

**CERTIFICATION OF COMPLIANCE
MINNESOTA WORKERS' COMPENSATION**

Minnesota State Statute Chapter 176, Section 182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement. The information required is: The name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. The information will be collected by the licensing agency and retained in their files.

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 falsely stated, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name: _____ (**NOT** the insurance agent)

Policy Number or Self-Insurance Permit Number: _____

Dates of Coverage: _____ to _____

(or)

I am not required to have workers' compensation liability coverage because:

- I have no employees
- I am self-insured (include permit to self-insure)
- I have no employees who are covered by the workers' compensation law (these include: spouse, parents, children, and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid workers' compensation policy will be kept in effect at all times as required by law.

Name: _____
(Last) (First) (Middle)

Licensee Business Name: _____

Doing Business As: _____

City, State, Zip: _____ Phone: _____

Signature: _____ Date: _____

Minnesota Government Data Practices Act – Chapter 13
“Tennessee Warning”

Data is requested from the applicant on various forms. The purpose and intended use of the requested data is to verify the applicant meets all state statute and city code provisions and, if the license or permit is approved, to verify that all required data remains current.

The following data collected, created, or maintained is classified under the Minnesota Government Data Practices Act as Private data **until license approval** when the data becomes **Public**: (13.41, Subd. 4).

1. Data submitted by applicants (other than names and designated addresses).
2. Orders for hearing and findings of fact.
3. Conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action.
4. Entire record concerning the disciplinary proceeding.
5. License numbers.
6. License status.

The following data collected, created, or maintained is classified as **Private**: (13.41, Subd. 2).

1. The identity of complainants who have made reports concerning licenses or applicants which appear in inactive complaint data unless the complainant consents to the disclosure.
2. The nature or content of unsubstantiated complaints when the information is not maintained in anticipation of legal action.
3. Inactive investigative data relating to violations of statutes or rules.
4. The record of any disciplinary proceeding except as limited by Subd. 4.

The following data collected, created, or maintained is classified as **Confidential**: (13.41, Subd. 3).

1. Active investigative data relating to the investigation of complaints against any license.

Under law, private data may be shared with licensing and inspection employees, approval authorities, insurance providers, law enforcement employees, contracted inspection officials, as required by court order and City officials who have a bona fide need for it. The City of Forest Lake may make any data classified as private or confidential accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

We ask that you complete or provide all data requested on the application form(s) unless we have noted that it is not required. Refusal to supply required information may mean that your application cannot be processed.

I READ AND UNDERSTAND THE ABOVE INFORMATION REGARDING MY RIGHTS AS A SUBJECT OF GOVERNMENT DATA.

Date

Signature of Applicant

§ 112.08 LICENSES.

(A) *Licenses required.* All establishments, including any business operating at the time this chapter becomes effective, operating or intending to operate an adult-oriented business, shall apply for and obtain a license from the city. A person is in violation of the City Code if he or she operates an adult-oriented business without a valid license issued by the city.

(B) *Applications.* An application for a license must be made on a form provided by the city.

(1) The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus 6 inches.

(2) The applicant must be qualified according to the provisions of this section and the premises must be inspected and found to be in compliance with the appropriate state, county, and local law and codes by the health official, Fire Marshal, and Building Official.

(3) Application for a license shall contain the address and legal description of the property to be used; the names, addresses, phone numbers and dates of birth of the owner, lessee, if any, the operator or manager, and all employees; the name, address, and phone number of 2 persons who shall be residents of the state of Minnesota and who may be called upon to attest to the applicant's, manager's, or operator's character; whether the applicant, manager, or operator has ever been convicted of a crime or offense other than a traffic offense and, if so, complete and accurate information as to the disposition thereof, the names and addresses of all creditors of the applicant, owner, lessee, or manager who have extended credit for the purposes of constructing, equipping, maintaining, operating, or furnishing or acquiring the premises, personal effects, equipment, or anything incident to the establishment, maintenance and operation of the business.

