

- H. The applicant must provide a plan for garbage handling.
- I. If food is served at the temporary outdoor sale it shall comply with all applicable health regulations and shall be prepared with the least possible manual contact and in such a manner as to prevent cross-contamination of products. Only suitable utensils or equipment, which prior to use have been cleaned, rinsed and sanitized to prevent cross-contamination, shall be used in food preparation.
- J. In the event that food is served, restroom facilities must be provided.

**Subd. 5. Responsibility of Operation.** All licensees shall comply with the terms of their license and with the provisions of this Section. Any licensee hereunder shall be held responsible for nuisances emanating from the licensed operation and the licensee shall not permit waste or debris to be deposited on any public or private property or on the licensee's own property.

#### **SECTION 418.01 GARAGE AND YARD SALES**

The following rules shall apply to garage and yard sales located within City limits:

1. Each residential property is limited to 4 garage sales during any consecutive 12 month period.
2. No garage or yard sale shall exceed a period of 72 consecutive hours.
3. Garage or yard sale signs shall not be affixed to utility poles, traffic sign poles, or street signs and shall not be located on medians or in any public right-of-way.
4. The operator of any garage or yard sale shall be allowed 8 off-site signs and 1 on-site sign during the garage or yard sale which must be removed when the sale is complete.
5. Garage or yard sale signs may be up to 6 square feet and 4 feet high. Signs must be located five feet from the curb or shoulder of a road.
6. Items sold at any garage or yard sale shall not include motor vehicles, new merchandise, consignment items or resale items.

#### **SECTION 419.01. PAWNBROKERS**

**Subd. 1. Purpose.** The purpose of this Section is to prevent pawnbroking businesses from being used as facilities for the commission of crime and to assure that such businesses comply with basic consumer protection standards thereby protecting the public health, safety and general welfare of the citizens of the City. The City Council finds that consumer protection regulation is warranted in transactions involving pawnbrokers.

**Subd. 2. Definitions.** The following words and terms when used in this Section shall have the following meanings unless the context clearly indicates otherwise:

A. Pawnbroker. (a) Except as provided in paragraph (b), “pawnbroker” means a person engaged in whole or in part in the business of lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

(b) The following are exempt from the definition of “pawnbroker:” any bank regulated by the State of Minnesota, the comptroller of the currency of the United States, the Federal Deposit Insurance Corporation, the board of governors of the Federal Reserve System, or any other federal or state authority and their affiliates; any bank or savings association whose deposits or accounts are eligible for insurance by the Federal Deposit Insurance Corporation or any successor to it and all affiliates of those banks and savings associations; any state or federally chartered credit union; and any industrial loan and thrift company or regulated lender subject to licensing and regulation by the Department of Commerce.

B. Pawnshop. “Pawnshop” means the location at which or premises upon which a pawnbroker regularly conducts business.

C. Pawn transaction. “Pawn transaction” means any loan on the security of pledged goods or any purchase of pledged goods on the condition that the pledged goods are left with the pawnbroker and may be redeemed or repurchased by the seller for fixed price within a fixed period of time.

D. Person. “Person” means an individual, partnership, corporation, limited liability company, joint venture, trust, association, or any other legal entity, however organized.

E. Pledged goods. “Pledged goods” means tangible personal property other than choses in action, securities, bank drafts, or printed evidence of indebtedness, that are purchased by, deposited with, or otherwise actually delivered into the possession of a pawnbroker in connection with a pawn transaction.

F. Minor. Any individual person under the age of 18 years.

**Subd. 3. License Required.** No person, firm or corporation shall conduct or operate the business of pawnbroker or own or operate a pawnshop without having first obtained a license therefor as herein provided or in violation of any of the provisions herein contained. No pawnbroker license may be transferred to a different location or a different person. A separate license is required for each place of business. The City may issue more than one license to a person if that person complies with this Section for each license.

**Subd. 4. Application for License.** Every application for a license under this Section, whether for a natural person, partnership, corporation or other organization, shall be made on a form supplied by the City and shall contain all information as required on that form by law.

**Subd. 5. Application Execution.** All applications for a license under this Section shall be signed and sworn to. Any license obtained by use of false or incomplete information shall result in the denial or revocation of a license.

