

City Offices

6000 McColl Drive, Savage, MN 55378 | Phone: 952-882-2660 | Fax: 952-882-2656

EDIBLE THC SALES LICENSE APPLICATION CHECKLIST OF REQUIRED APPLICATION MATERIALS

The following materials must be submitted to the City Clerk for consideration of your Edible THC Sales License:

Completed Edible THC Sales License Application form (3 pages)
Data Practices Warning form
Background Investigation form
Consent for Release of Information form
Certification of Compliance – MN Workers Compensation form
Receipt of Ordinance Acknowledgment form
Certificate of Insurance Liability
Proof of training for the legal requirements pertaining to the sale of edible THC products as outlined in Savage City Code Chapter 123, §123.06 (J) Best Practices.
Non-refundable investigation fee of \$500
Annual fee of \$125 per retail location for the sale of edible THC products
Approval of the City Council is required.

• License expires the last day of February of each year. License fees for licenses issued during the course of a calendar year shall be charged on a pro rata basis.



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Directions: Print legibly using blue or black ink. Answer all questions and indicate not applicable if appropriate. Any falsification of answers will result in denial of the application.

SECTION 1: APPLICANT				
First Name	Middle Name	9		
Last Name				
Other name(s) known as (include alid	as, nickname, former name and	d/or previous i	married names):	
Permanent Residence Address				
City	State	Z	Zip	County
Local Address (if not same as above)				
City	State	Z	Zip	County
Email				
Date of Birth	Place of Birth (City/State/Co	untry)		Social Security #
Driver's License/State ID Number			State of Issue	
Cell Phone		Other Phone		
Address(es) at which you have lived during the preceding four years.				
Address 1				
City	State		Zip	County
Address 2				
City	State		Zip	County
Address 3				
City	State		Zip	County
Address 4				
City State		Z	Zip	County
Are you a U.S. Citizen? If yes, but birthplace was not in the U.S., please provide a Certificate of				Yes
Naturalization, Certificate of Citizenship, or current passport. If no, present proof of immigration/employment status.			No	

SECTION 2: BUSINESS INFORMATION				
Supply the following information about the business.				
Business Name			Phone	
Address				
City	State	Zip		County
Any other names the business is affil	iated, owned, managed, or	operated by:		
MN Sales Tax Number		Federal Tax ID Num	ber	
Is the business registered with the Nexemption.	/IN Secretary of State's Off	fice? If no, provide pr	roof of	Yes
Applicant's relationship to business (ampleuse augus managa	r oto).		No
Applicant's relationship to business (employee, owner, manage	r, etc.):		
Type of Organization: ☐ Corpora	tion Partnership	☐ Sole Proprietors	ship State	of Incorporation:
List all officers or partners affiliate	d with the corporation or	partnership with a fi	nancial interest.	
Full Name First	 Middle	Last		Financial Interest %
Full Name First	Middle	Last		Financial Interest %
Full Name				
Full Name First	Middle	Last		Financial Interest%
Full Name				
First	Middle	Last		Financial Interest %
Has this company ever been licensed by any government agency for the purpose of the manufacture, import or sales of edible THC products? If yes, please provide information for all licenses issued.				Yes
				No
Has the company ever had any action taken against a liquor, tobacco, or cannabinoid license by any agency? If yes, explain and provide current status: Yes				
☐ Fined ☐ Suspended ☐ Revoked ☐ Other Action:				
				No
Has the company ever filed or been involved in bankruptcy (other than as a creditor) or been charged with a criminal violation related to the manufacture, import or sale of liquor, tobacco, or cannabinoid products. If yes, explain and provide current status:				Yes
				No

Provide a description of the products to be sold and attach a diagram of the floorplan indicating the location where cannabinoid produc	cts
will be stored and displayed.	

DOCUMENTATION NEEDED

Attach the following documentation

- 1. Diagram of the floorplan indicating the location where cannabinoid products will be stored and displayed.
- 2. Certificate of Insurance Liability and MN Workers Compensation.
- 3. All supporting documentation as requested.
- 4. All applicable investigation and license fees per the City of Savage Fee Schedule.

NOTICE

The information I have provided on this application is truthful. I confirm that the application is complete and all required information has been provided. No further information will be allowed to be submitted after the background investigation has been started. I authorize the City of Savage to investigate the information and contact persons/organizations named on this application.

