purchase from or exchange cigarettes or tobacco products with another retailer.				
	5. I must keep complete and legible cigarette and tobacco products invoices on the licensed premises, or make invoices available within one hour of request, for at least one year after the date of the purchase.				
	6. I know that the Minnesota Department of Revenue and/or law enforcement may conduct cigarette and tobacco inspections of the premises, including inspections of inventory, invoices and licenses, and I understand that a refusal to allow an inspection is grounds for revocation of my license.				
	7. I know that failure to comply with all requirements can result in criminal penalties, including the loss of cigarettes and tobacco products.				

Sign here	Licensee signature	Title	Print name	Date	Daytime phone
	Licensing agent's signature	Title	Print name	Date	Daytime phone

License applicant: Submit this form to the licensing authority along with the license application.

Licensing authority: Mail or fax a copy of approved form to:
Minnesota Revenue, Mail Station 3331, St. Paul, MN 55146-3331. Fax: 651-297-1939
Phone: 651-297-1882. TTY: Call 711 for Minnesota Relay.

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Continued from opposite side:

Subd. 7. Sale of cigarette packages with Indian stamp.

(a) A retailer doing business off of an Indian reservation who sells or offers to sell more than 200 but fewer than 5,000 cigarettes with Indian stamps is guilty of a misdemeanor.

(b) A retailer doing business off of an Indian reservation who sells or offers to sell 5,000 or more, but fewer than 20,001 cigarettes with Indian stamps is guilty of a gross misdemeanor.

(c) A retailer doing business off of an Indian reservation who sells or offers to sell more than 20,000 cigarettes with Indian stamps is guilty of a felony.

See also: Minnesota Statutes, Chapter 297F.21, Contraband.

If you suspect cigarette or tobacco tax violations, need assistance, or have any questions:

Cigarette and Tobacco Tax Unit

Phone: (651) 297-1882

Fax: (651) 297-1939

E-mail: cigarette.tobacco@state.mn.us

Anonymous tip line:

(651) 297-5195 or (800) 657-3500

Taxpayer's Rights Advocate

Call for help with disagreements you have not been able to resolve through normal channels: (651) 556-6013.

Am I required to obtain a special license to make retail sales of cigarettes and tobacco products in Minnesota?

Yes. According to Minnesota statutes, businesses in Minnesota that make retail sales of cigarettes and tobacco products to the public are required to have a special retailer's license.

The Minnesota Department of Revenue's Cigarette and Tobacco Tax Unit is responsible for enforcing the tax laws and verifying compliance with state statutes.

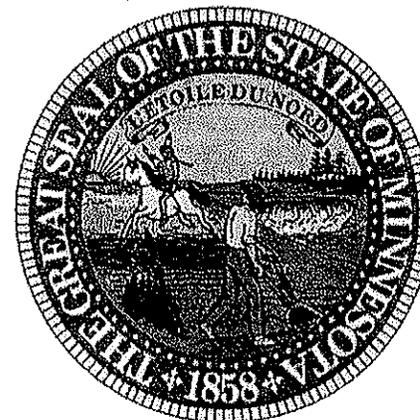
The enforcement effort is aimed at prosecuting tax evaders and protecting legitimate businesses from unfair competition.

When Minnesota loses tax and fee revenues from illegal activities, everyone loses: honest cigarette retailers and wholesalers are forced to compete with smugglers who can reduce their prices by illegal activities.

Note: This brochure summarizes the law and regulation in effect as of the publication date. While the information in this brochure is general, the law is complex and subject to change. If there is a conflict between the brochure and the law or regulations, decisions will be based on the law and regulations.

Sales of Cigarettes and Tobacco Products in Minnesota

License Requirements for Retailers



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www.taxes.state.mn.us

Retail Licensing Requirement

Retailer sellers of cigarettes and tobacco products in Minnesota must have a Minnesota Cigarette and Tobacco Product Retailer's license prior to purchasing or selling cigarettes or tobacco products. (MN Statute 461.12)

A separate license is required for each location or vending machine from which cigarettes or tobacco products are sold at retail. Whenever you add a new location that requires a license, you must obtain a separate license for that location.

Responsibilities of License Holders

As a holder of a retailer's license, you must:

- Conspicuously display your license at each retail location so that it is visible to the public.
- Keep complete and legible cigarette and tobacco products invoices at each licensed location for at least one year after the date of the purchase.
- Allow Dept. of Revenue staff or law enforcement officers to review your cigarette and tobacco products purchase invoices on location upon request. All purchase invoices must be available within one hour. (MN Statute 297F.13, Subd.4.)
- Allow our staff to conduct cigarette and tobacco inspections of your premises, including your inventory, invoices and license.

Cigarettes and tobacco products purchased for personal consumption on the internet/mail order or brought in from another state are still subject to taxes and fees. The resale of cigarettes and tobacco products bought on the internet/mail order or brought in from another state is illegal.

Enforcement

Records. You must maintain accurate and complete records, including properly completed purchase invoices.

License display. You must display your license at each retail location from which you sell cigarettes or tobacco products according to your licensing authority's rule.

Inspections. Dept. of Revenue staff and law enforcement officers can inspect retail locations and seize any untaxed cigarettes or tobacco products, including cigarettes without stamps, with stamps from other states or with counterfeit tax stamps.

Illegal purchases. It is illegal for retailers to purchase cigarettes or tobacco products from another retailer or any seller who is not a licensed Minnesota cigarette and/or tobacco distributor or subjobber.

Illegal sales. It is illegal for retailers to sell cigarettes or tobacco products in this state without a license or when their license has been suspended or revoked. If you make illegal sales of cigarettes or tobacco products, you are subject to civil and criminal penalties, and possible seizure of your cigarettes and tobacco products.

Penalties

Minnesota Statutes, Chapter 297F.20 Cigarette and Tobacco Taxes Criminal Penalty

Subd. 6. Unstamped cigarettes; untaxed tobacco products.

(a) A person, other than a licensed distributor or a consumer, who possesses, receives, or transports fewer than 5,000 unstamped cigarettes, or up to \$350 worth of untaxed tobacco products is guilty of a misdemeanor.

(b) A person, other than a licensed distributor or a consumer, who possesses, receives, or transports 5,000 or more, but fewer than 20,001 unstamped cigarettes, or more than \$350 but less than \$1,400 worth of untaxed tobacco products is guilty of a gross misdemeanor.

(c) A person, other than a licensed distributor or a consumer, who possesses, receives, or transports more than 20,000 unstamped cigarettes or \$1,400 or more worth of untaxed tobacco products is guilty of a felony.

(d) For purposes of this subdivision, an individual in possession of more than 4,999 unstamped cigarettes, or more than \$350 worth of untaxed tobacco products, is presumed not to be a consumer. Cigarettes and tobacco products that are considered contraband may be seized by authorized agents or by any sheriff or other police officer.