**Subd. 6. Application Verification.** All applications shall be referred to the Sheriff Department for verification and investigation of the facts set forth in the application. The Sheriff Department shall make a written report and recommendation to the Council as to issuance or non-issuance of the license. The City may order and conduct such additional investigation as it deems necessary.

**Subd. 7. Application Consideration.** If an application is granted for a location where a building is under construction or not ready for occupancy, the license shall not be delivered to the licensee until a certificate of occupancy has been issued for the licensed premises.

**Subd. 8. Fees.**

A. Application Fee:

1. The application fee shall be set by resolution of the Council.
2. The application fee shall be paid in full before the application for a license shall be accepted.

B. Investigation Fee: An applicant for any license under this Section shall pay the City, at the time an original application is submitted, a nonrefundable fee at a rate set by Council resolution (or an established fee for investigation) for the following:

1. To cover the costs involved in verifying the license application and;
2. To cover the expense of any investigation needed to assure compliance with this Section.

C. License Fee:

1. The license fee shall be paid annually to be determined at the date of issuance of the annual license.
2. The annual license fee shall be set by Council resolution. The application fee shall be credited to the first annual license fee, if the application is approved.

Upon withdrawal, rejection, denial, suspension, or revocation of any application for a license only the annual license fee, or a proportionate amount thereof, shall be refunded in full, but not the investigation fee.

**Subd. 9. Bond.** A pawnbroker license will not be issued unless the applicant files with the Clerk a bond with corporate surety, cash, or a United States Government Bond in the amount of \$5,000.00. The bond must be conditioned on the licensee obeying the laws and ordinances

governing the licensed business and paying all fees, taxes, penalties and other charges associated with the business. The bond must provide that it is forfeited to the City upon violation of law or ordinance.

**Subd. 10. Application Renewal.** All licenses issued pursuant to this Section shall be effective for one year from the date of approval by the City. An application for the renewal of an existing license shall be made prior to the expiration date of the license and shall be made in such form as the City requires. No expiration of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any pledgor.

**Subd. 11. License Refund.** The City may, in its judgment, refund a pro rata share of the license to the licensee or the licensee's estate if the licensee dies.

**Subd. 12. Death of a Licensee.** In the case of the death of a licensee, the personal representative of the licensee may continue operation of the business for not more than 90 days after the licensee's death.

**Subd. 13. Conditions for Approval of License.** To be eligible for or to maintain a pawnbroker license, a person must operate lawfully and fairly within the purposes of this Section:

- A. No license under this Section shall be issued or renewed for an applicant who is a natural person if such applicant:
  - 1. Is a minor at the time the application is filed;
  - 2. Has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes § 364.03, Subd. 2, unless the person has shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a licensee under this Chapter as prescribed by Minnesota Statutes § 364.03, Subd. 3;
  - 3. Holds an intoxicating liquor license under this Code;
  - 4. Is not of good moral character or repute; or
  - 5. Is not in compliance with any provision of this Section.
- B. No license under this Section shall be issued or renewed for an applicant that is a partnership if such applicant has any general partner or managing partner who:
  - 1. Is a minor at the time the application is filed;
  - 2. Has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes § 364.03, Subd. 2, unless the person has shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a pawnbroker, as prescribed by Minnesota Statutes § 364.03, Subd. 3;
  - 3. Holds an intoxicating liquor license under this Code;
  - 4. Is not of good moral character or repute; or
  - 5. Is not in compliance with any provision of this Section.

- C. No license under this Section shall be issued or renewed for an applicant that is a corporation or other organization if such applicant has any manager, proprietor, or agent in charge of the business to be licensed who:
1. Is a minor at the time the application is filed;
  2. Has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes § 364.03, Subd. 2, unless the person has shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a pawnbroker, as prescribed by Minnesota Statutes § 364.03, Subd. 3;
  3. Holds an intoxicating liquor license under this Code;
  4. Is not of good moral character or repute; or
  5. Is not in compliance with any provision of this Section.
- D. Any change, directly or beneficially, in the ownership of any licensed pawnshop shall require the application for a new license and the new owner must satisfy all current eligibility requirements.
- E. The following locations shall be ineligible for a license under this Section:
1. No license shall be granted or renewed for operation on any property on which taxes, assessments, or other financial claims of the State, County, School District, or City are due, delinquent or unpaid. In the event a suit has been commenced under Minnesota Statutes § 278.01-278.03, questioning the amount or validity of taxes, the City Council may on application waive strict compliance with this provision; no waiver may be granted, however, for taxes or any portion thereof which remain unpaid for a period exceeding one year after becoming due.
  2. No license shall be granted or renewed if the property on which the business is to be conducted is owned by a person who is ineligible for a license under any of the requirements of this Code, except that a property owner who is a minor or who has been convicted of a crime, other than a crime involving theft or falsehood, shall not make the premises ineligible under this Sub-section so long as all other requirements for a license are met.
  3. Where operation of a licensed premise would violate zoning ordinances or other applicable land use laws.
  4. Where the applicant's present license was issued conditioned upon the applicant making specified improvements to the licensed premise or the property of the licensed premises which improvements have not been completed.
  5. Any property within 10 driving miles of any gambling casino.