(4) If the application is made on behalf of a corporation, joint business venture, partnership, or any legally constituted business association, it shall submit along with its application, accurate and complete business records showing the names, addresses, and date of birth of all individuals having an interest in the business, including partners, officers, owners, board of directors and creditors furnishing credit for the establishment, acquisition, maintenance, and furnishing of the business.

(5) All applicants shall furnish to the city, along with their applications, complete and accurate documentation establishing the interest of the applicant and any other person having an interest in the premises upon which the building is proposed to be located or the furnishings thereof, personal property thereof, or the operation or maintenance thereof. Documentation shall be in the form of a lease, deed, contract for deed, mortgage deed, mortgage credit arrangement, loan agreements, security agreements, and any other documents establishing the interest of the applicant or any other person in the operation, acquisition or maintenance of the enterprise.

(C) The Chief of Police and City Clerk may recommend approval of the issuance of a license by the city to an applicant within 45 days after receipt of an application unless they find 1 or more of the following to be true:

(1) Applicant(s) or manager is under 18 years of age;

(2) Applicant(s) or an applicant's spouse is overdue or delinquent, or subject to a penalty imposed by law for the late payment in their payment to the city, county, or state of taxes, fees, fines, or penalties assessed against them or imposed upon them in relation to an adult only entertainment business;

(3) Applicant(s) has failed to provide information reasonably necessary for issuance of the license or has falsely answered a question or request for information on the application form;

(4) Applicant(s) or an applicant's spouse has been convicted of a violation of a provision of this section, other than the offense of operating an adult only entertainment business without a license within 2 years immediately preceding the application. The fact that a conviction is being appealed shall have no effect;

(5) Applicant(s) is residing with a person who has been denied a license by the city or any other Minnesota municipal corporation to operate an adult only entertainment business within the preceding 12 months, or residing with a person whose license to operate an adult only entertainment business has been revoked within the preceding 12 months;

(6) The premises to be used for the adult only entertainment business has not been approved by the Health Department, Fire Department, and the Building Official as being in compliance with applicable laws and ordinances; the inspections shall be completed within 30 days from the date the application was submitted, provided that the application contains all of the information required by this chapter. If the application is deficient, the inspections shall be completed within 30 days from the date the deficiency has been

corrected;

(7) An applicant has been convicted of a crime involving any of the following offenses:

(a) Any sex crimes as defined by M.S. §§ 609.29 through 609.352 inclusive, as they may be amended from time to time, or as defined by any ordinance or statute in conformity therewith;

(b) Any obscenity crime as defined by M.S. §§ 617.23 through 617.299 inclusive, as they may be amended from time to time, or as defined by any ordinance or statute in conformity therewith; for which:

1. Less than 2 years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

2. Less than 5 years have elapsed since the date of the last conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is a felony offense; or

3. Less than 5 years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the conviction is of 2 or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24 month period.

(c) The fact that a conviction is being appealed shall have no effect on disqualification of the applicant or applicants spouse;

(8) The license fee required by this chapter has not been paid.

(D) *Requalification.* An applicant who has been convicted of an offense listed in subsection (C)(7) may qualify for an adult-oriented business license only when the time period required by subsection (C)(7) has elapsed.

(E) *Posting.* The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the adult-oriented business. The license shall be posted in a conspicuous place at or near the entrance to the adult-oriented business so that it may be read at any time.

(F) *Council action.* The City Council shall act to approve or disapprove the license application within 60 days from the date the application was submitted, provided that the application contains all information required by this chapter. If the application is deficient, the Council shall act on the application within 60 days from the date that the deficiency has been corrected.

(G) *Appeals.* Within 30 days after the decision by the Council, the applicant may appeal to the District Court by serving a notice upon the Mayor or Clerk of the city.

(Ord. 529, passed 1-12-2004)