

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Riddhi Mistry, being first duly sworn, deposes and says that on the fifteenth day of April she served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF \$500 MATRIX PENALTY AND AMENDED CONDITIONS**, a correct copy thereof in an envelope addressed as follows:

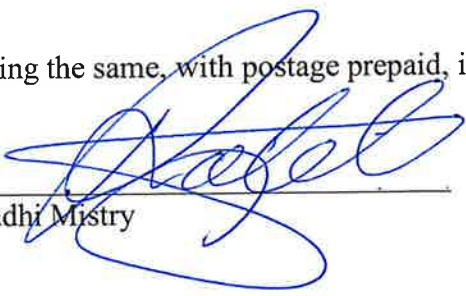
Richard A Defoe Entertainment INC
d/b/a Wilebskis Blues Saloon
1638 Rice St
Saint Paul, MN 55117
Attn: Richard A Defoe

Richard A Defoe
7265 Main St.
Centerville, MN 55038

Richard A Defoe
200 Concord Exchange N.
South St Paul, MN 55075-1103

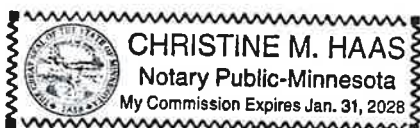
North End Neighborhood Organization
171 Front Street
Saint Paul, MN 55117
Attn: Kerry Antrim, Executive Director

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Riddhi Mistry

Subscribed and sworn to before me
This 15th day of April 2026


Notary Public





April 15, 2026

**NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF
\$500 MATRIX PENALTY AND AMENDED CONDITIONS**

Richard A Defoe Entertainment INC
d/b/a Wilebskis Blues Saloon
1638 Rice St
Saint Paul, MN 55117
Attn: Richard A Defoe

RE: Liquor On Sale 181-290 Seats, Liquor On Sale – Sunday, Liquor On Sale – 2AM Closing & Entertainment (B) license held by Richard A Defoe Entertainment INC d/b/a Wilebskis Blues Saloon for the premises located at 1638 Rice St.
License ID #0096027

Dear Licensee:

The Department of Safety and Inspections ("Department") has recommended adverse action against the Liquor On Sale 181-290 Seats, Liquor On Sale – Sunday, Liquor On Sale – 2AM Closing & Entertainment (B) license ("License") held by Richard A Defoe Entertainment INC d/b/a Wilebskis Blues Saloon ("Licensee") located at 1638 Rice St ("Licensed Premises").

Legal Basis for Adverse Action:

Saint Paul Legislative Code § 310.01 defines "Adverse Action" as:

the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.



Saint Paul Legislative Code § 310.03(m)(1) explains the general penalty matrix, which outlines standard penalties for violations:

(m) Presumptive penalties for certain violations.

1. General presumptive penalties matrix—The general penalty matrix is to be used if there is not a specific penalty matrix for the license type or a category within the specific penalty matrix does not address the violation.

Type of Violation	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license.	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation

Saint Paul Legislative Code §§ 409.07(a)(1), 409.07(c)(3), 409.07(d) explains the permissible hours of Sunday sales:

(a) On-sale hours of sale.

- (1) Intoxicating liquor on-sale. No sale of intoxicating liquor may be made after 1:00 a.m. on Sunday nor until 8:00 a.m. on Monday. No on-sale may be made between the hours of 1:00 a.m. and 8:00 a.m. on any weekday.

...

(c) Sunday sales.

- (1) Notwithstanding the provisions of paragraph (a), establishments to which on-sale licenses have been issued or hereafter may be issued for the sale of intoxicating liquors which are hotels or restaurants and which have facilities for serving no fewer than fifty (50) guests at one (1) time may serve intoxicating liquors between the hours of 8:00 a.m. on Sundays and 1:00 a.m. on Monday in conjunction with the serving of food, but no liquor shall be served on Sundays other than to persons who are seated at tables; provided, that the licensed establishment is in conformance with the Minnesota Clean Indoor Air Act. Notwithstanding the foregoing, an establishment which has received a permit from the state which authorizes sale of intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. may make



such sales if it has provided a copy of the permit to the director of the department of safety and inspections.

...

- (3) It is unlawful for any such establishment, directly or indirectly, to sell or serve intoxicating liquors as provided in subparagraph (1) or (2) above without having first obtained a [license] therefore.

...

- (d) No consumption or display when prohibited. No person shall consume or display or allow consumption or display of liquor upon the premises of an on-sale license at any time when the sale of such liquor is not permitted.

Saint Paul Legislative Code § 409.07.1(c)(2)-(3) explains the regulations on extended service licenses:

- (c) Regulations. The following regulations apply to all extended service licenses:

- (2) No alcohol. No alcoholic beverages may be offered, displayed, sold or consumed by anyone in the establishment during such extended hours. No alcoholic beverage container of any kind, whether empty or containing any alcoholic beverage, may remain on the bar, tables, counters or any other place which a customer has access, or at any location in the customer areas of the establishment, after 1:00 a.m., if the establishment has an extended service license of after 2:00 a.m. if the establishment has obtained a permit from the state pursuant to Minn. Stat. § 340A.504, subd.7.
- (3) Alcohol storage. All alcoholic beverages must be stored no later than 1:15 a.m. or 2:15 for those establishments which have obtained a permit from the state pursuant to Minn. Stat. § 340A.504, subd. 7, which permits later service, and during extended service hours in a cabinet, locker, or storage area which is locked and secure, and which must remain locked at all times during extended service hours."

Saint Paul Legislative Code § 409.08(3) explains when sales are prohibited:

- (3) No sale may be made in any place or in part of a building where such sales are prohibited by state law or this Chapter.



Minnesota Statutes § 340A.401 explains that a license is required to buy, sell, keep for sale, charge for possession, or otherwise dispose of alcoholic beverages:

Except as provided in this chapter, no person may directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise dispose of alcoholic beverages as part of a commercial transaction without having obtained the required license or permit. Rental of or permission to use a public facility is not a commercial transaction for the purposes of this chapter.

Minnesota Statutes § 340A.504, subd. 2, explains the limits of hours and days of sale:

Intoxicating liquor; on sale. No sale of intoxicating liquor for consumption on the licensed premises may be made:

- (1) Between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- (2) After 2:00 a.m. on Sundays, except as provided by subdivision 3.

Minnesota Statutes § 340A.504, subd. 7(a), explains the permit requirements for the sale of liquor after 1:00 a.m.:

Sales after 1:00 a.m.; permit fee. (a) No licensee may sell intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. unless the licensee has obtained a permit from the commissioner. Application for the permit must be on a form the commissioner prescribes. Permits are effective for one year from the date of issuance. For retailers of intoxicating liquor, the fee for the permit is based on the licensee's gross receipts from on-sales of alcoholic beverages in the 12 months prior to the month in which the permit is issued

Minnesota Statutes § 340A.414, subd. 1, explains the permit requirement for consumption and display of intoxicating liquor:

Permit required. No business establishment or club which does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit from the commissioner. Rental of a public facility does not make a subdivision or the facility a "business establishment" for the purposes of this chapter.



Adverse Action Recommendation:

The Department will recommend the imposition of the \$500.00 matrix penalty and will recommend modifications to the existing license conditions and the addition of new license conditions. This recommendation is consistent with the procedures in and violations of Saint Paul Legislative Code §§ 310.01, 310.03(m)(1), 409.07(a)(1), 409.07(c)(3), 409.07(d), 409.07.1(c)(2)-(3), and 409.08(3) as well as Minnesota Statutes §§ 340A.401, 340A.504, subd. 2, 340A.504, subd. 7(a), and 340A.414, subd. 1.

Factual Basis for Adverse Action:

On October 5, 2025, a homicide took place in the parking lot of the licensed premises. Around 1:57 a.m., a security guard removed the victim from the premises using force. The security guard's first punch landed on the victim while the victim and security guard were in a hallway exiting the licensed premises. Once in the parking lot, the security guard punched the victim again, causing the victim to hit his head on a vehicle and fall behind a parked SUV. The security guard left the victim and returned to the bar. At 2:05 a.m., two people carried the victim across the street to another parking lot. Around 2:25 a.m., an ambulance arrived to help the victim. The victim died the next day from a severe brain bleed.

That same night, around 2:10 a.m., a patron was struck by a car while crossing the street after leaving the licensed premises. An ambulance was called, and the victim was transported to the hospital around 2:25 a.m. In the surveillance footage, patrons can be seen continuing to leave the licensed premises past 2:25 a.m.

On October 16, 2025, the Department sent a letter requesting video footage for October 5, 2025, from 12:30 a.m. until 3:00 a.m. A copy of the video was to be sent to the Department by Monday, October 20, 2025, no later than 4:00 p.m. On October 21, 2025, Holly Hollister Smith, Wilebski's Accountant, emailed the Department requesting an extension on the deadline to provide video surveillance footage. The Department's Licensing Manager, Eric Hudak, advised Ms. Smith over email that the deadline was approved and extended to Thursday, October 23, 2025, no later than 4:00 p.m.

When reviewing the surveillance footage, the following violations were observed:

- Alcohol served past the allotted 2 a.m. cut-off time.
 - The bartender served alcohol to three patrons, one male and two females.
 - The bartender consumed alcohol by taking shots of Don Julio.
 - An employee gave a male patron in a gray shirt a bottle of beer.
 - A staff member consumed a bottle of Corona beer and proceeded to walk away with two more beers.



- Allowing patrons to consume alcohol on the premises past 2 a.m. allotted time.
 - Alcohol consumption from a pre-purchased bucket of beer that was given to another patron.
- Staff members continued to consume alcohol while SPPD was present.
- Bottles were dumped outside of the premises past 10 p.m., against the license condition stating that bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.

Proposed Amended License Conditions:

Due to the severity of the facts, and the nature of the violation, the Department recommends amending current license conditions 1, 2, 4, 6, 7, 8, 9, 10, 11. The imposition of the proposed amended conditions is reasonable. The amendments are recommended for the purpose of safety and welfare, in addition to advancing the public peace and promoting security and safety in the neighborhood. The amended conditions state:

License Condition #1 – License holder will employ directional bass, sound absorption measures, and other noise controls to minimize the noise from inside the establishment from disturbing the neighborhood. This condition will be reviewed no or after June 30, 2008, and is subject to change if the measures employed by the license holder are not effective.

License Condition #2 – The license holder is responsible for the behavior of all persons on the licensed premises, which includes persons in the parking lot and all parking lots available to patrons via a parking agreement. The license holder shall provide security as necessary to patrol the exterior of the premises until all persons have left the premises and associated parking lots. License holder or security shall immediately notify police by calling “911” of any individuals engaging in unlawful or suspected unlawful behavior, including loitering and all incidents involving physical altercation between any parties within the premises and associated parking lots.

License Condition #4 – The license holder and all employees will undergo a yearly Alcohol Awareness Training Program through an agency approved by the Dept. of Safety and Inspections (“DSI”) and all new employees shall be required to undergo training within 4 weeks of starting employment. License holder shall have proof of each employee who has completed this training, which shall be available to DSI upon request.

License Condition #6– License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per



day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded videos. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

License Condition #7 – Security personnel shall be assigned to each entrance when the number of patrons reaches 100 or more starting at 9:00 p.m. every day, and security personnel shall remain until all patrons have left the licensed premises, which includes the parking lots. When all patrons have left the building, the security personnel may assist in parking lots. Regardless of whether security is required, license holder shall enforce a no picture identification/no entrance policy. Customers re-entering establishment for any reason shall be subjected to the same security measures as customers entering the establishment for the first time. If security staff are required, security staff are in addition to bartenders, servers and cooks.

License Condition #8- Litter must be removed from the establishment property and associated parking lots daily. Bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.

License Condition #9- License holder shall ensure that patrons are able to exit the establishment and parking lots safely and without obstructing traffic. If necessary, license holder shall institute a gradual closing process that allows patrons to leave the establishment without creating a traffic hazard that requires the police to barricade the street, stop traffic, or use other measures in order for patrons to safely leave the premises.

License Condition #10- Windows of the establishment shall be kept closed after 8 p.m. Exterior doors shall not be propped open after 8 p.m. except to temporarily accommodate entry or exit from the establishment.

License Condition #11- License holder agreed that a metal detector or wand may be required in the future following any violence or criminal behavior regardless of whether that incident(s) leads to adverse action.

Proposed Additional License Conditions:

Due to the severity of the facts, and the nature of the violation, the Department recommends adding three (3) conditions to the current list of conditions. The imposition of the proposed conditions is reasonable. The proposed conditions are recommended for the purpose of safety and welfare, in addition to advancing the public peace and promoting security and safety in the neighborhood. These proposed additional conditions state:



License Condition #12- No patrons shall be admitted into the establishment 30 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.

License Condition #13- License holder must end all alcoholic beverages sales 15 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment. License holder must ensure that no person is in possession of an alcoholic beverage, and all beverage containers, glasses, cups, cans and bottles are removed from all tabletops, counters, bars and all other customer accessible surface areas no later than the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.

License Condition #14- All security staff must be actively employed by the holder of an active Protective Agent Services license issued by the Minnesota Department of Public Safety.

Full List of Conditions, Including Proposed Amended Conditions:

License Condition #1 – License holder will employ directional bass, sound absorption measures, and other noise controls to minimize the noise from inside the establishment from disturbing the neighborhood. This condition will be reviewed no or after June 30, 2008, and is subject to change if the measures employed by the license holder are not effective.

License Condition #2 – The license holder is responsible for the behavior of all persons on the licensed premises, which includes persons in the parking lot and all parking lots available to patrons via a parking agreement. The license holder shall provide security as necessary to patrol the exterior of the premises until all persons have left the premises and associated parking lots. License holder or security shall immediately notify police by calling “911” of any individuals engaging in unlawful or suspected unlawful behavior, including loitering and all incidents involving physical altercation between any parties within the premises and associated parking lots.

License Condition #3 – The license holder will not allow anyone under the age of 21 to enter or remain inside the establishment after 9:00 p.m. except in accordance with Minnesota Statute 340A.503(4). There shall be no event for patrons who are under 21 years of age that does not comply with city code or state law.

License Condition #4 – The license holder and all employees will undergo a yearly Alcohol Awareness Training Program through an agency approved by the Dept. of Safety and Inspections (“DSI”) and all new employees shall be required to undergo training within 4 weeks of starting employment. License holder shall have proof of each employee who has completed this training, which shall be available to DSI upon request.



License Condition #5 – Paul P. Xiong and Mai T. Xiong cannot be employees or have managerial responsibilities at the club, nor have any financial interest in the corporation holding the liquor license.

License Condition #6– License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded videos. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

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License Condition #14- All security staff must be actively employed by the holder of an active Protective Agent Services license issued by the Minnesota Department of Public Safety.

You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **April 27, 2026**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council consent agenda for imposition of the \$500 matrix penalty and the proposed amended and additional conditions.
2. You can pay the \$500 matrix penalty and sign an affidavit agreeing to the proposed amended and additional conditions. If this is your choice, you should make payment directly to and obtain and sign the affidavit from the Department of Safety and Inspections at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806, no later than **April 27, 2026**. If you choose this option, please contact the Department immediately.
3. If you wish to admit the facts but contest the \$500 matrix penalty or the proposed amended and additional conditions, you may have a hearing before the City Council. You will need to send me a letter with a statement admitting to the facts and requesting a City Council hearing no later than **April 27, 2026**. The matter will then be scheduled before the City Council to determine whether to impose the \$500 matrix penalty and the proposed amended and additional conditions. You will have an opportunity to appear before the City Council and make a statement on your own behalf.



4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **April 27, 2026**. At that hearing, both you and the City will appear and present witnesses and evidence and be able to cross-examine each other's witnesses. After receipt of the ALJ's report and recommendation (usually within 90 days), a City Council hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify, or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department reserves the right to request that the City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.03(k).

If you have not contacted me by April 27, 2026, I will assume that you do not contest the imposition of the \$500 matrix penalty and proposed amended and additional conditions. In that case, the matter will be placed on the City Council consent agenda for approval of the recommended penalty.

If you have questions about these options, please contact my Paralegal Riddhi Mistry at riddhi.mistry@ci.stpaul.mn.us or (651) 266-8835.