**Subd. 14. General License Restrictions.**

- A. Recordkeeping. At the time of making the pawn or purchase transaction, the pawnbroker shall immediately record in English the following information by using ink or other

indelible medium or forms or in a permanent computer record approved by the City, the following information:

1. A complete and accurate description of the item of property including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such item.
2. The date and time of pawn or purchase transaction.
3. The full name, residence address, residence telephone number, business address, date of birth and reasonably accurate description (including approximate height, sex and race) of the pledgor or seller.
4. The identification number and state of issue from one of the following forms of identification of the seller or pledgor.
  - a. A current valid Minnesota driver's license;
  - b. A current valid Minnesota identification card; or
  - c. A current valid photo identification card issued by the state of residence or a province of Canada.
5. The amount advanced or paid.
6. The maturity date of the pawn transaction and the amount due; and
7. The monthly and annual interest rates, including all pawn fees and charges.

**B. Printed Record Keeping.** The following shall be printed on all pawn tickets:

1. The statement that "any personal property pledged to a pawnbroker within this City is subject to sale or disposal when there has been no payment made on the account for a period of not fewer than 60 days past the date of the pawn transaction, renewal, or extension; no further notice is necessary. There is no obligation for the pledgor to redeem pledged goods."
2. The statement that "the pledgor of this item attests that it is not stolen, it has no liens or encumbrances against it, and the pledgor has the right to sell or pawn the item."
3. The statement that "this item is redeemable only by the pledgor to whom the receipt was issued, or any person identified in a written and notarized authorization to redeem the property identified in the receipt, or a person identified in writing by the pledgor at the time of the initial transaction and signed by the pledgor. Written authorization for release of property to persons other than the original pledgor must be maintained along with the original transaction record."

4. A blank line for the pledgor's signature.
- C. Inspection of Records. The pawnbroker shall make available the information required in Subpart A of this Section during business hours for inspection by the County Sheriff Department and/or issuing authority. If the pawnbroker provides the records in a computerized format, they must be provided in the most recent current version of the Minneapolis pawn system interchange file specification format. The information required in Subpart A of this Section shall be retained by the pawnbroker for at least three years. These records shall be a correct copy of its entries made of the pawn transactions.
- D. Items for Which Weekly Reports to the Sheriff are Required. For the following items, whether sold or pawned, the pawnbroker shall complete forms approved by the Wright County Sheriff Department or issuing authority and send the forms weekly to the Wright County Sheriff Department:
1. Any item with a serial number, identification number, or "Operation Identification" number;
  2. Cameras;
  3. Electronic audio, computer or video equipment;
  4. Precious jewelry, gems and metals;
  5. Artist-signed or artist-attributed works of art;
  6. Firearms; and
  7. Any item not included in 1-6 above, except furniture and kitchen or laundry appliances, which the pawnbroker intends to sell for more than \$200.00.
- E. Weekly Report Forms. The weekly report forms submitted to the Wright County Sheriff Department, delivered by the pawn broker, shall contain the following information in a legible manner:
1. An accurate description of the item of property including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such item;
  2. The price of the item paid by the pawnbroker, and whether the item was purchased or pawned;
  3. The date, time, and place of receipt of the item;
  4. The name, address, and date of birth of the person from whom the item was received; and
  5. The identification number from one of the following forms of photo identification of the person from whom the item was received:
    - a. a valid driver's license;
    - b. a Minnesota identification card; or
    - c. A photo identification issued by the state of residency or province of Canada of the person from whom the item was received, and current Minnesota address.

