Sec. 324.01. - License required.

(d) No license may be issued pursuant to this chapter for a location or place of sale if a tobacco license previously issued for that location or place of sale has been revoked for any reason other than nonpayment of license fees within the past five (5) years, subject to the following exceptions:

(1) Notwithstanding subdivision (d), a license may be issued if the new applicant:

a. Currently holds another tobacco license in the city;

b. Has held the license for at least five (5) years; and

c. The license:

1. Has not been subject to adverse action within the past two (2) years;

2. Has been subject to no more than one (1) adverse action within the past five (5) years; and

3. Is not the subject of any pending adverse actions.

(2) Notwithstanding subdivision (d), a license may be issued if the new applicant is otherwise able to demonstrate at least five (5) years of previous experience operating a tobacco retail establishment in a law abiding manner in the State of Minnesota. In considering an application made pursuant to this subsection, the factors to be considered by the council include, but are not limited to:

a. Any adverse or disciplinary actions against any business licenses held by the applicant in the previous five (5) years; and

b. Any violations of the law related to operating a retail establishment, committed by the applicant in the previous five (5) years, regardless of whether any criminal charges have been brought in connection therewith.

(3) Any license granted pursuant to subpart (d)(1) or (d)(2) must be approved by the affirmative vote of no less than five (5) members of the council.