Sincerely,

Monica Shaffer
Assistant City Attorney
License No.: 0504708

Cc: Richard A Defoe, 7265 Main St. Centerville, MN 55038
Richard A Defoe, 200 Concord Exchange N. South St Paul, MN 55075-1103
Executive Director, Kerry Antrim, North End Neighborhood Organization, 171 Front Street, Saint Paul, MN 55117

Attachments:

Summary Reports & Surveillance Video Observations with Photos (Liquor violation, Homicide and Hit and Run incident)– 10/5/2025
Video Request Letter – 10/16/2025
Email chain between the Department and Wilebski's Accountant – 10/21/2025
Proposed License Conditions – Amendments & Imposition of License Conditions



Saint Paul Legislative Code § 310.01
Saint Paul Legislative Code § 310.03(m)(1)
Saint Paul Legislative Code § 409.07(a)(1),
Saint Paul Legislative Code § 409.07(c)(3)
Saint Paul Legislative Code § 409.07(d)
Saint Paul Legislative Code § 409.07.1(c)(2)-(3)
Saint Paul Legislative Code § 409.08(3)
Minnesota Statute § 340A.401
Minnesota Statute § 340A.504, subd. 2
Minnesota Statute § 340A.504, subd. 7(a)
Minnesota Statute § 340A.414, subd. 1



October 16, 2025

Richard A. Defoe Enterprises Inc.
d/b/a Wilebski's Blues Saloon
1638 Rice Street
Saint Paul, MN 55117

HAND DELIVERED – Wednesday, October 16, 2025

RE: VIDEO REQUEST

Mr. Defoe,

In accordance with a condition set forth in your City of Saint Paul issued license(s) you are hereby requested to provide a copy of continuous, uninterrupted video footage from all camera views of your camera surveillance system for the entire following 2.5-hour period:

Sunday, October 5, 2025 – 12:30 a.m. until 3:00 a.m.

The requested copy of video must be delivered in a commonly used, readable format to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Suite 220, Saint Paul MN 55101 **no later than 4:00 p.m. on Monday, October 20, 2025.** Failure to deliver the copy of video as requested on or before this deadline may result in adverse licensing action through the Saint Paul City Attorney's Office.

This Department of Safety and Inspections video request is separate and independent from any same or similar video request made by the Saint Paul Police Department and must be satisfied accordingly.

Questions regarding this letter can be directed to me at (651) 266-9132.

Eric Hudak
Licensing Manager, Department of Safety, and Inspections

cc: Monica Shaffer, Saint Paul City Attorney's Office
Matt Arntzen, Saint Paul Police Department
Joseph Voyda, Department of Safety and Inspections
Richard A. Defoe, 1405 Highway 96, White Bear Lake, MN 55110-3654
Email to Richard Defoe at: ride1405@hotmail.com

Eric Hudak

From: Eric Hudak
Sent: Tuesday, October 21, 2025 4:17 PM
To: 'Holly Hollister Smith'
Cc: Rich DeFoe
Subject: RE: Wilebski's Blues Saloon

Hello Ms. Smith,

Yes, as discussed in our phone conversation, the deadline to provide the video footage as requested will hereby be extended to 4:00 p.m., Thursday, October 23rd.

Eric Hudak

Eric Hudak
Licensing Manager

City of Saint Paul
Department of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
P: (651) 266-9132
Email: Eric.Hudak@ci.stpaul.mn.us
www.StPaul.gov



SAINT PAUL
MINNESOTA

From: Holly Hollister Smith <hollyh@hsbookkeeping.com>
Sent: Tuesday, October 21, 2025 3:09 PM
To: Eric Hudak <Eric.Hudak@ci.stpaul.mn.us>
Cc: Rich DeFoe <ride1405@hotmail.com>
Subject: Wilebski's Blues Saloon

You don't often get email from hollyh@hsbookkeeping.com. [Learn why this is important](#)

Think Before You Click: This email originated **outside** our organization.

Afternoon Eric,

Per our phone conversation today, we just received your letter today requesting video footage for Oct 5, 2025.

I would like to request some additional time so we can download the following video footage for Oct 5, 2025 from

12:30 am to 3:00 am. I can drop off once we have the footage downloaded on a flash drive.

Let me know if you approve additional time.

Holly Hollister Smith

Accountant - Wilebski's Blues Saloon

H & S Bookkeeping

3300 Bass Lake Road, Suite 208

Brooklyn Center, MN 55429

763-231-4885 Office

763-439-0929 Cell

www.hsbookkeeping.com

1638 Rice St – DBA: Wilebski's Blues Saloon
Summary Report of Video
Sunday, October 5, 2025 – 12:30am until 3:00am



1638 Rice St. - Wilebski's Blues Saloon - Lic # 0096027

Surveillance Video Observations

October 5th 12:30 am- 3:00 am

VIOLATIONS FOUND: Note: All photos except 13 & 14 are in violation of SS 340A.401, 340A.504 Subd. 2. (1), (2) & Subd. 7, 340A.414 Subd. 1 & SPLC 409.07(a), (1), (3), 409.07.1 (c),(2)&(3), 409.08(3)

1)ch11_main_20251005020004_20251005022201 - 02:00:04 Hours - Alcohol present past the allotted 2am liquor license -

2)ch11_main_20251005020004_20251005022201 - 02:08:06 Hours - bartender serves three patrons (two women and one man) himself a shot of Don Julio and consumes the alcohol past the allotted 2am liquor license

3)ch11_main_20251005020004_20251005022201 - 02:08:31 Hours - employee cheers and consumes a shot with patrons, past the allotted 2am liquor license

4)ch11_main_20251005020004_20251005022201 - 02:10:59 Hours - Employee gives male in gray shirt a bottle of what appears to be beer, past the allotted 2am liquor license

5)ch11_main_20251005020004_20251005022201 - 02:16:41 Hours - Patrons finishing drinks

6)ch11_main_20251005020004_20251005022201 - 02:17:58 Hours - Staff member consuming a Carona beer and walks away with two beers, past the allotted 2am liquor license

7)ch13_main_20251005020006_20251005021204 - 02:00:05 Hours - Alcohol present past the allotted 2am liquor license

8)ch13_main_20251005020006_20251005021204 - 02:02:36 Hours - Consuming alcohol past the allotted 2am liquor license

9)ch13_main_20251005020006_20251005021204 - 02:04:54 Hours - Consuming alcohol and alcohol present past the allotted 2am liquor license

10)ch13_main_20251005020006_20251005021204 - 02:07:41 Hours - Consuming alcohol from a pre bought bucket of beer and alcohol present past the allotted 2am liquor license

11)ch13_main_20251005020006_20251005021204 - 02:07:54 Hours - Consuming alcohol from a pre bought bucket of beer to another patron and alcohol present past the allotted 2am liquor license Camera/Channel 14 was not shown at all.

12)ch13_main_20251005020006_20251005021204 - 02:08:24 Hours - Continually allowing patrons to consume alcohol on premises past the allotted 2am liquor license - **NOTE: They allowed this behavior until - 02:25:13 Hours** on this video and into next video - (see below with Red #3) **ch13_main_20251005023005_20251005024210 - 02:38:06 Hours** - staff members consuming alcohol even with SPPD present

13)ch15_main_20251005003819_20251005003836 - 12:38:32 Hours - Dumping bottles - License condition Violation number 9 - No dumping bottles past 10pm

14)ch15_main_20251005003836_20251005004040 - 12:39:04 Hours - Dumping bottles - License condition Violation number 9 - No dumping bottles past 10pm

15)ch10_main_20251005015731_20251005021809 - 02:07:50 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license - **NOTE: Multiple patrons were observed drinking after 2am**

16)ch10_main_20251005021820_20251005023606 - 02:22:35 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license

17)ch10_main_20251005021820_20251005023606 - 02:25:45 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license

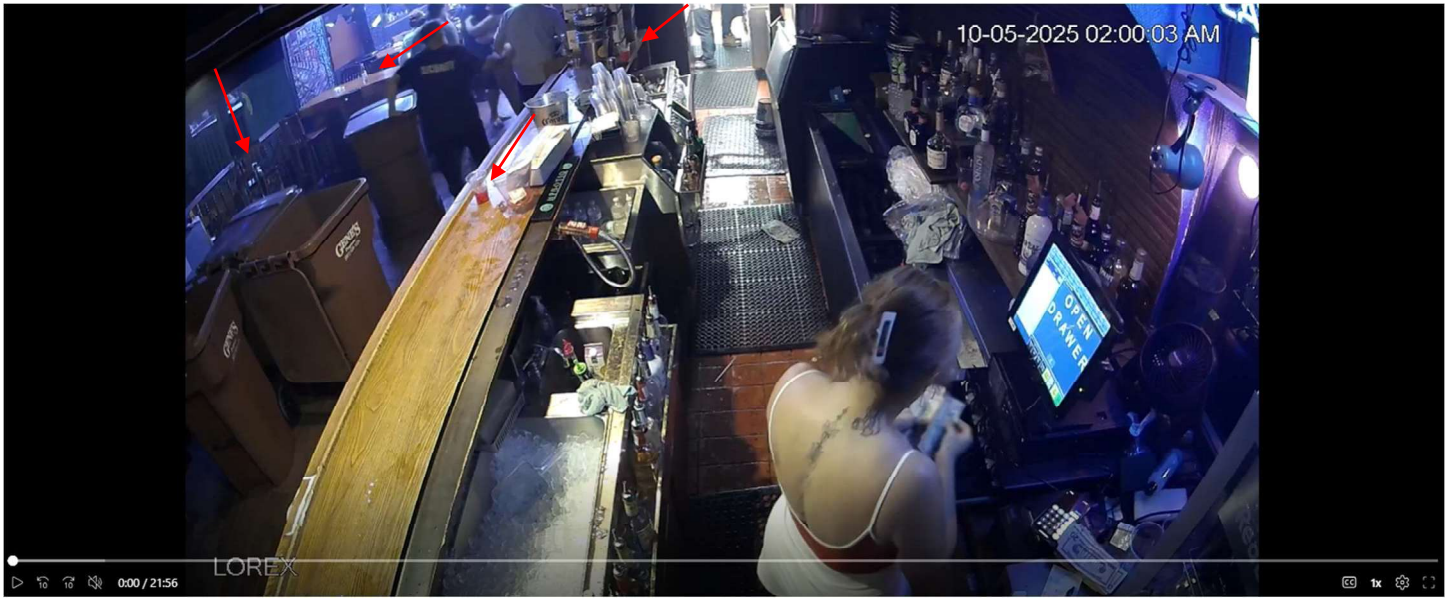
SPPD Body Worn Camera (BWC) - 02:37:40 Hours - Employee consuming alcohol on premises past the allotted 2am liquor license



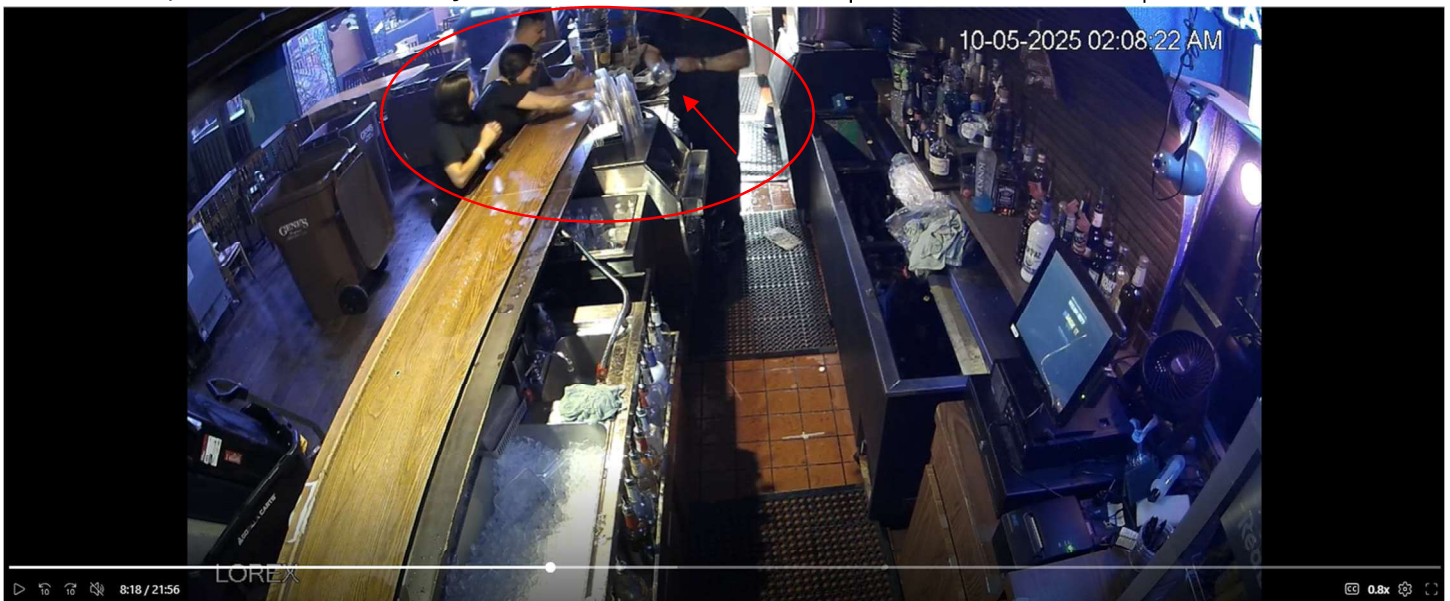
DSI Inspector Joseph Voyda

1/26/2025

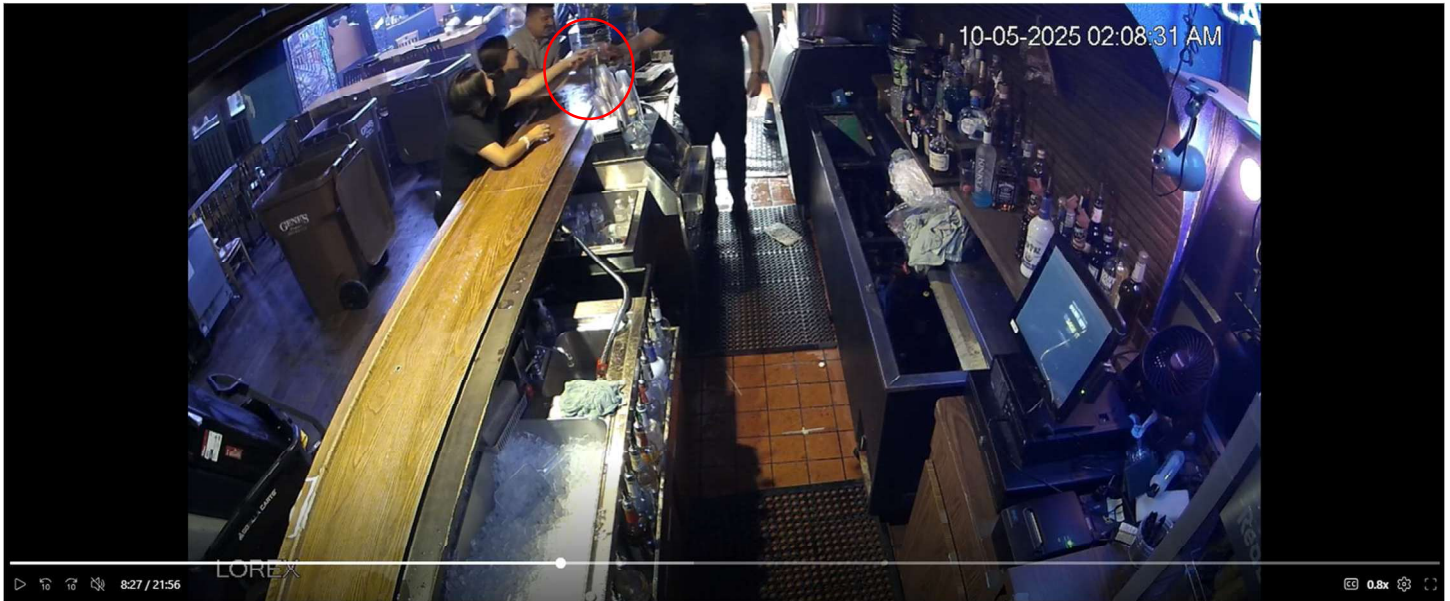
1)ch11_main_20251005020004_20251005022201 - 02:00:04 Hours - Alcohol present past the allotted 2am liquor license