- F. County Sheriff Order to Hold Property. Whenever the Wright County Sheriff Department notifies the pawnbroker not to sell an item, the item shall not be sold or removed from the licensed premises until authorized to be released by the Wright County Sheriff Department.
- G. Holding period for Pawnbrokers. Any item sold or pawned to a pawnbroker for which a report to the police is required under Subpart D of this Section shall not be sold or otherwise transferred for 60 days after the date of the sale or pawn. However, an individual may redeem an item pawned 72 hours after the item was received on deposit by the pawnbroker excluding Sundays and legal holidays.
- H. Receipt. The pawnbroker shall provide a receipt to the seller or pledger of any item of property received, sold or owned which shall include:
1. The name, address, and phone number of the pawnbroker business.
  2. The date on which the item was received by the pawnbroker.
  3. A description of the item received and amount paid to the pledger or seller in exchange for the item pawned or sold.
  4. The signature of the pawnbroker agent.
  5. The last regular business day by which the item must be redeemed by the pledger without risk that the item will be sold and the amount necessary to redeem the pawned item on that date.
  6. The annual rate of interest charged on pawned items received.
  7. The name and address of the seller or pledger.
- I. Hours of Operation. No pawnbroker shall keep the pawnbroker business open for the transaction of business on any day of the week before 7:00 a.m. or after 10:00 p.m.
- J. Minors. The pawnbroker shall not purchase or receive personal property of any nature or deposit or pledge from any minor.
- K. Inspection of Items. The pawnbroker shall, at all times during the term of the license, allow the City, county attorney, state attorney general, and any duly authorized state or federal law enforcement officer to enter the premises where the pawnbroker is located, for the purpose of inspecting such premises and inspecting the items, wares, merchandise and pawn books and records for the purpose of locating items suspected or alleged to have been stolen or otherwise improperly disposed.
- L. License Display. A license issued under this Section must be posted in a conspicuous place in the premises for which it is used.
- M. Maintenance of Order. A licensee under this Section shall be responsible for the conduct of the business being operated and shall maintain conditions of order.
- N. Gambling. No licensee under this Section may operate or permit the operation on the licensed premises of any gambling activities including but not limited to dice, slot machines, roulette wheels, punch boards, blackjack tables, pinball machines which



return coins or slugs, chips, or tokens of any kind, which are redeemable in merchandise or cash, or any other gambling. No gambling equipment referred to in Minnesota Statutes § 349.11 through 349.40, may be operated and no raffles may be conducted on the licensed premises and/or adjoining rooms. The purchase of lottery tickets may take place on the licensed premises as authorized by the director of the lottery pursuant to Minnesota Statutes § 349A.01 through 349A.15.

- O. Prohibited Goods. No licensee under this Section shall accept any item of property which contains an altered or obliterated serial number or “Operation Identification” number or any item of property whose serial number has been removed.
- P. Proper Identification. A licensee under this Section shall not accept items of property unless the seller or pledger provides to the pawnbroker one of the following forms of photo identification:
1. A valid driver’s license;
  2. a Minnesota identification card; or
  3. a photo identification issued by the state of residency or province of Canada of the person from whom the item was received, and current Minnesota address.

No other forms of identification shall be accepted.

- Q. Redemption Period. The date by which an item of property that has been pawned must be redeemed by the pledger without risk that the item will be sold must be a day on which the pawnbroker is open for regular business.
- R. Effect of Non-Redemption.
1. A pledgor shall have no obligation to redeem pledged goods or make any payment on a pawn transaction. Pledged goods not redeemed within at least 60 days of the date of the pawn, transaction, renewal, or extension shall automatically be forfeited to the pawnbroker, and qualified right, title, and interest in and to the goods shall automatically vest in the pawnbroker.
  2. The pawnbroker’s right, title, and interest in the pledged goods under paragraph (1) is qualified only by the pledgor’s right, while the pledged goods remain in possession of the pawnbroker and not sold to a third party, to redeem the goods by paying the loan plus fees and/or interest accrued up to the date of redemption.
  3. A pawn transaction that involves holding only title to property is subject to Minnesota Chapter 168A or 336.
- S. Photograph Requirement for Pawnbrokers. A pawnbroker shall take either a photograph or a still video of each person selling or pawning any item of property. If a photograph is taken, it shall be at least 2 inches in length by 2 inches in width and shall be immediately developed and referenced with the information regarding the person and the item sold or pawned. The major portion of the photograph shall include a front facial pose. The

pawnbroker shall notify the person of the photography requirement prior to taking his or her photograph. If a still video photograph is taken a video camera shall zoom in on the person pawning or selling the merchandise so as to include a close-up of the person's face. The video photograph shall be referenced by time and date so as to correspond to the merchandise sold or pawned by the person. The pawnbroker shall, by adequate signage, inform the person that he or she is being videotaped. The photographs and videotapes shall be kept by the pawnbroker for four months.

