

Coalition of Neighborhood Retailers



June 18, 2018

Councilmember Rebecca Noecker
City of St. Paul
15 Kellogg Blvd. West, 310-B City Hall
Saint Paul, MN 55102

Councilmember Noecker:

Thank you for the opportunity to request clarifications relating to your ordinance to cap the number of tobacco licenses available in the City of St. Paul.

There are several areas where more definition to the ordinance would be important as retailers with licenses experience changes in their business models. Capping the number of licenses available creates a new set of considerations for retailers in transition that differs from the options available today.

Those scenarios include:

1. If a license holder has a business partner and that partner is exiting the business, can the existing license be retained by the remaining partner if legal changes to ownership occur?
2. Can an existing business license holder transfer a license to a different legal entity with connections to the existing license holder when changes in the business model occur?
3. If a business owner retires or leaves the business, can the license be conveyed to a new owner in the event a business is sold?
4. In the event of an owner/license holder's death, can a license be transferred to the owner's heirs, such as a daughter or son?
5. Can a license be obtained or retained but simply not used (no tobacco products offered for sale)?

We appreciate you considering these specific circumstances as you continue to discuss your proposal with the public and the City Council. Clarifying how license transfers are treated under your proposal will help provide important predictability to the business community.

We look forward to discussing further.

Sincerely,

Lance Klatt, Executive Director
Minnesota Service Station Association

Kevin Thoma, Executive Director
Minnesota Petroleum Marketers Association

Bruce Nustad, President
Minnesota Retailers Association

Jamie Pfuhl, President
Minnesota Grocers Association

Thomas Briant, Executive Director
National Association of Tobacco Outlets