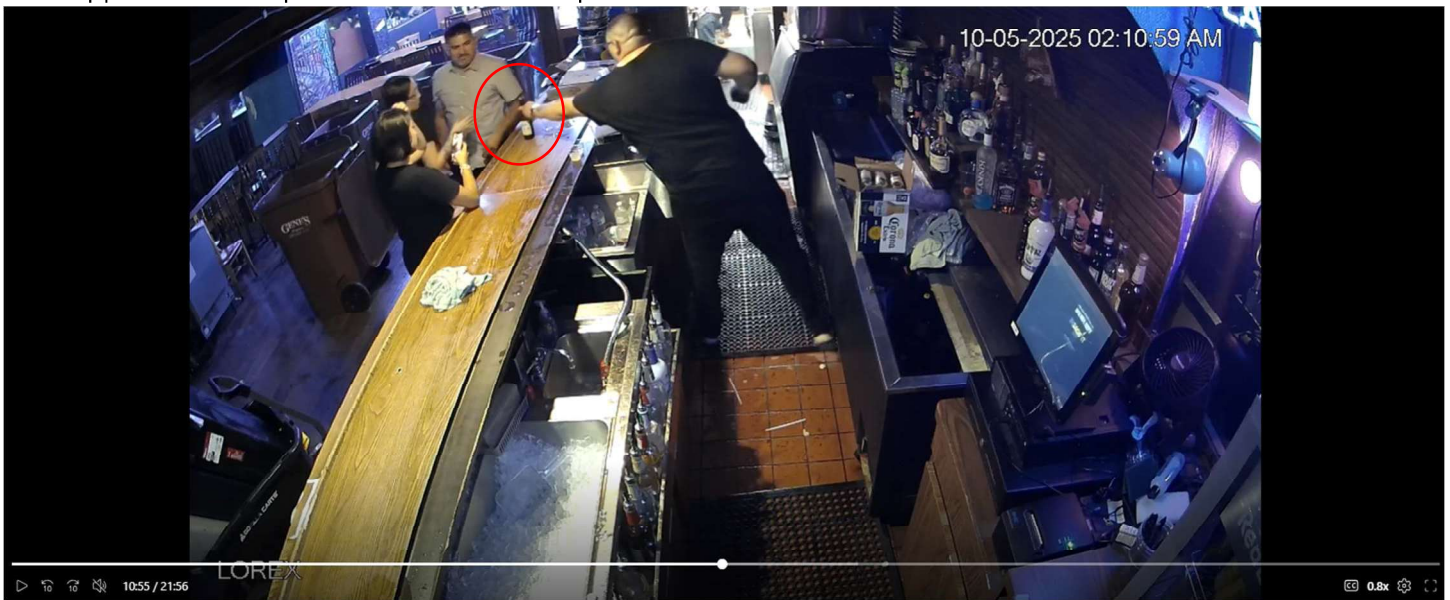
2)ch11_main_20251005020004_20251005022201 - 02:08:06 Hours - bartender serves three patrons (two women and one man) himself a shot of Don Julio and consumes the alcohol past the allotted 2am liquor license



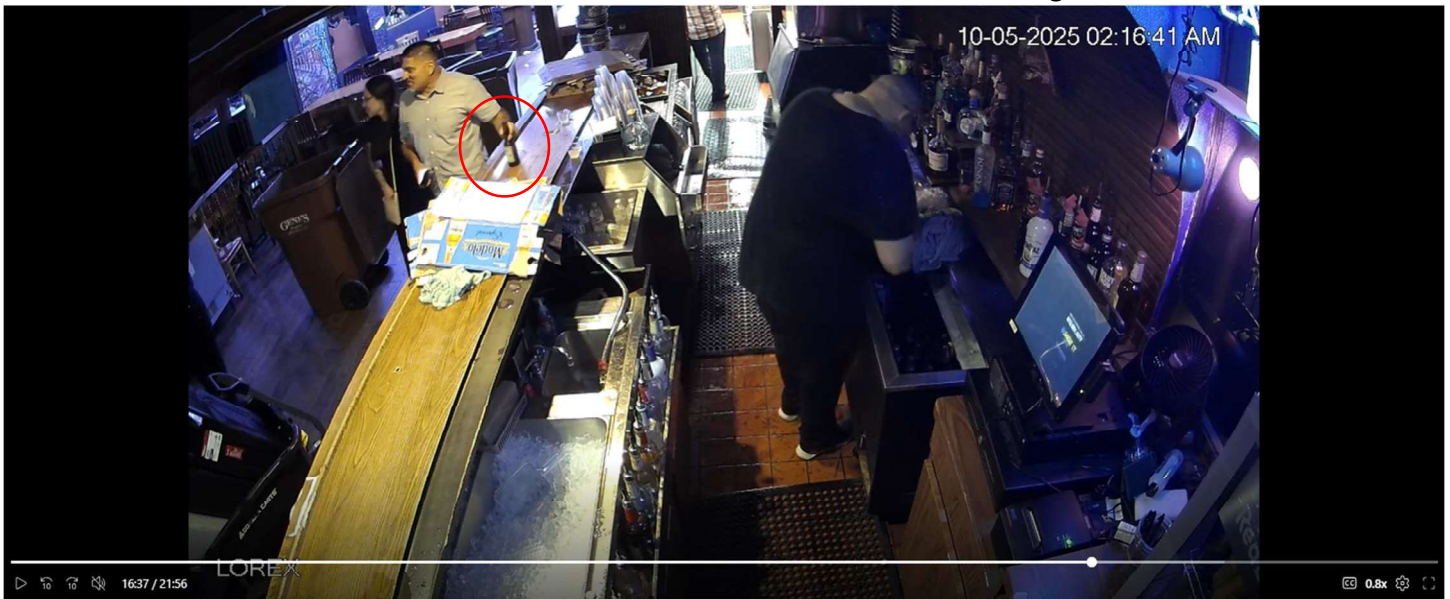
3)ch11_main_20251005020004_20251005022201 - 02:08:31 Hours - employee cheers and consumes a shot with patrons, past the allotted 2am liquor license



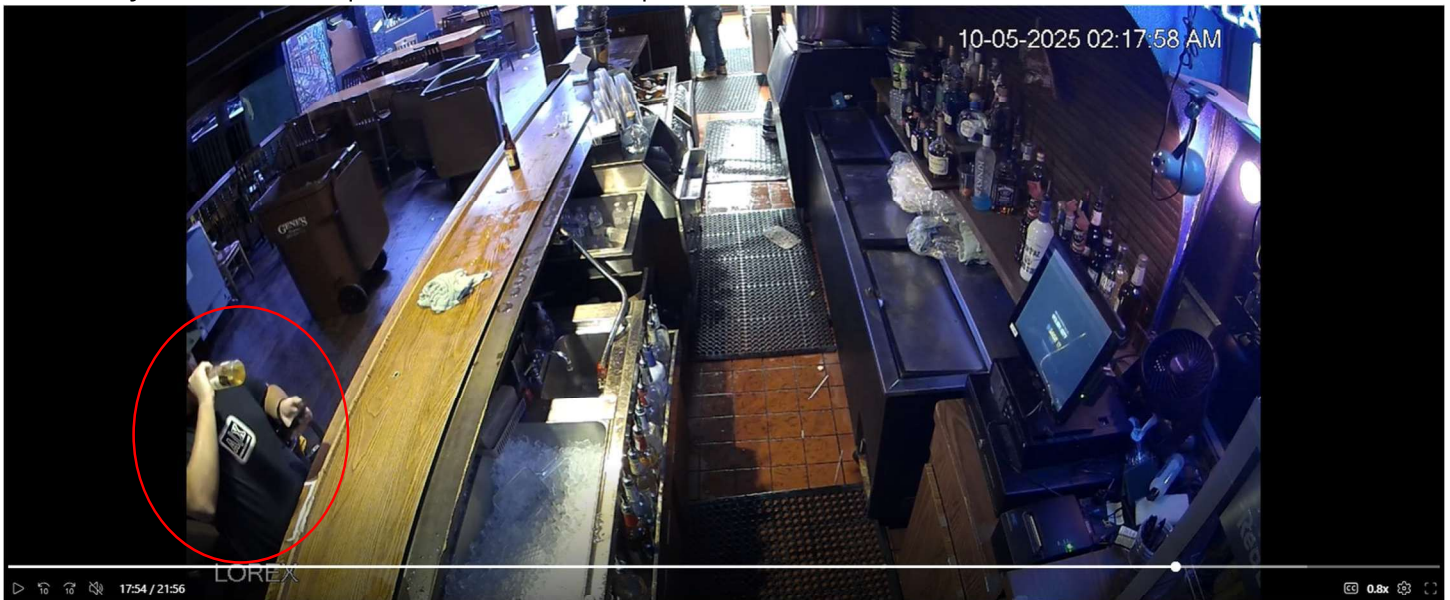
4)ch11_main_20251005020004_20251005022201 - 02:10:59 Hours - Employee gives male in gray shirt a bottle of what appears to beer, past the allotted 2am liquor license



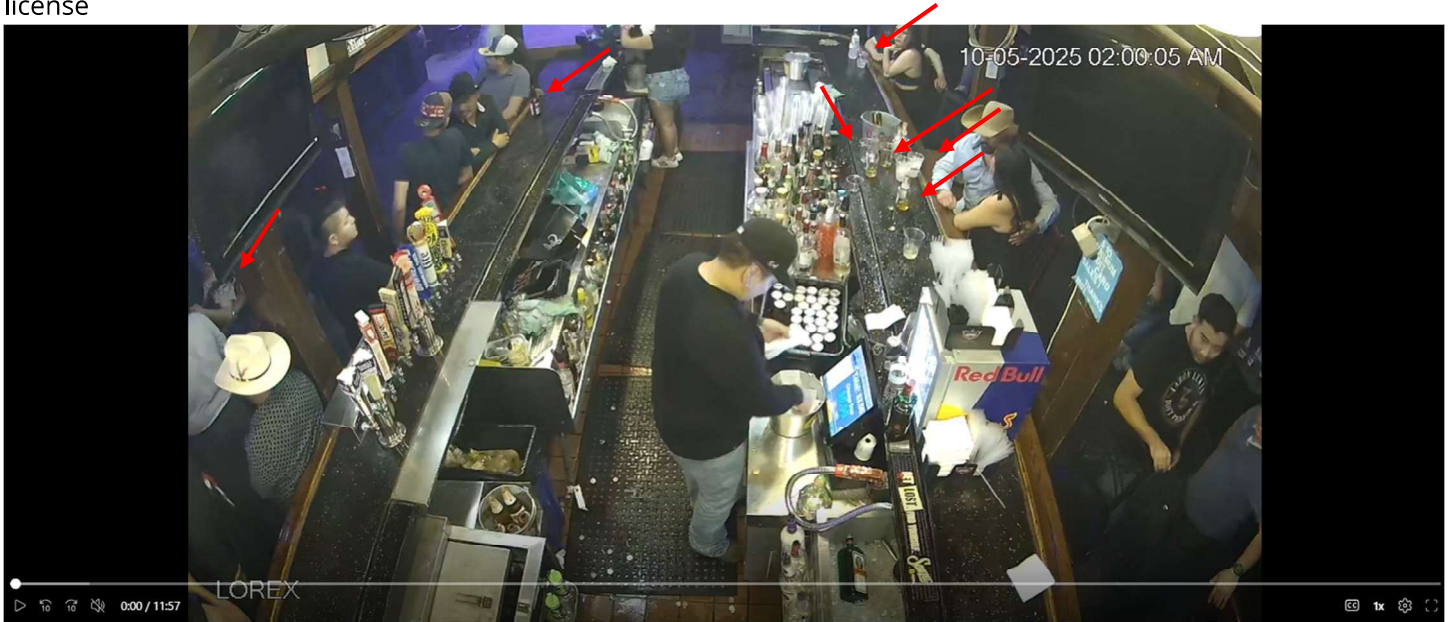
5)ch11_main_20251005020004_20251005022201 - 02:16:41 Hours - Patrons finishing drinks



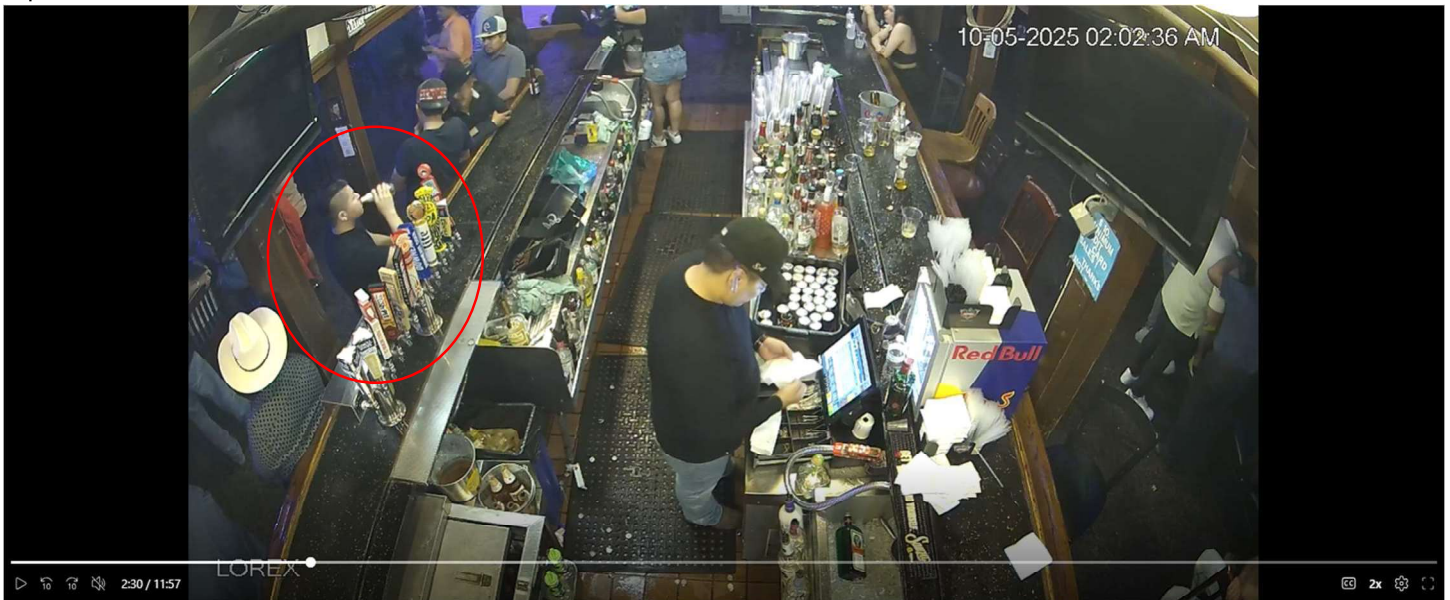
6)ch11_main_20251005020004_20251005022201 - 02:17:58 Hours - Staff member consuming a Carona beer and walks away with two beers, past the allotted 2am liquor license



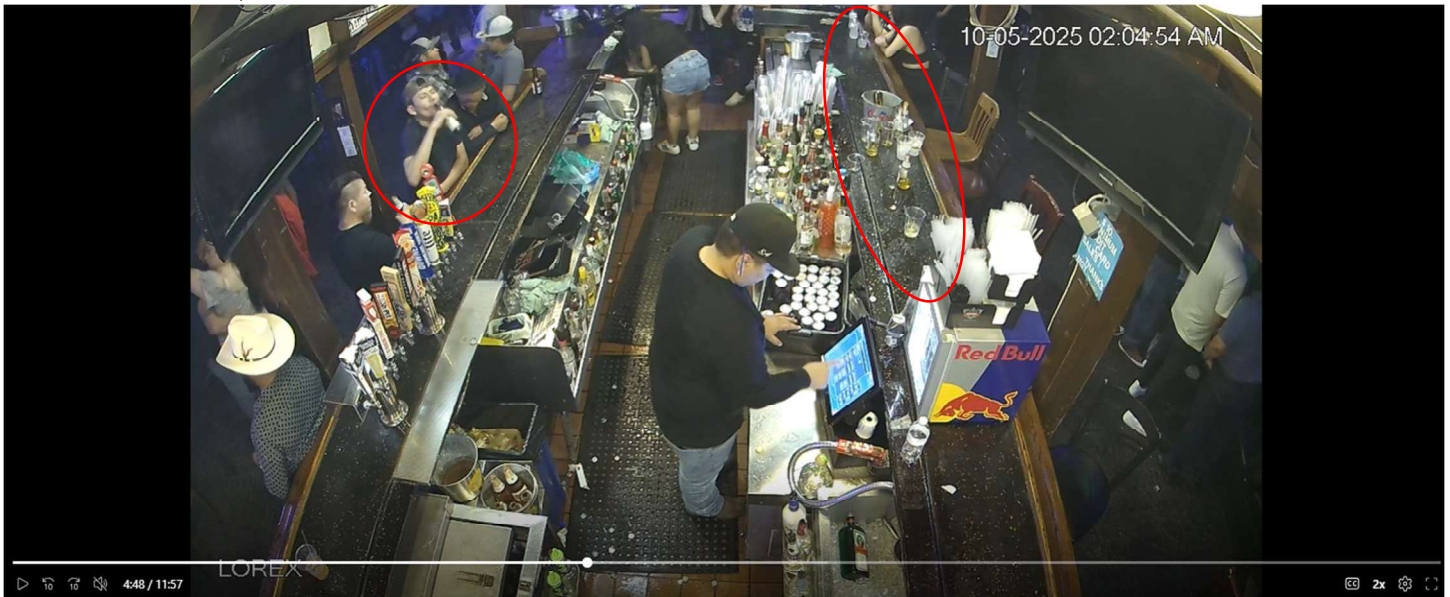
7)ch13_main_20251005020006_20251005021204 - 02:00:05 Hours - Alcohol present past the allotted 2am liquor license