- T. Payment by Check. When a pawnbroker accepts an item for purchase or as security for a loan, payment for any article deposited, left, pledged or pawned in excess of \$100.00, shall be made only by a check, draft or other negotiable instrument or order of withdrawal which is drawn against funds held by a financial institution. This policy must be posted in a conspicuous place on the premises.
- U. Business Only at Licensed Location. A license under this Section authorizes the licensee to carry on its business only at a permanent place of business designated in the license. A municipality may issue more than one license to a person if that person complies with this Section for each license.
- V. Restrictions on Weapons.
  - 1. A pawnbroker may not receive as a pledge or otherwise, or accept for consignment or sale any revolver, pistol, rifle, shotgun or other similar firearms unless said dealer also maintains a federal firearms dealers license.
  - 2. A pawnbroker may not receive as a pledge or otherwise, or accept for consignment or sale, any sawed off shotgun, automatic rifle, black jack, switchblade, or other similar illegal weapons or firearms.

**Subd. 15. Restrictions Regarding License Transfer.** Each license under this Section shall be issued to the applicant only and shall not be transferable to any other person. No licensee shall loan, sell, give or assign a license to another person.

**Subd. 16. Suspension or Revocation of License.**

- A. The Council may suspend or revoke a license issued under this Section upon a finding of a violation of:
  - 1. Any of the provisions of this Section; or
  - 2. Any state or federal law regulating pawnbrokers.

Any conviction of the pawnbroker for theft, receiving stolen property, or any other crime or violation involving stolen property shall result in the immediate suspension pending a hearing on revocation of any license issued hereunder.

- B. Except in the case of a suspension pending a hearing or revocation, a revocation or suspension by the Council shall be preceded by written notice to the licensee and a public

hearing. The written notice shall give at least 10 days' notice of the time and place of the hearing and shall state the nature of the charges against the pawnbroker. The Council may, without any notice, suspend any license pending a hearing on revocation for a period not exceeding 30 days. The notice may be served upon the pawnbroker by the United States mail addressed to the most recent address of the business in the license application.

**Subd. 17. Permitted Charges.**

1. Notwithstanding any other ordinance, a pawnbroker may contract for and receive a pawnshop charge not to exceed 3 percent per month of the principal amount advanced in the pawn transaction plus a reasonable fee for storage and services. A fee for storage and services may not exceed \$20.00 dollars if the property is not in the possession of the pawnbroker.
2. The pawnshop charge allowed under paragraph (1) shall be deemed earned, due, and owing as of the date of the pawn transaction and a like sum shall be deemed earned, due, and owing on the same day of the succeeding month. However, if full payment is made more than 2 weeks before the next succeeding date, the pawnbroker shall remit one-half of the pawnshop charge for that month to the pledgor.
3. Interest shall not be deducted in advance, nor shall any loan be divided or split so as to yield greater interest or fees than would be permitted upon a single, consolidated loan or for otherwise evading any provisions of this Section.
4. Any interest, charge, or fees contracted for or received, directly or indirectly, in excess of the amount permitted under this Section, shall be uncollectible and the pawn transaction shall be void.
5. A schedule of charges permitted by this Section shall be posted on the pawnshop premises in a place clearly visible to the general public.

**Subd. 18. Prohibited Acts.**

- A. No pawnbroker, or clerk, agent, or employee of a pawnbroker licensed under this Section shall:
  1. Make any false entry in the records of pawn transaction;
  2. Falsify, obliterate, destroy, or remove from the place of business the records, books, or accounts relating to the licensee's pawn transaction;
  3. Refuse to allow the appropriate law enforcement agency, attorney general, or any other duly authorized state or federal law enforcement officer to inspect the pawn records or any pawn goods in the person's possession during the ordinary hours of business or other times acceptable to both parties;
  4. Fail to maintain a record of each pawn transaction for three years;
  5. Accept a pledge or purchase property from a person under the age of 18 years;

6. Make any agreement requiring the personal liability of a pledgor or seller, or waiving any provision of this Section, or providing for a maturity date less than one month after the date of the pawn transaction;
  7. Fail to return pledged goods to a pledgor or seller, or provide compensation as set forth in Subd. 19, upon payment of the full amount due to the pawnbroker unless either the date of redemption is more than 60 days past the date of the pawn transaction, renewal, or extension and the pawnbroker has sold the pledged goods pursuant to Subd. 14®, or the pledged goods have been taken into custody by a court or a law enforcement office or agency.
  8. Sell or lease, or agree to sell or lease pledged or purchased goods back to the pledgor or seller in the same, or a related transaction;
  9. Sell or otherwise charge for insurance in connection with a pawn transaction; or
  10. Remove pledged goods from the pawnshop premises or other storage place approved by a municipality at any time before unredeemed, pledged goods can legally be sold pursuant to Section Subd. 14(R).
- B. No licensee may receive any goods, unless the seller presents identification in the form of a valid driver's license, a valid State of Minnesota identification card; or a photo identification issued by the State of residency or province of Canada of the person from whom the item was received, and current Minnesota address.
- C. No licensee may receive any item of property that possess an altered or obliterated serial number or "operation identification" number or any item of property that has had its serial number removed.

**Subd. 19. Redemption; Risk of Loss.** Any person to whom the receipt for pledged goods was issued, or any person identified in a written and notarized authorization to redeem the pledged goods identified in the receipt, or any person identified in writing by the pledgor at the time of the initial transaction and signed by the pledgor shall be entitled to redeem or re-purchase the pledged goods described on the ticket. In the event the goods are lost or damaged while in possession of the pawnbroker, the pawnbroker shall compensate the pledgor, in cash or replacement goods acceptable to the pledgor, for the fair market value of the lost or damaged goods. Proof of compensation shall be a defense to any prosecution or civil action.

**Subd. 20. Motor Vehicle Title Pawn Transactions; Special Provisions.**

- A. In addition to the other requirements of the chapter, a pawnbroker who holds a title to a motor vehicle as part of the pawn transaction shall:
1. be licensed as a used motor vehicle dealer under Minnesota Statute § 168.27, and post such license on the pawnshop premises;
  2. verify that there are no liens or encumbrances against the motor vehicle with the Department of Public Safety; and

3. verify that the pledgor has automobile insurance on the motor vehicle as required by law.
- B. A pawnbroker may not sell a motor vehicle covered by a pawn transaction until 90 days after recovery of the motor vehicle.

**Subd. 21. Penalty.** A violation of this Section shall be a misdemeanor under Minnesota law.

## **SECTION 420.01. FIREWORKS.**

**Subd. 1. Purpose and Findings.** Due to the inherent risks of fire and injury to persons and property associated with the sale, possession and use of fireworks, the Council has determined that it is necessary and in the interest of public health, safety and welfare to establish reasonable regulations concerning fireworks.

**Subd. 2. Definition.** For the purpose of this Section, “consumer fireworks” are defined as wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are non-explosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of 200 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture.

### **Subd. 3. License Provisions.**

- A. Sale of Fireworks. It is unlawful for any person to sell, offer for sale, expose for sale, or sell at retail or wholesale, any consumer fireworks in the City without a license.
- B. Provisions of State Law Adopted. The sale, use and possession of all fireworks in violation of Minn. Statute § 624.20 through 624.25 inclusive, which statutory provisions are adopted herein by this reference, are prohibited.
- C. License Application. The applicant shall completely fill out and submit an application form for a consumer fireworks license prepared by the City. Information to be submitted as a part of the license application includes, but is not necessarily limited to, the following information: name, address and telephone number of the applicant; address of location where the consumer fireworks will be sold; a description of the consumer fireworks to be sold; estimated quantity of consumer fireworks that will be stored on the premises; description of the premises and facility from which the consumer fireworks are to be sold, including a floor plan designating the area for storage or display; and approval from the property owner, if different from the applicant.

Prior to the issuance of a license, the City may conduct a criminal records check. The application shall include a certification by the applicant that the location where the consumer fireworks are to be stored or sold is not hazardous to property and does not endanger any person, and that the persons in charge of selling or storing the consumer