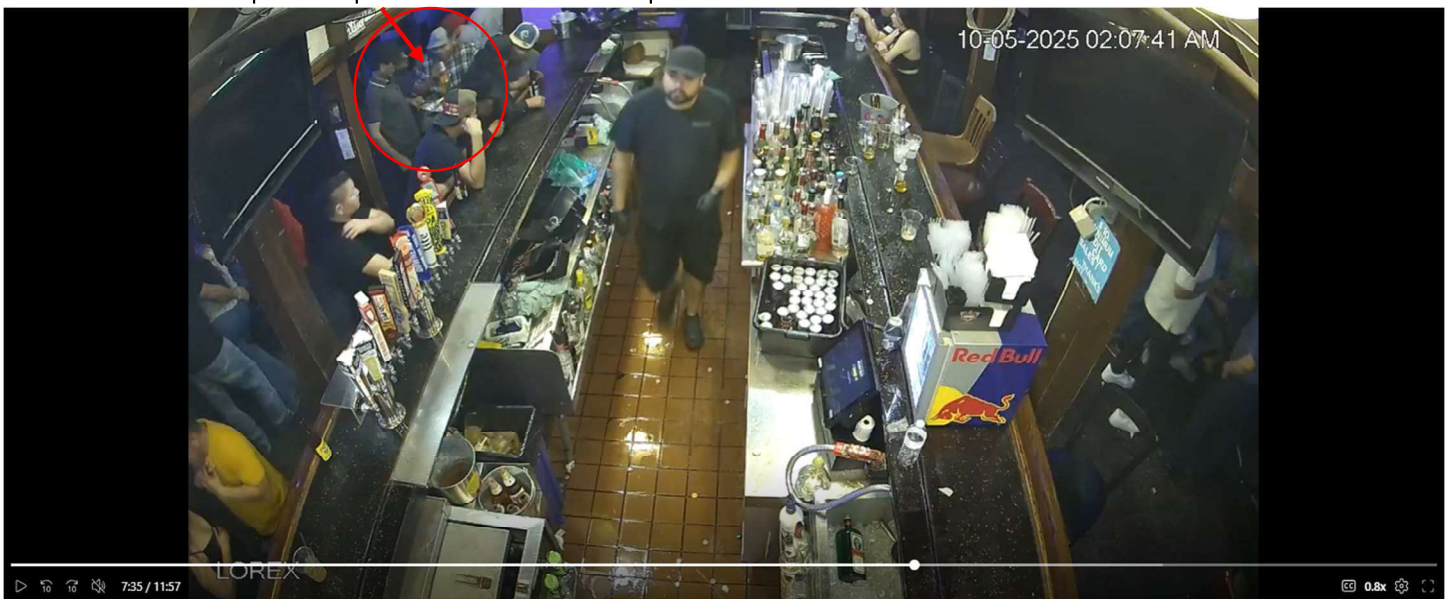
8)ch13_main_20251005020006_20251005021204 - 02:02:36 Hours - Consuming alcohol past the allotted 2am liquor license



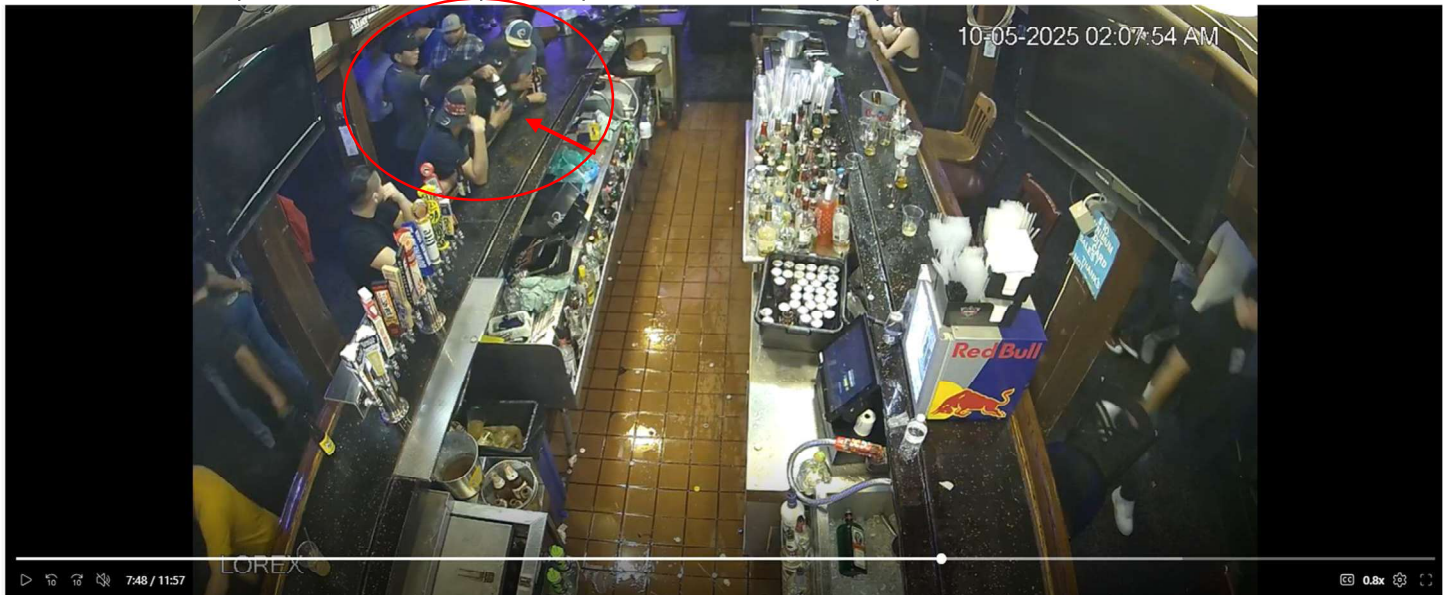
9)ch13_main_20251005020006_20251005021204 – 02:04:54 Hours – Consuming alcohol and alcohol present past the allotted 2am liquor license



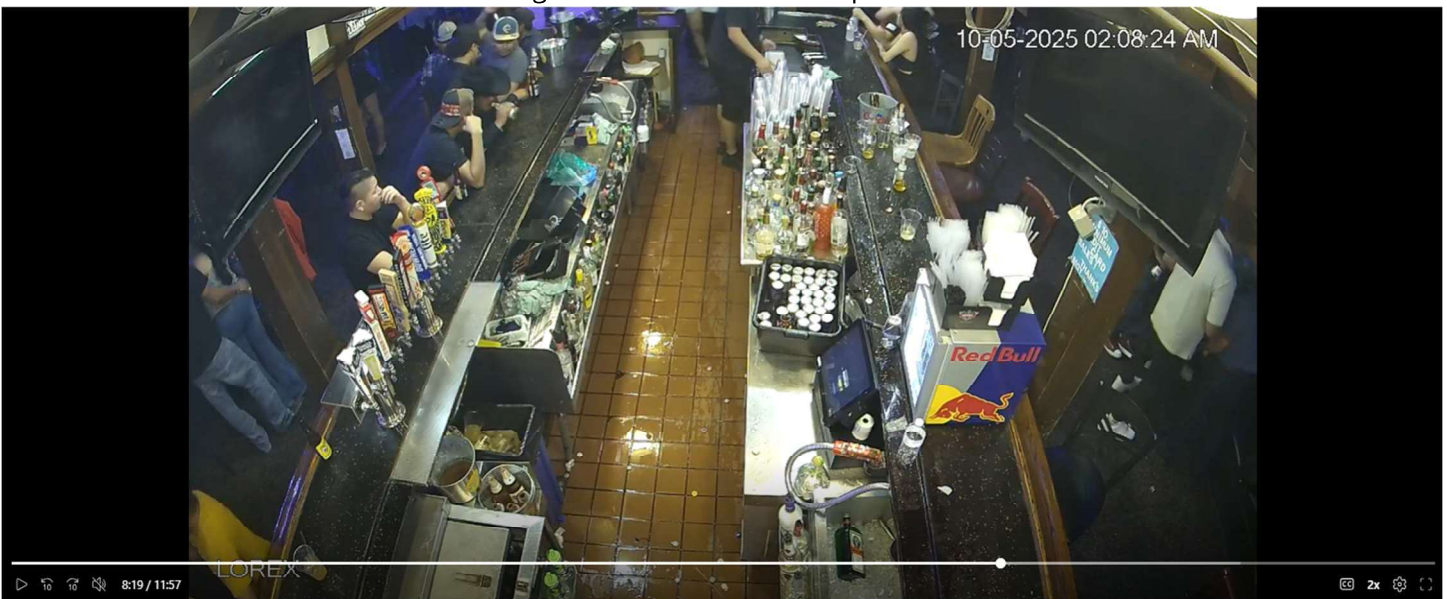
10)ch13_main_20251005020006_20251005021204 – 02:07:41 Hours – Consuming alcohol from a pre bought bucket of beer and alcohol present past the allotted 2am liquor license



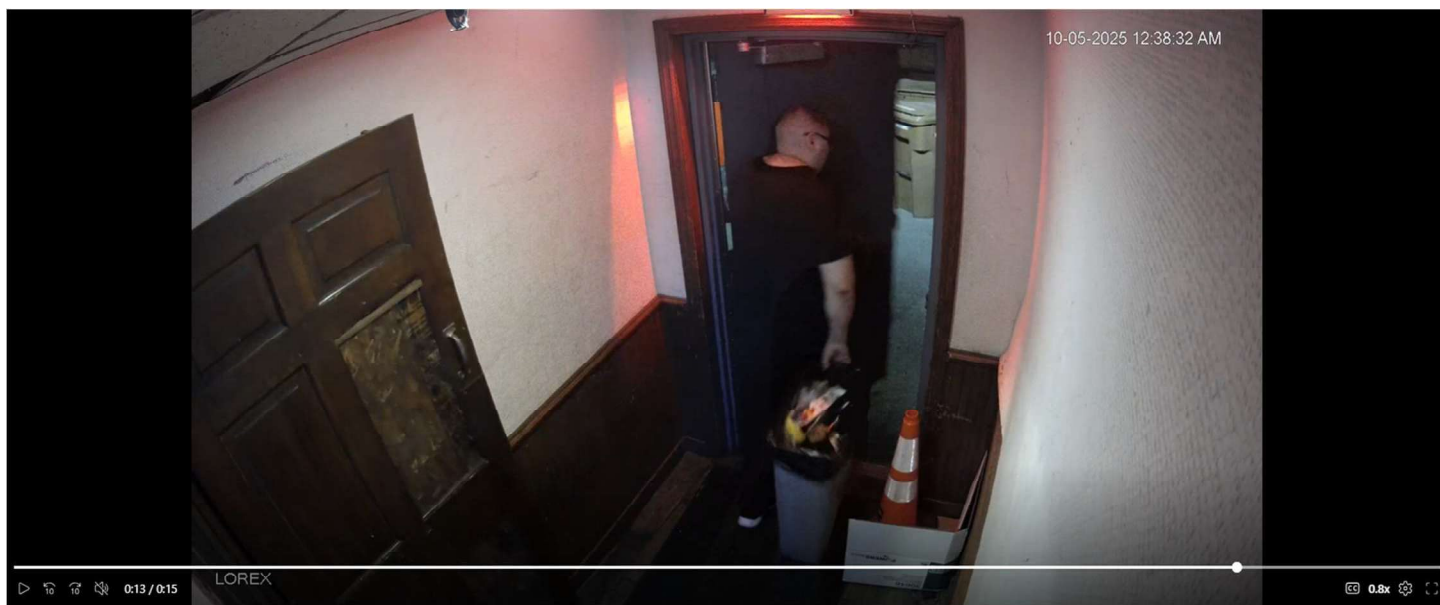
11)ch13_main_20251005020006_20251005021204 – 02:07:54 Hours – Consuming alcohol from a pre bought bucket of beer to another patron and alcohol present past the allotted 2am liquor license



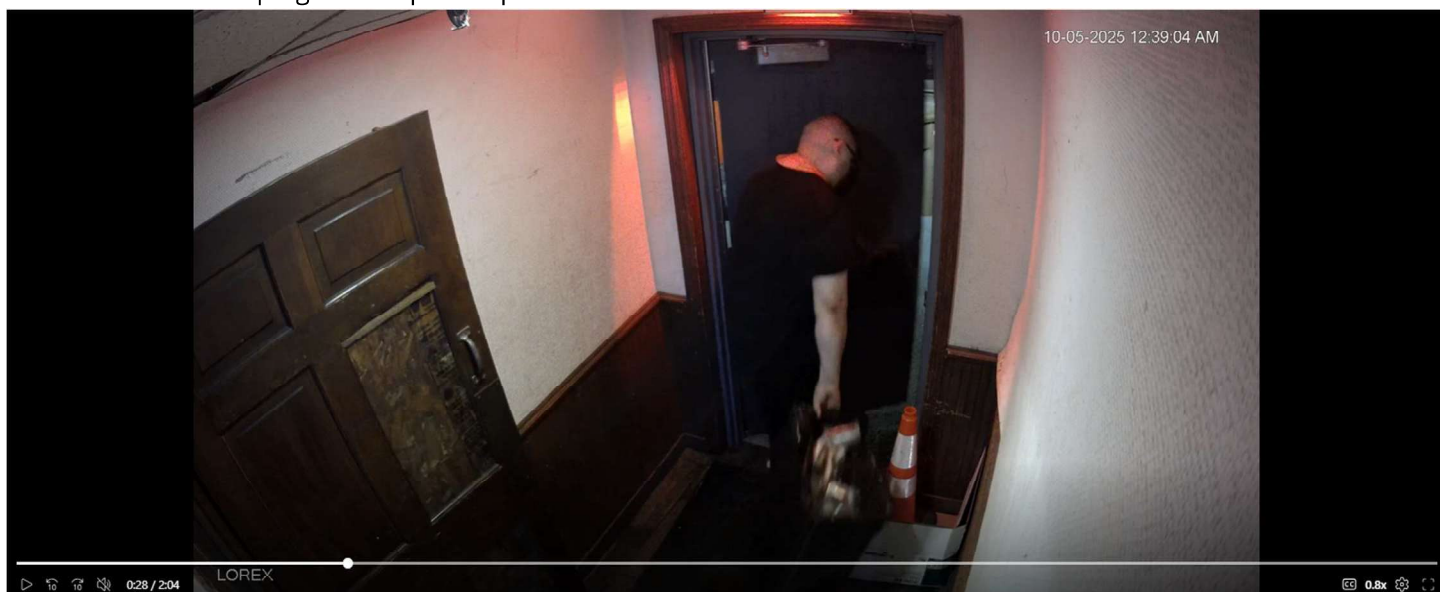
12)ch13_main_20251005020006_20251005021204 – 02:08:24 Hours – Continually to allow patrons to consume alcohol on premises past the allotted 2am liquor license – **NOTE: They allowed this behavior until - 02:25:13 Hours** on this video and into next video - (see below with Red #3) ch13_main_20251005023005_20251005024210 - **02:38:06 Hours** – staff members consuming alcohol even with SPPD present



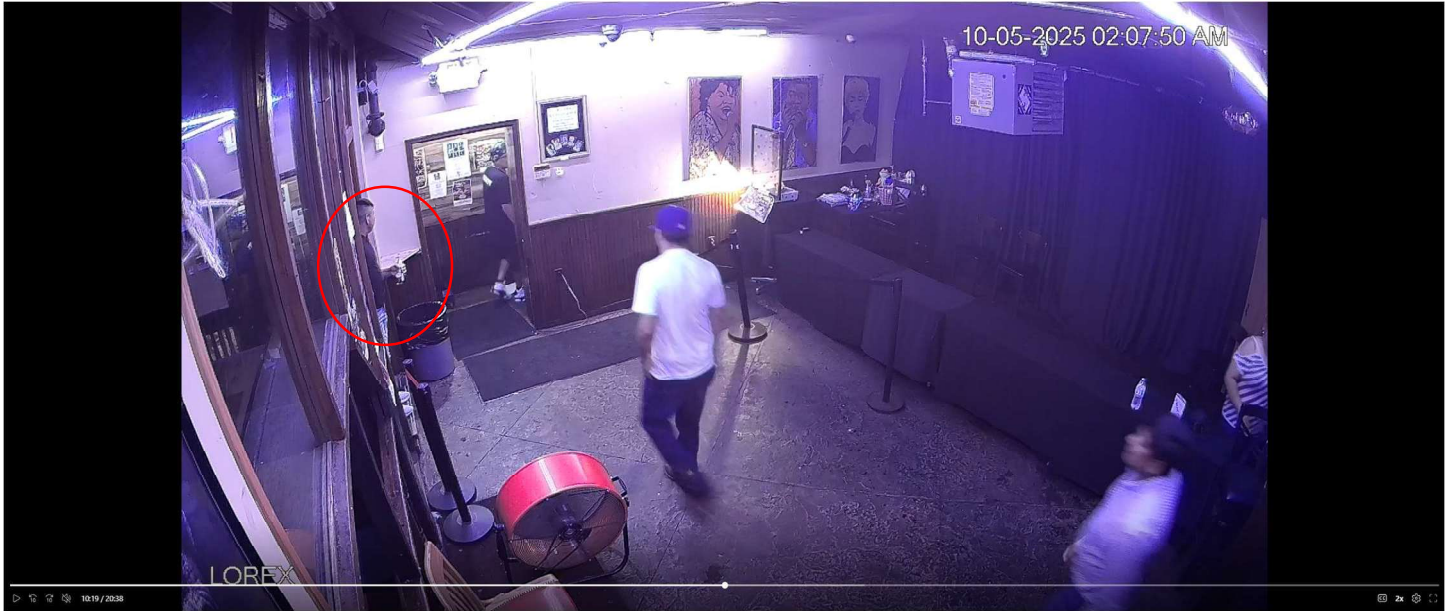
13)ch15_main_20251005003819_20251005003836 - 12:38:32 Hours - Dumping bottles - License condition
Violation number 9 - No dumping bottles past 10pm



14)ch15_main_20251005003836_20251005004040 - 12:39:04 Hours - Dumping bottles - License condition Violation
number 9 - No dumping bottles past 10pm



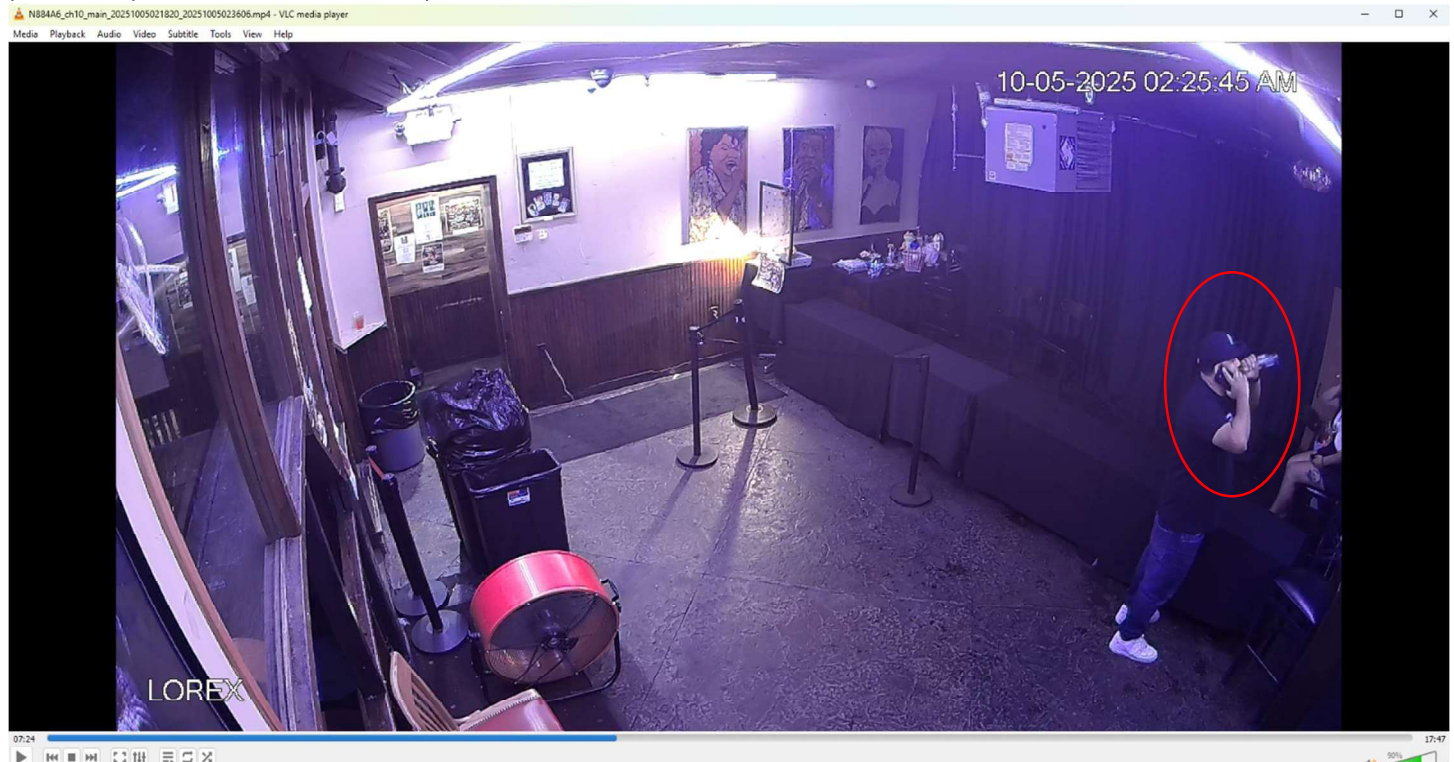
15)ch10_main_20251005015731_20251005021809 - 023:07:50 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license - **NOTE:** Multiple patrons were observed drinking after 2am



16)ch10_main_20251005021820_20251005023606 - 02:22:35 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license



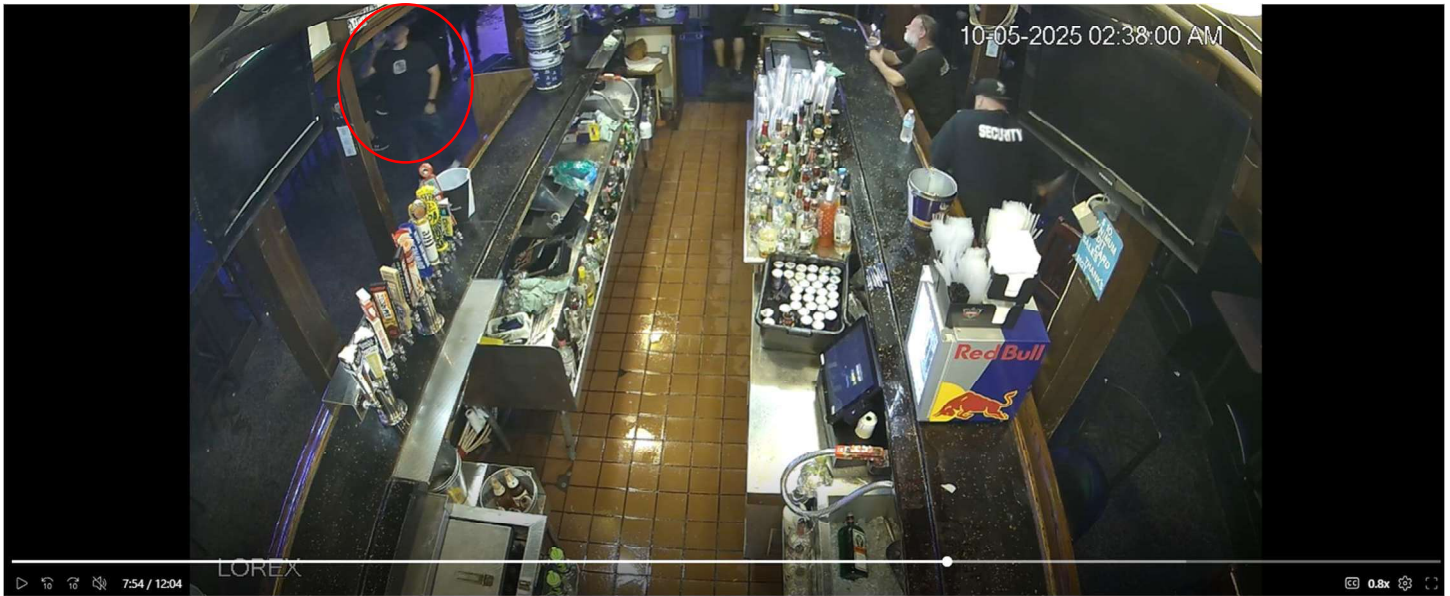
17)ch10_main_20251005021820_20251005023606 – 02:25:45 Hours - Patrons allowed to consume alcohol on premises past the allotted 2am liquor license



SPPD Body Worn Camera (BWC) – 02:37:40 Hours – Employee consuming alcohol on premises past the allotted 2am liquor license



NOTE: Employee Consuming a beer - 02:38:43 – See BWC above for further evidence of liquor presence and consumption.



Summary Report for 1638 Rice St - DBA: Wilebski's Blues Saloon - Lic # 0096027

Surveillance Video Observations - October 5th 12:30 am- 3:00 am

SPPD Case Number 25-197-897

Flash Drive provided by Wilebski's

-The photos below are screen shots of surveillance video that led up to the security guard punching the victim. The victim was punched outside in parking lot and later died from his injuries.

- Victim was carried across the street into a parking lot, left in a parking space, minutes later other individuals carry the victim somewhere else off screen.

- No bar staff called for medical attention. Officers were flagged over by victim's friend as Officers were there on other calls also noted below includes a physical altercation near Taco Bell and patrons as pedestrians were involved in hit and run by a vehicle exiting parking lot (west) across the street of licensed establishment.

Video Time Stamps and Snips below:

- 1.ch3_main_20251005015522_20251005015906 - 01:56:52 Hours - Victim in hallway, Security punch and removing the victim from the premises**
- 2.ch3_main_20251005015522_20251005015906 - 01:57:00 Hours - Security appears to attempt to pepper spray victim**
- 3.ch4_main_20251005014727_20251005023002 - 01:57:24 Hours - Security guard punches victim**
- 4.ch4_main_20251005014727_20251005023002 - 01:57:27 Hours - Victim runs into the back of SUV**
- 5.ch4_main_20251005014727_20251005023002 - 01:57:28 Hours - Victim falls behind SUV. Security goes back inside bar - ch3_main_20251005015522_20251005015906 at 01:57:57**
- 6.ch4_main_20251005014727_20251005023002 - 02:04:55 Hours - Two people pick up victim and walk away with him towards Rice St**
- 7.ch2_main_20251005020000_20251005023001 - 02:06:16 Hours - lower left corner comes into video - Victim being carried by two men. Female carrying victim's feet at 02:06:44 Hours**
- 8.ch2_main_20251005020000_20251005023001 - 02:06:50 Hours - Female lets go of legs another male come to help the other two males at 02:06:50**
- 9.ch2_main_20251005020000_20251005023001 - 02:07:25 Hours - They place the victims' body in empty parking spot between black SUV and red sedan. (upper Right in photo)**
- 10.ch2_main_20251005020000_20251005023001 - 02:09:59 Hours - Patron's struck by car on Rice St - hit and run**
- 11.ch2_main_20251005020000_20251005023001 - 02:10:16 Hours - SPPD arrives and pursues hit and run vehicle - State Trooper on the scene**
- 12.ch2_main_20251005020000_20251005023001 - 02:16:32 Hours - Ambulance one (1) arrives for struck patron - Patron on gurney at 02:24:02 Hours**
- 13.ch2_main_20251005020000_20251005023001 - 02:15:32 Hours - three other patrons move victim**
- 14.ch2_main_20251005020000_20251005023001 - 02:17:50 Hours - State Trooper uses Vehicle to block traffic for struck patron**
- 15.ch2_main_20251005020000_20251005023001 - 02:24:48 Hour - Ambulance (red) two (2) arrives for victim in parking lot (possible third ambulance arrives at 02:26:59, come on screen of video)**



Sergeant Matthew Arntzen
St. Paul Police / DSI Liaison
1/22/2026

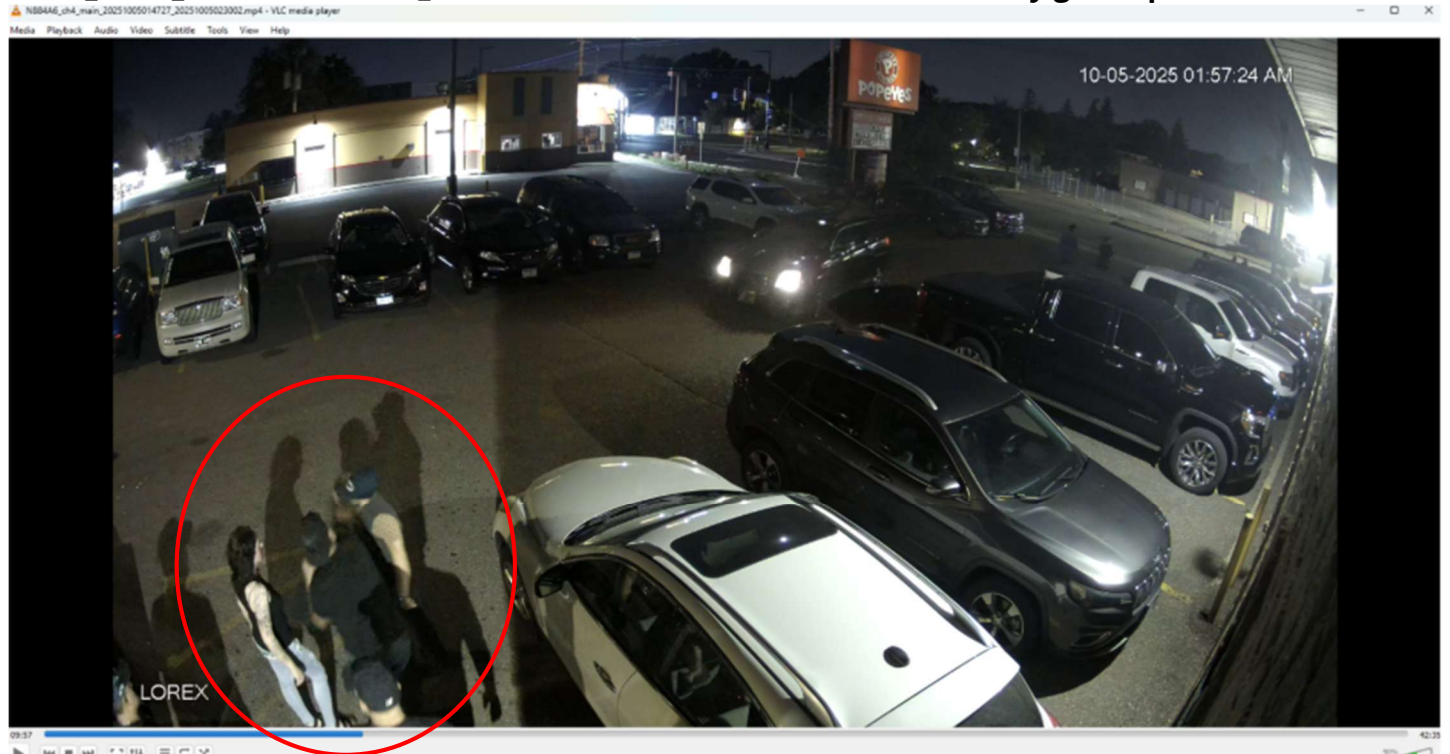
1.ch3_main_20251005015522_20251005015906 - 01:56:52 Hours - Victim in hallway, Security punch and removing the victim form the premises



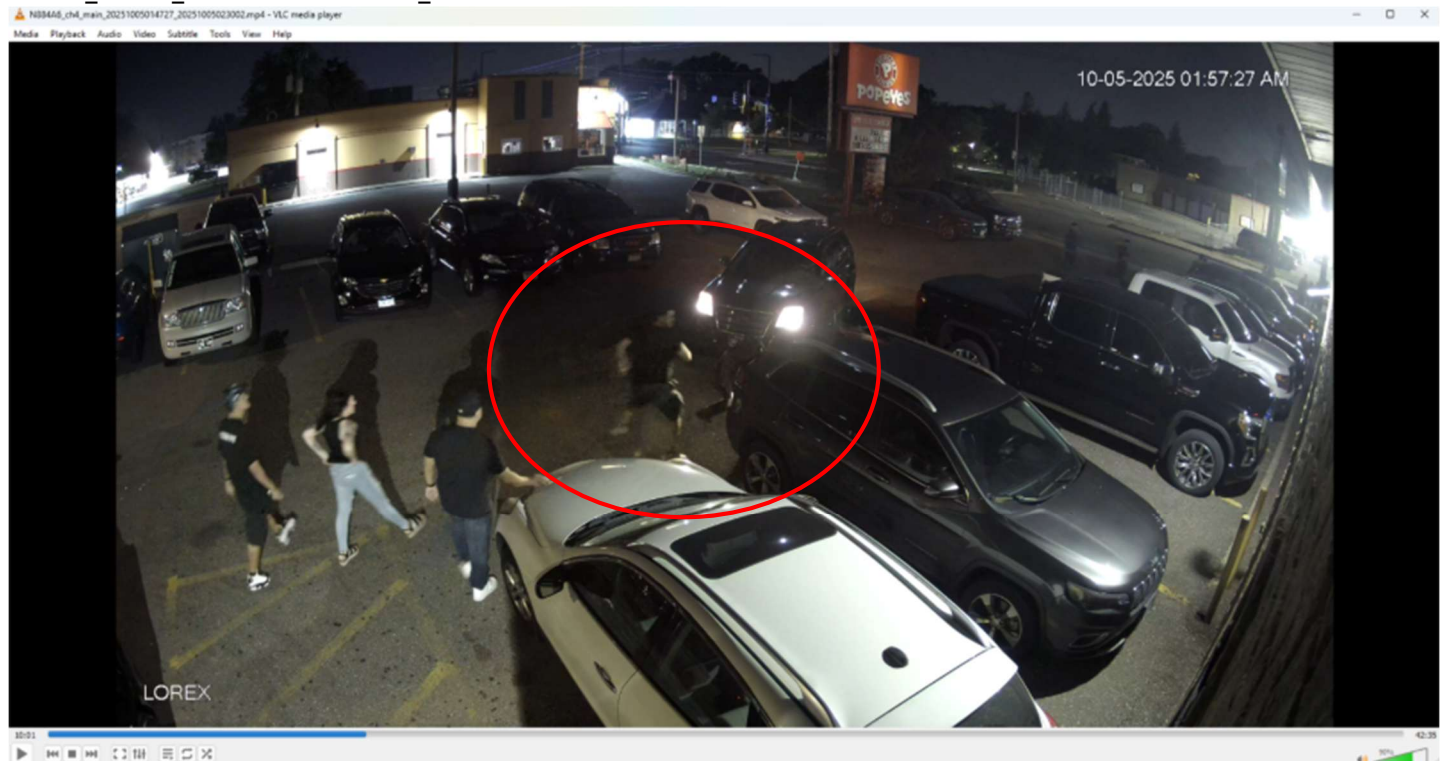
2.ch3_main_20251005015522_20251005015906 - 01:57:00 Hours - Security appears to attempt to pepper spray victim



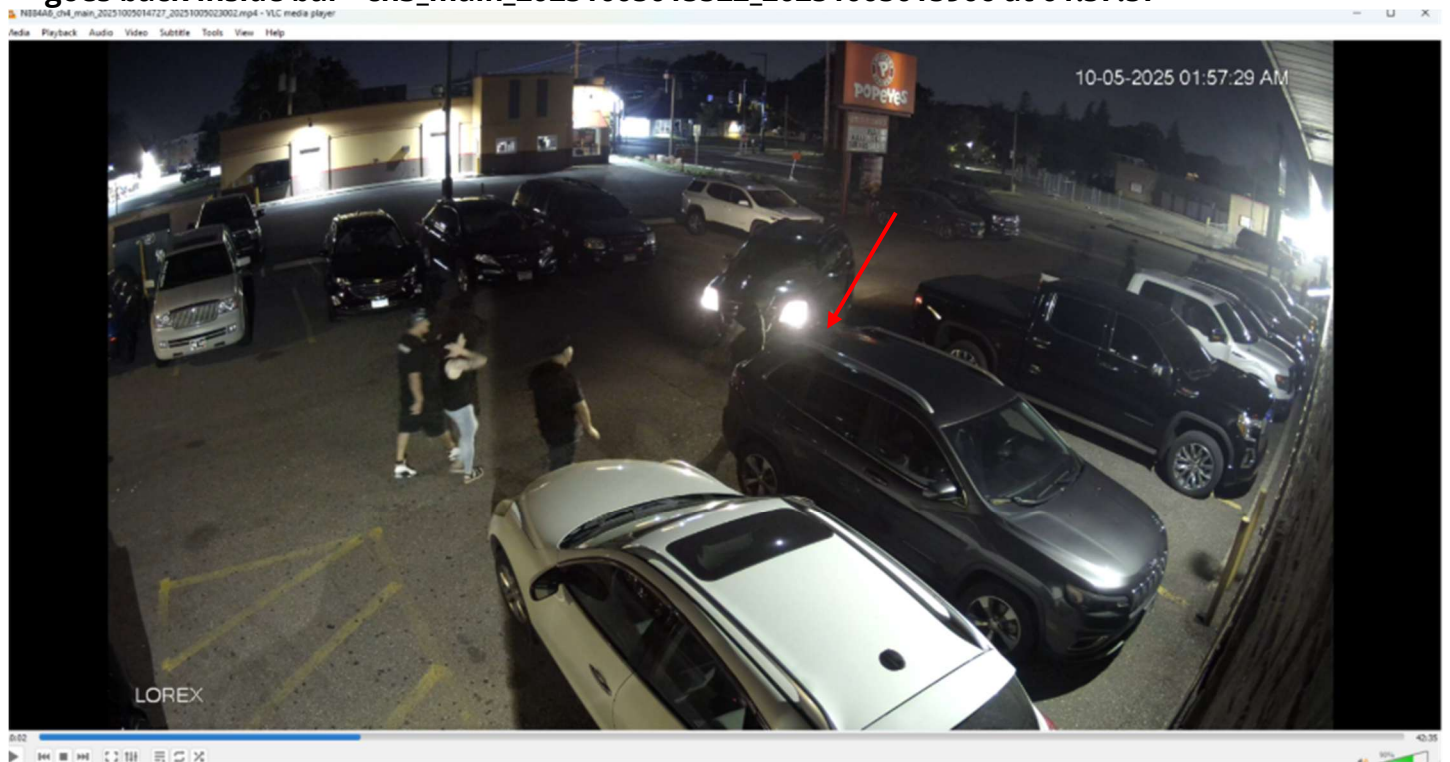
3.ch4_main_20251005014727_20251005023002 - 01:57:24 Hours - Security guard punches victim



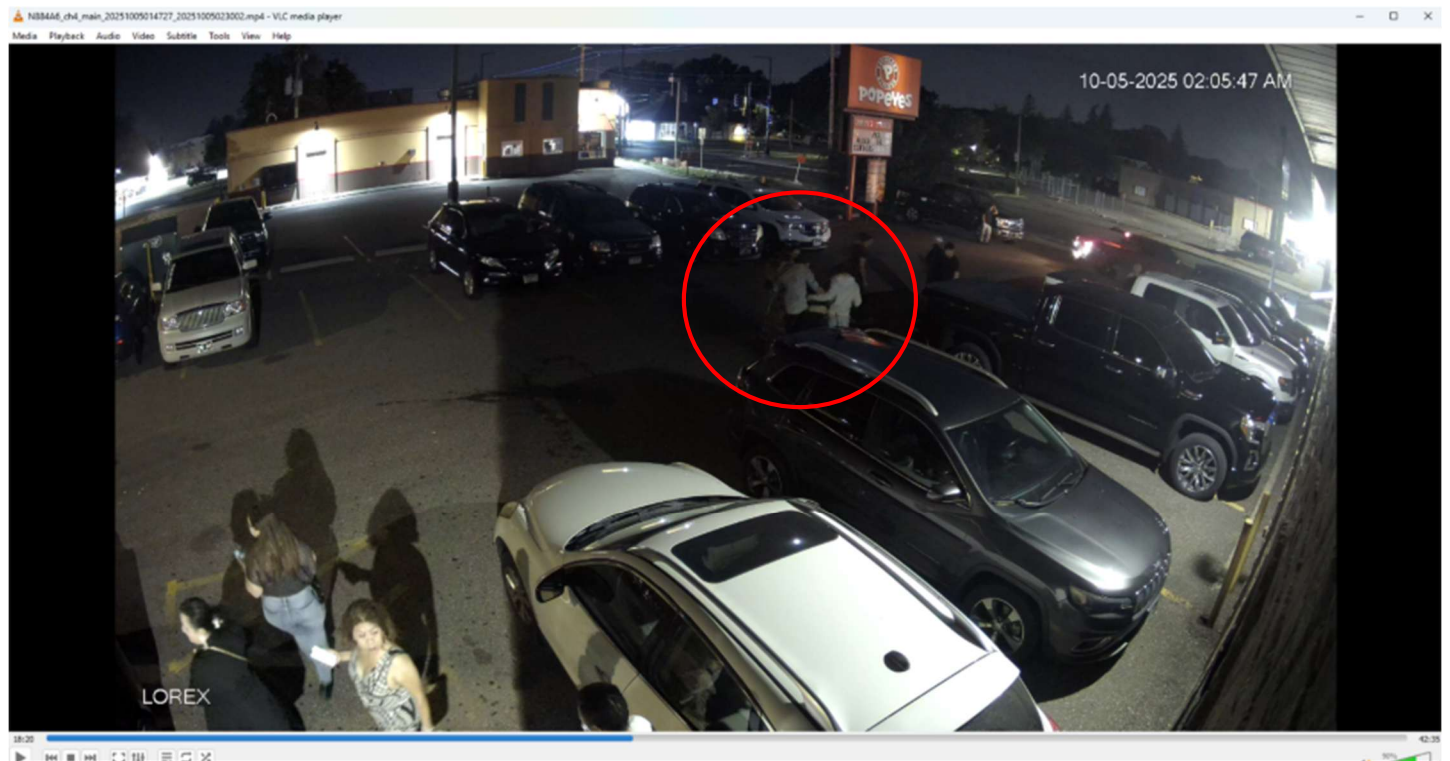
4.ch4_main_20251005014727_20251005023002 - 01:57:27 Hours - Victim runs into the back of SUV



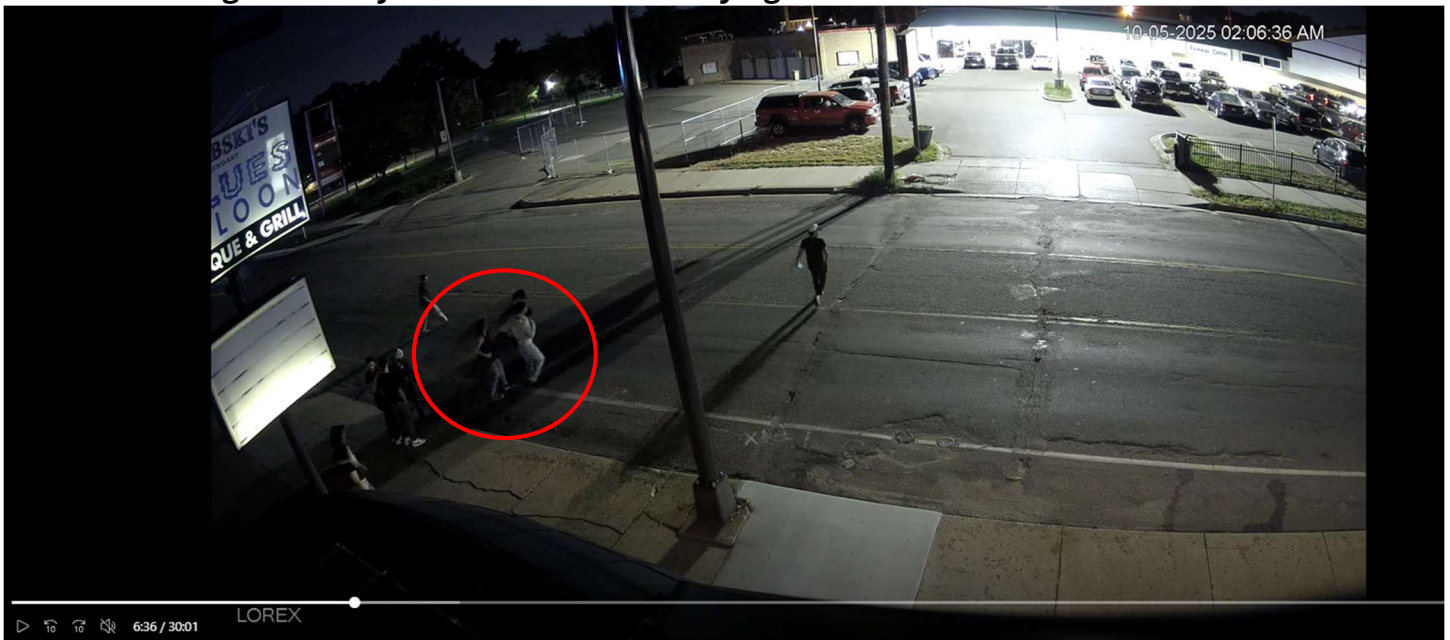
5.ch4_main_20251005014727_20251005023002 - 01:57:28 Hours - Victim falls behind SUV. Security goes back inside bar - ch3_main_20251005015522_20251005015906 at 01:57:57



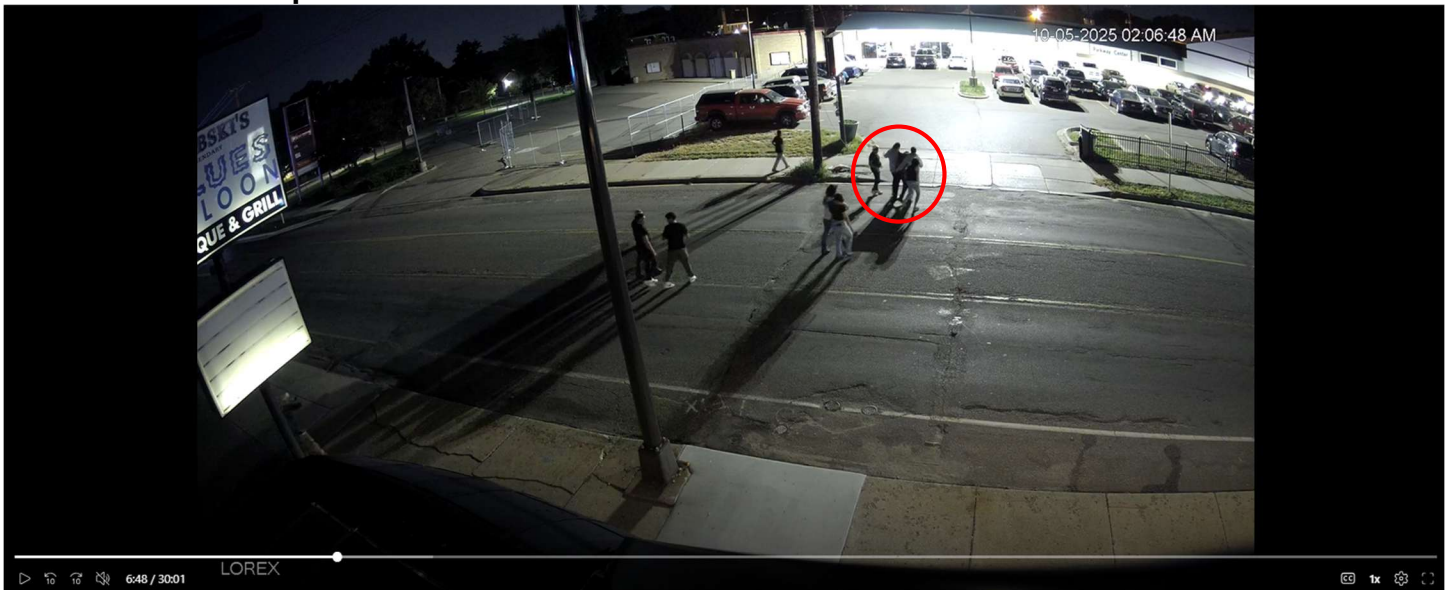
6.ch4_main_20251005014727_20251005023002 - 02:04:55 Hours - Two people pick up victim and walk away with him towards Rice St



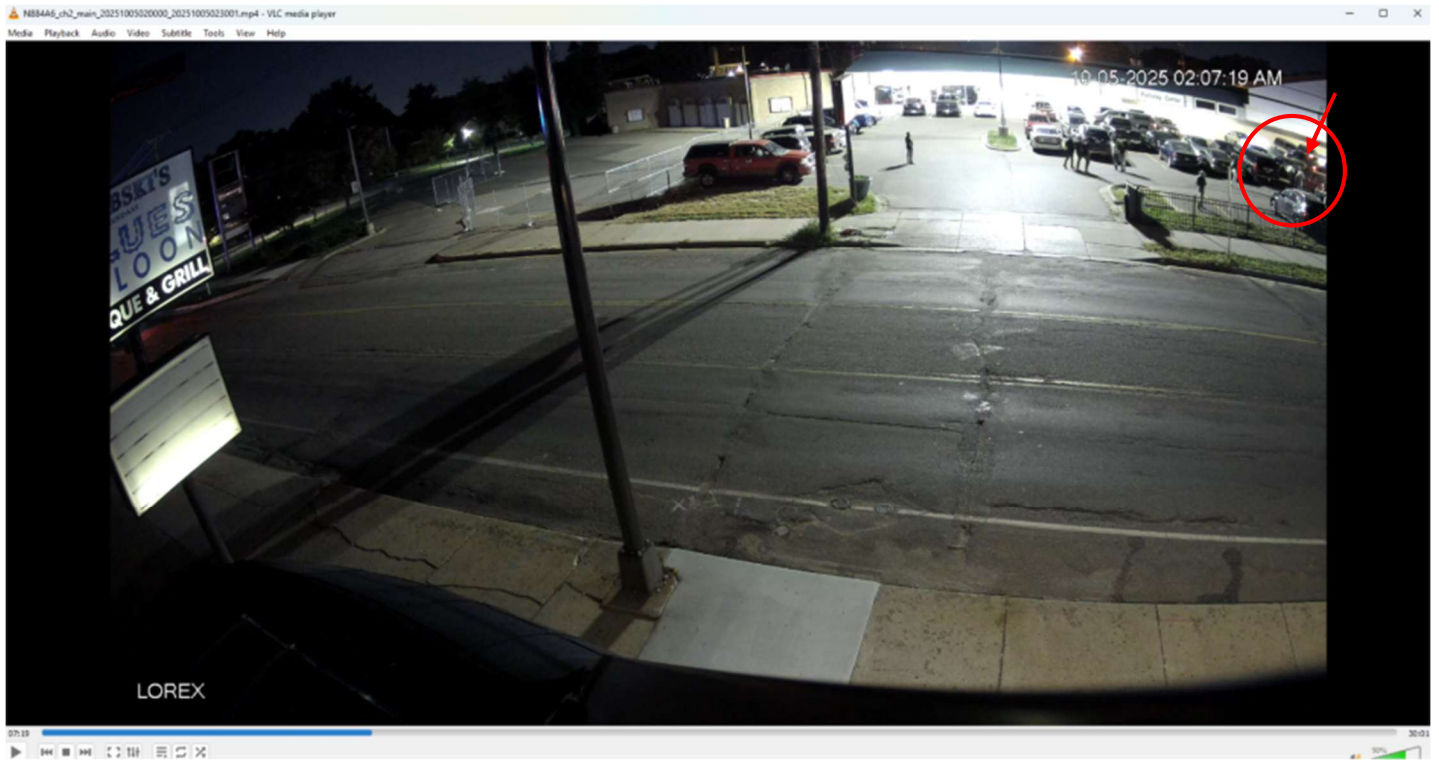
7.ch2_main_20251005020000_20251005023001 - 02:06:16 Hours – lower left corner comes into video
- Victim being carried by two men. Female carrying victim's feet at 02:06:44 Hours



8.ch2_main_20251005020000_20251005023001 - 02:06:50 Hours – Female lets go of legs another
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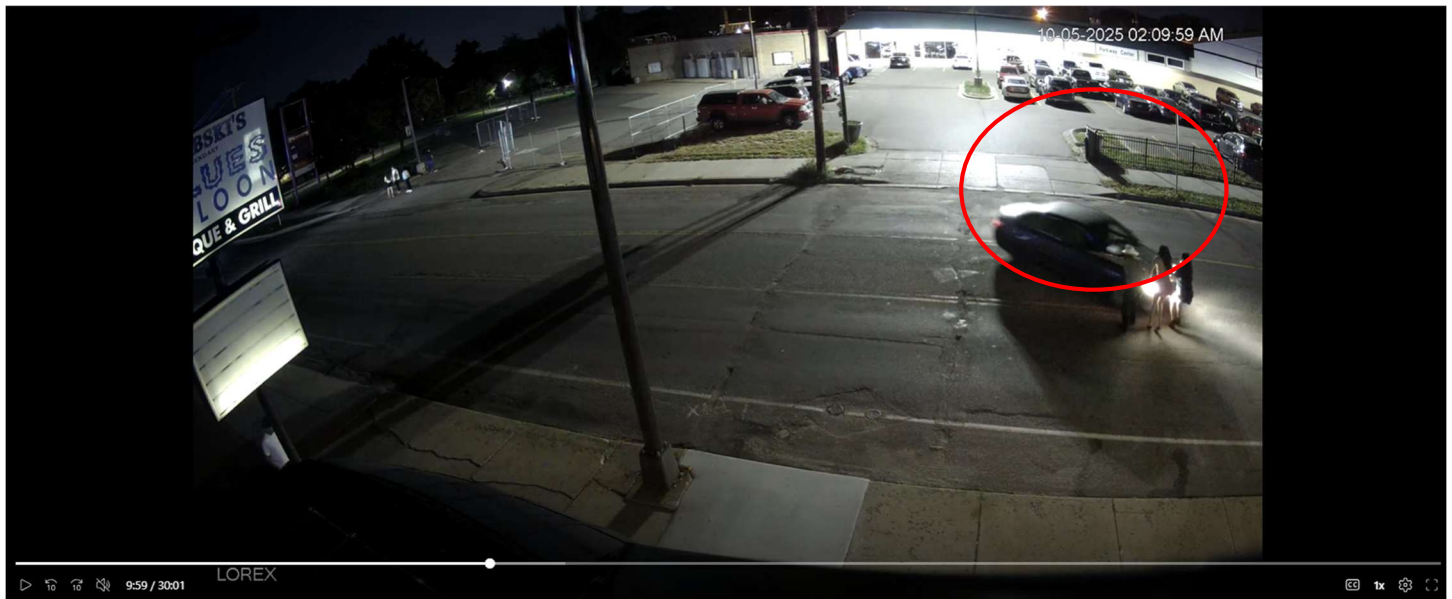


9.ch2_main_20251005020000_20251005023001 - 02:07:25 Hours - They place the victim in empty parking spot between black SUV and red sedan. (upper Right in Photo)

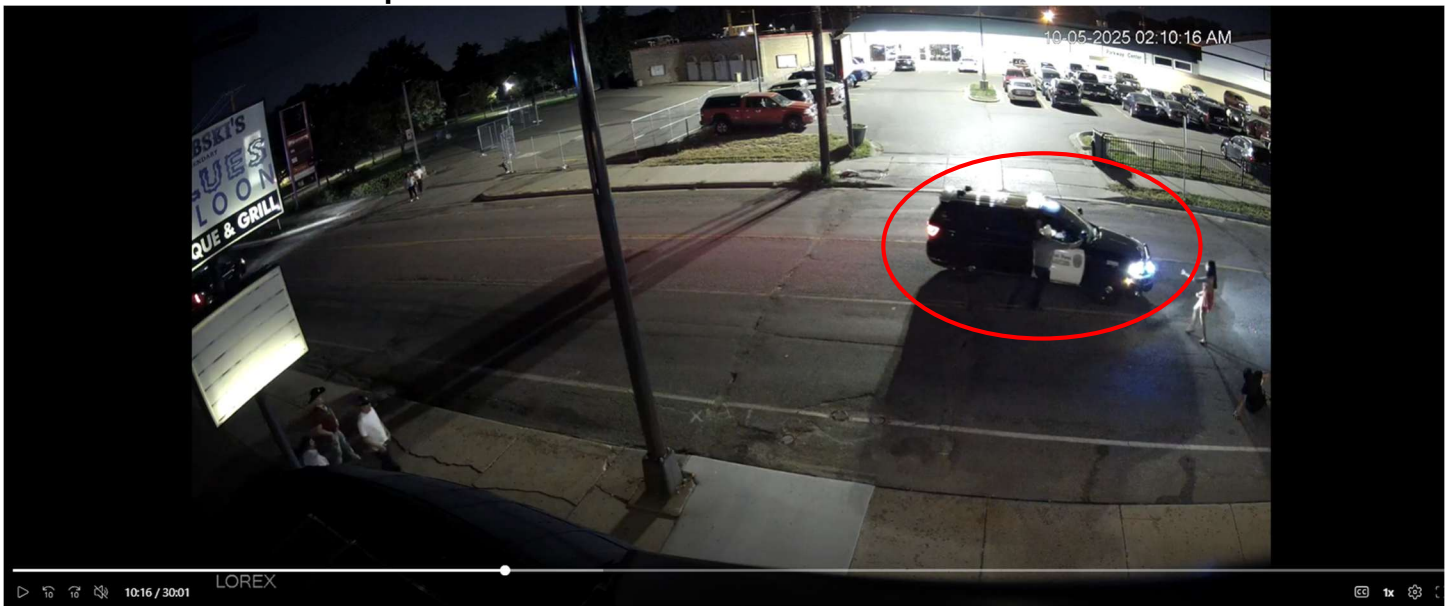


Photos are for Patrons struck – hit and run but car on Rice Street after leaving bar

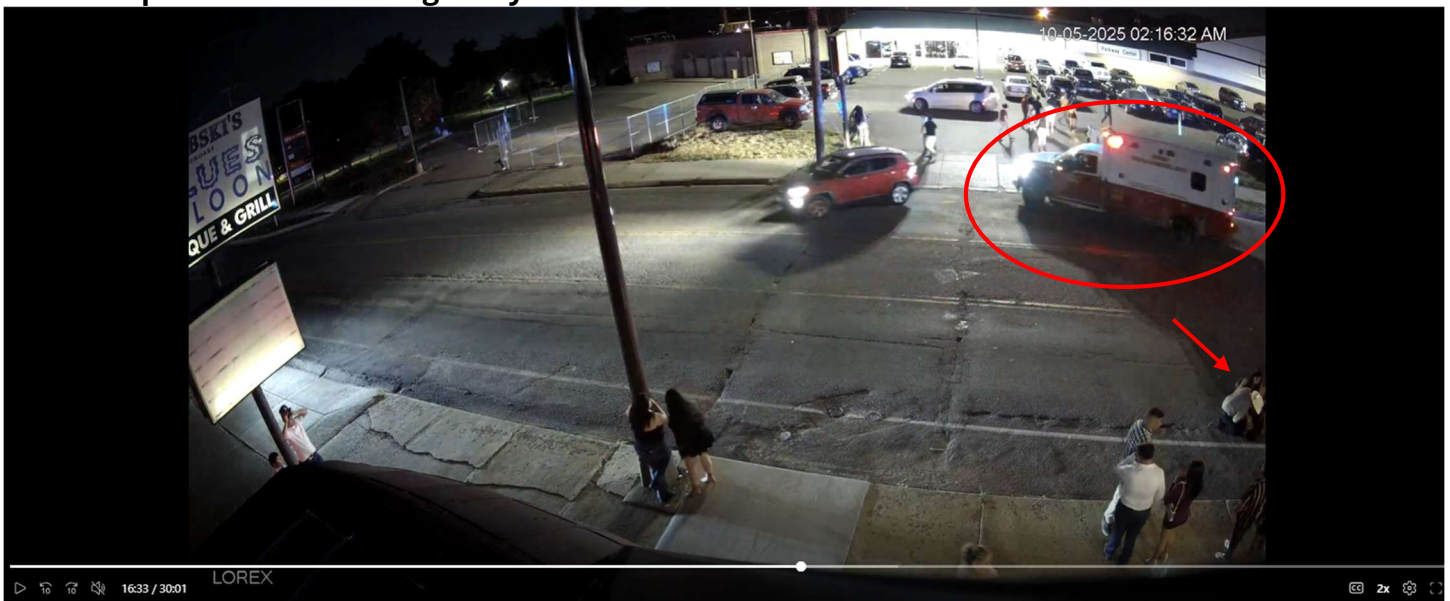
10.ch2_main_20251005020000_20251005023001 - 02:09:59 Hours – Patron's struck by car on Rice St – hit and run



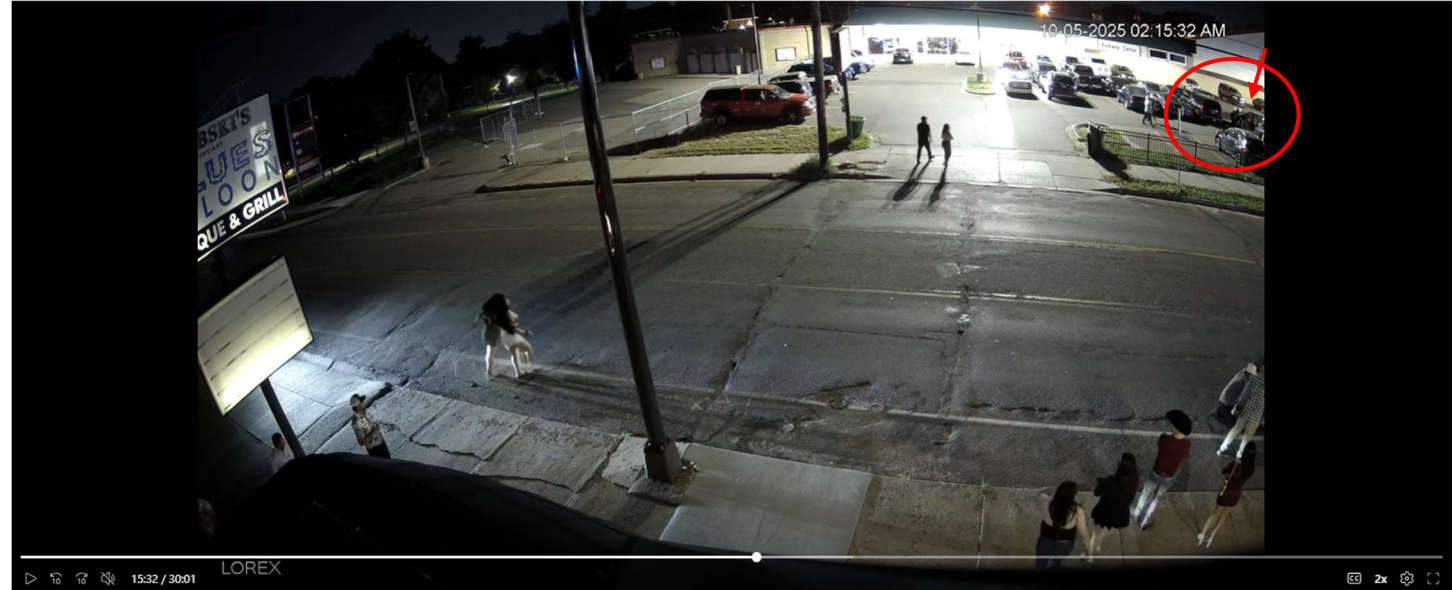
11.ch2_main_20251005020000_20251005023001 - 02:10:16 Hours - SPPD arrives and pursues hit and run vehicle - State Trooper on the scene



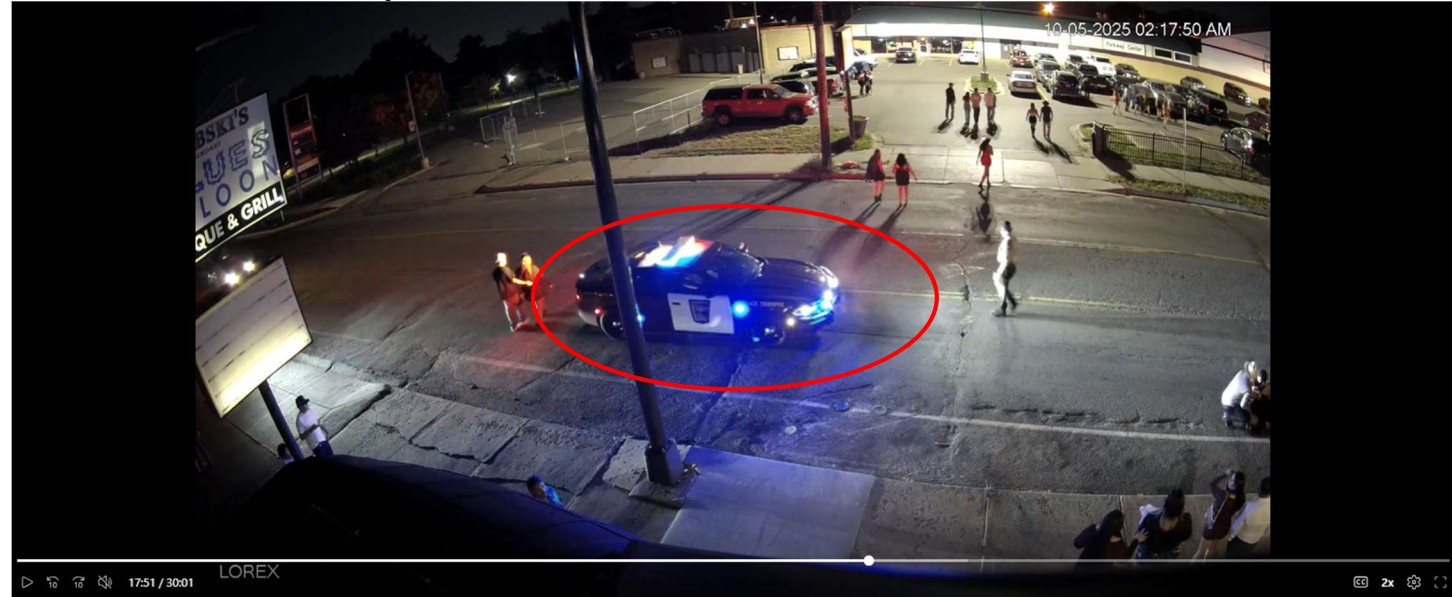
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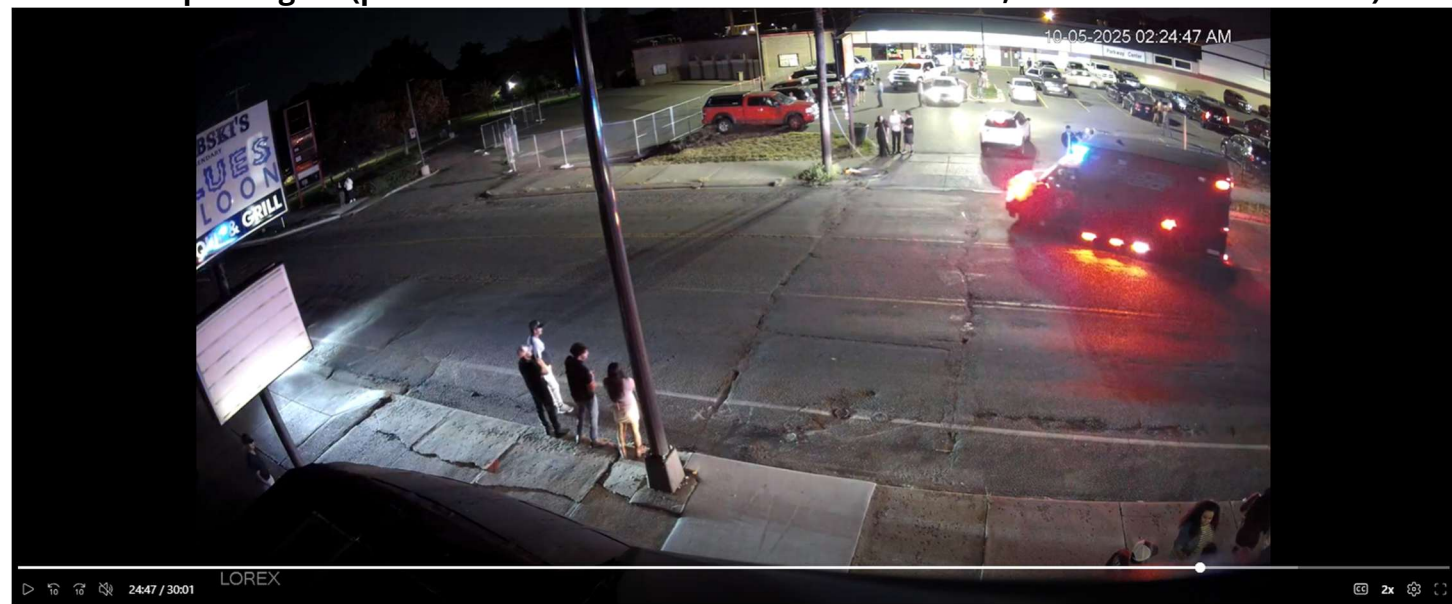
13.ch2_main_20251005020000_20251005023001 - 02:15:32 Hours - three other patrons move victim



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15.ch2_main_20251005020000_20251005023001 - 02:24:48 Hour - Ambulance (red) two (2) arrives for victim in parking lot (possible third ambulance arrives at 02:26:59, come on screen of video)



Current License Conditions

1. Licensee will employ directional bass, sound absorption measures, and other noise controls to minimize the noise from inside the establishment from disturbing the neighborhood. This condition will be reviewed on or after June 30, 2008, and is subject to change, if the measures employed by the licensee are not effective.
2. The license holder is responsible for the behavior of all persons on the licensed premises, which includes persons in the parking lot and all parking lots available to patrons via a parking agreement. The license holder shall provide security as necessary to patrol the exterior of the premises until all persons have left the premises. License holder or security shall notify police of any individuals engaging in unlawful or suspected unlawful behavior, including loitering.

3. Prior to reopening of the establishment, the licensee will meet with DSI to review the license conditions.

Additional Conditions:

4. The license holder will not allow anyone under the age of 21 to enter or remain inside the establishment after 9:00 p.m. except in accordance with Minnesota statute 340A.503(4). There shall be no event for patrons who are under 21 years of age that does not comply with city code or state law.
5. The licensee and all employees will undergo a yearly Alcohol Awareness Training Program through an agency approved by the Dept. of Safety and Inspections and all new employees shall be required to undergo training within 4 weeks of starting employment. Licensee shall have proof of each employee who has completed this training, which shall be available to DSI upon request.
6. Paul P. Xiong and Mai T. Xiong cannot be employees or have managerial responsibilities at the club, nor have any financial interest in the corporation holding the liquor license.
7. The licensee shall provide and maintain working video surveillance cameras covering the premises and recorders on the premises in accordance with SPPD recommendations regarding camera angles and resolution. Tapes/recordings must be maintained for a minimum of 30 days and make them available within 24 hours to the St. Paul Police Dept. and or the Dept. of Safety and Inspections upon request.
8. Security personnel shall be assigned to each entrance when the number of patrons reaches 100 or more starting at 9:00 p.m. every day, and security personnel shall remain until all patrons have left the licensed premises, which includes the parking lots. When all patrons have left the building, the security personnel may assist in parking lots. Regardless of whether security is required, licensee shall issue identification cards (no picture ID, no entrance). Customers re-entering establishment shall be subject to the same security measures as customers entering the establishment for the first time. If security staff are required, security staff are in addition to bartenders, servers and cooks.
9. Litter must be removed from the Club property and parking lots daily. Bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.
10. Licensee shall insure that patrons are able to exit the establishment and parking lots safely and without obstructing traffic. If necessary, licensee shall institute a gradual closing process that allows patrons to leave the establishment without creating a traffic hazard that requires the police to barricade the street, stop traffic, or use other measures in order for patrons to safely leave the premises.
11. Windows of the establishment shall be kept closed after 8 p.m. Exterior doors shall not be propped open after 8 p.m. except to temporarily accommodate entry or exit from the establishment.
12. Licensee agrees that a metal detector or wand may be required in the future following any violence or criminal behavior regardless of whether that incident(s) leads to adverse action.



1638 Rice St – DBA: Wilebski's Blues Saloon

RECOMMENDED LICENSE CONDITIONS – IMPOSITION OF LICENSE CONDITIONS

Corrected Version of License Conditions

New: underlined
Remove: ~~strike-through~~
Remain: unchanged

1. Licensee holder will employ directional bass, sound absorption measures, and other noise controls to minimize the noise from inside the establishment from disturbing the neighborhood. This condition will be reviewed on or after June 30, 2008 and is subject to change if the measures employed by the licensee holder are not effective.

2. The license holder is responsible for the behavior of all persons on the licensed premises, which includes persons in the parking lot and all parking lots available to patrons via a parking agreement. The license holder shall provide security as necessary to patrol the exterior of the premises until all persons have left the premises and associated parking lots. License holder or security shall immediately notify police by calling "911" of any individuals engaging in unlawful or suspected unlawful behavior, including loitering **and all incidents involving any physical altercation between any parties within the premises and associated parking lots.**

~~3. Prior to reopening of the establishment, the licensee will meet with DSI to review the license conditions.~~
~~Additional Conditions:~~

~~4~~ **3.** The license holder will not allow anyone under the age of 21 to enter or remain inside the establishment after 9:00 p.m. except in accordance with Minnesota statute 340A.503(4). There shall be no event for patrons who are under 21 years of age that does not comply with city code or state law.

~~5~~ **4.** The licensee holder and all employees will undergo a yearly Alcohol Awareness Training Program through an agency approved by the Dept. of Safety and Inspections ("DSI") and all new employees shall be required to undergo training within 4 weeks of starting employment. Licensee holder shall have proof of each employee who has completed this training, which shall be available to DSI upon request.

~~6~~ **5.** Paul P. Xiong and Mai T. Xiong cannot be employees or have managerial responsibilities at the club, nor have any financial interest in the corporation holding the liquor license.

~~7~~ **6.** ~~The licensee shall provide and maintain working video surveillance cameras covering the premises and recorders on the premises in accordance with SPPD recommendations regarding camera angles and resolution. Tapes/recordings must be maintained for a minimum of 30 days and make them available within 24 hours to the St. Paul Police Dept. and or the Dept. of Safety and Inspections upon request.~~ License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded videos. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holders shall provide a copy of the surveillance video to the requestor within 48 hours.

~~8~~ **7.** Security personnel shall be assigned to each entrance when the number of patrons reaches 100 or more starting at 9:00 p.m. every day, and security personnel shall remain until all patrons have left the licensed premises, which includes the parking lots. When all patrons have left the building, the security personnel may assist in parking lots. Regardless of whether security is required, licensee **holder** shall enforce a no picture identification/no entrance policy ~~issue identification cards (no picture ID, no entrance)~~. Customers re-entering establishment for any reason shall be ~~subjected~~ to the same security measures as customers entering the establishment for the first time. If security staff are required, security staff are in addition to bartenders, servers and cooks.

~~9~~ **8.** Litter must be removed from the **establishment** ~~Club~~ property and **associated** parking lots daily. Bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.

~~10~~ **9.** Licensee **holder** shall ~~ensure~~ that patrons are able to exit the establishment and parking lots safely and without obstructing traffic. If necessary, licensee **holder** shall institute a gradual closing process that allows patrons to leave the establishment without creating a traffic hazard that requires the police to barricade the street, stop traffic, or use other measures in order for patrons to safely leave the premises.

~~11~~ **10.** Windows of the establishment shall be kept closed after 8 p.m. Exterior doors **shall** not be propped open after 8 p.m. except to temporarily accommodate entry or exit from the establishment.

~~12~~ **11.** Licensee **holder** agrees that a metal detector or wand may be required in the future following any violence or criminal behavior regardless of whether that incident(s) leads to adverse action.

12. No patrons shall be admitted into the establishment 30 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.

13. License holder must end all alcoholic beverage sales 15 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment. License holder must ensure that no person is in possession of an alcoholic beverage, and all beverage containers, glasses, cups, cans and bottles are removed from all tabletops, counters, bars and all other customer accessible surface areas no later than the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.

14. All security staff must be actively employed by the holder of an active Protective Agent Services license issued by the Minnesota Department of Public Safety.

RECOMMENDED LICENSE CONDITIONS – IMPOSITION OF LICENSE CONDITIONS

Final Version of License Conditions

1. License holder will employ directional bass, sound absorption measures, and other noise controls to minimize the noise from inside the establishment from disturbing the neighborhood. This condition will be reviewed on or after June 30, 2008, and is subject to change if the measures employed by the license holder are not effective.
2. The license holder is responsible for the behavior of all persons on the licensed premises, which includes persons in the parking lot and all parking lots available to patrons via a parking agreement. The license holder shall provide security as necessary to patrol the exterior of the premises until all persons have left the premises and associated parking lots. License holder or security shall immediately notify police by calling "911" of any individuals engaging in unlawful or suspected unlawful behavior, including loitering and all incidents involving any physical altercation between any parties within the premises and associated parking lots.
3. The license holder will not allow anyone under the age of 21 to enter or remain inside the establishment after 9:00 p.m. except in accordance with Minnesota statute 340A.503(4). There shall be no event for patrons who are under 21 years of age that does not comply with city code or state law.
4. The license holder and all employees will undergo a yearly Alcohol Awareness Training Program through an agency approved by the Dept. of Safety and Inspections ("DSI") and all new employees shall be required to undergo training within 4 weeks of starting employment. License holder shall have proof of each employee who has completed this training, which shall be available to DSI upon request.
5. Paul P. Xiong and Mai T. Xiong cannot be employees or have managerial responsibilities at the club, nor have any financial interest in the corporation holding the liquor license.
6. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded videos. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holders shall provide a copy of the surveillance video to the requestor within 48 hours.
7. Security personnel shall be assigned to each entrance when the number of patrons reaches 100 or more starting at 9:00 p.m. every day, and security personnel shall remain until all patrons have left the licensed premises, which includes the parking lots. When all patrons have left the building, the security personnel may assist in parking lots. Regardless of whether security is required, license holder shall enforce a no picture identification/no entrance policy. Customers re-entering establishment for any reason shall be subjected to the same security measures as customers entering the establishment for the first time. If security staff are required, security staff are in addition to bartenders, servers and cooks.
8. Litter must be removed from the establishment property and associated parking lots daily. Bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.
9. License holder shall ensure that patrons are able to exit the establishment and parking lots safely and without obstructing traffic. If necessary, license holder shall institute a gradual closing process that allows patrons to leave the establishment without creating a traffic hazard that requires the police to barricade the street, stop traffic, or use other measures in order for patrons to safely leave the premises.

10. Windows of the establishment shall be kept closed after 8 p.m. Exterior doors shall not be propped open after 8 p.m. except to temporarily accommodate entry or exit from the establishment.
11. License holder agrees that a metal detector or wand may be required in the future following any violence or criminal behavior regardless of whether that incident(s) leads to adverse action.
12. No patrons shall be admitted into the establishment 30 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.
13. License holder must end all alcoholic beverage sales 15 minutes prior to the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment. License holder must ensure that no person is in possession of an alcoholic beverage, and all beverage containers, glasses, cups, cans and bottles are removed from all tabletops, counters, bars and all other customer accessible surface areas no later than the end time of alcohol sales and consumption as allowed under the active liquor licenses issued to the establishment.
14. All security staff must be actively employed by the holder of an active Protective Agent Services license issued by the Minnesota Department of Public Safety.

St Paul Legislative Code Violations

Sec. 409.07. Hours of sale; Sunday sales, etc.

- (a) *On-sale hours of sale.*
 - (1) *Intoxicating liquor on-sale.* No sale of intoxicating liquor may be made after 1:00 a.m. on Sunday nor until 8:00 a.m. on Monday. No on-sale may be made between the hours of 1:00 a.m. and 8:00 a.m. on any weekday.
 - (3) It is unlawful for any such establishment, directly or indirectly, to sell or serve intoxicating liquors as provided in subparagraph (1) or (2) above without having first obtained a therefor.
- (d) *No consumption or display when prohibited.* No person shall consume or display or allow consumption or display of liquor upon the premises of an on-sale licensee at any time when the sale of such liquor is not permitted.

Sec. 409.07.1. Extended service license.

- (c) *Regulations.* The following regulations apply to all extended service licenses:
 - (2) *No alcohol.* No alcoholic beverages may be offered, displayed, sold or consumed by anyone in the establishment during such extended hours. No alcoholic beverage container of any kind, whether empty or containing any alcoholic beverage, may remain on the bar, tables, counters or any other place to which a customer has access, or at any location in the customer areas of the establishment, after 1:00 a.m., if the establishment has an extended service license or after 2:00 a.m. if the establishment has obtained a permit from the state pursuant to Minn. Stat. § 340A.504, Subd. 7.
 - (3) *Alcohol storage.* All alcoholic beverages must be stored not later than 1:15 a.m. or 2:15 for those establishments which have obtained a permit from the state pursuant to Minn. Stat. § 340A.504, Subd. 7, which permits later service, and during extended service hours in a cabinet, locker, or storage area which is locked and secure, and which must remain locked at all times during extended service hours.

Sec. 409.08. Regulations generally.

- (3) No sale may be made in any place or in part of a building where such sales are prohibited by state law or this chapter.

State Statutes Violations

340A.401 LICENSE REQUIRED.

Except as provided in this chapter, no person may directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise dispose of alcoholic beverages as part of a commercial transaction without having obtained the required license or permit. Rental of or permission to use a public facility is not a commercial transaction for the purposes of this chapter.

340A.504 HOURS AND DAYS OF SALE.

Subd. 2. Intoxicating liquor; on-sale. No sale of intoxicating liquor for consumption on the licensed premises may be made:

- (1) between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- (2) after 2:00 a.m. on Sundays, except as provided by subdivision 3.

Subd. 7. **Sales after 1:00 a.m.; permit fee.** (a) No licensee may sell intoxicating liquor or 3.2 percent malt liquor on-sale between the hours of 1:00 a.m. and 2:00 a.m. unless the licensee has obtained a permit from the commissioner. Application for the permit must be on a form the commissioner prescribes. Permits are effective for one year from date of issuance. For retailers of intoxicating liquor, the fee for the permit is based on the licensee's gross receipts from on-sales of alcoholic beverages in the 12 months prior to the month in which the permit is issued, and is at the following rates:

340A.414 CONSUMPTION AND DISPLAY PERMITS.

Subdivision 1. **Permit required.** No business establishment or club which does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit from the commissioner. Rental of a public facility does not make a subdivision or the facility a "business establishment" for the purposes of this chapter.