I understand that if a license is mistakenly issued or renewed to me, it shall be automatically revoked upon the discovery of the ineligibility for the license.

Applicant Signature	Date	

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Read before completing this packet.

As an applicant for a license/permit at the City of Savage, you are being asked to provide information about yourself which will be used in evaluating your suitability for licensure/permit. The purpose of this request is to obtain information about you to allow us to thoroughly analyze your qualifications and suitability for licensure/permit.

Attached are several documents which ask for your signature and/or personal information. You are not legally required to supply any of the data requested or to sign any of the release and authorization forms. However, should you not provide that information, the City may be unable to fully and adequately determine your suitability for license/permit with this agency which may in turn reduce the chance you may have for licensure/permit with this agency.

Under Minn. Statute § 13.04 subd. 2, names and the designated contact address and telephone number are public data and available upon request. All other information provided on your application prior to licensure approval is classified by law as private data and is accessible to you, but not to the public. Upon license approval, all information provided on your application, except for: date of birth, social security, non-designated or secondary contact address and telephone number, financial data, state and federal tax ID's, or data classified under Minn. Statute § 13.02 subd. 12 as private or subd. 13 as protected nonpublic, is public data.

Private data may be distributed to and used by personnel of the City of Savage who are involved directly and/or indirectly in the approval/denial of, and maintenance of records on licenses/permits. The data may be used and disseminated to individuals or agencies specifically authorized access to the data by state, local or federal law or when approved by the State Commissioner of Administration or by you. Public data is available to any person upon written request to the City of Savage.

This information will be maintained through the time of your licensure/permit with the City of Savage and thereafter. If granted a license/permit, the City may request that you supply this information at additional times in the future for the purpose indicated above. This information may also need to be updated periodically.

Applicant Signature	Date



BACKGROUND INVESTIGATION DATA PRACTICES ADVISORY FOR PROTECTED INFORMATION

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Read this Advisory before completing the attached Consent for Release of Information and providing the protected information on said form.

As an applicant for a license/permit with the City of Savage, you are being asked to provide information about yourself that will be used to evaluate your eligibility to obtain a license/permit.

The purpose and intended use of the data requested on the Consent for Release of Information is to conduct the background inquiries that this City uses to establish your eligibility to obtain a license/permit. A complete criminal history and driver's license check is conducted to determine whether there are any factors that affect your suitability for a license/permit.

DATA WE HAVE REQUESTED	INTENDED USE
All names you are known by, or have been known by	To conduct a complete criminal history and background check
Date of birth	To access driver's license and criminal history data
Driver's license number	To access driver's license data

This data will be used solely for the above-mentioned purposes. This data will be forwarded to the appropriate City staff as determined necessary for completion for the background investigation.

You are not legally required to provide the requested information. However, if you do not, the City of Savage will be unable to conduct the required background inquiries and will not be able to issue a license/permit.

have read and understand the information stated above.		
Applicant Signature	Date	



CONSENT FOR RELEASE OF INFORMATION

IN ACCORDANCE WITH MSA 13.05, SUBD. 4(D)

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l,			-	vage Police Department to
release criminal history data, as defined by Minnes record data to the City Clerk for the City of Savage private data under Minnesota statutes and I hereb data by the City of Savage Police Department to the	. I understan y give my in	d that so formed c	me of this onsent to t	data may be classified as the release of that private
This consent for the release of data is for the purpo with the City of Savage. This information cannot be				to obtain a license/permit
I may revoke this authorization in writing at any tin from the date below.	ne and in no e	event will	it be valic	for more than one year
Signature of Individual Authorizing Release	se			Date
5-8-medi e or marriada ratino izm8 recisar				
PLEASE COMPLETE THE FOLLOWING INFORM	MATION			
First		Middle		
Last				
Date of Birth				
Address				
City	State		Zip	
Driver's License No.				State Issued
Please list any other names you are or have been k	known by:			
Business/Employer				
I certify that all statements by me on this form are so or omissions on this form shall be sufficient cause for		-		
I hereby authorize the City of Savage to use this infolicense/permit.	ormation to d	etermine	my eligibi	lity to obtain a
Applicant Signature				Date



CERTIFICATION OF COMPLIANCE MINNESOTA WORKERS COMPENSATION

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Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers compensation insurance coverage requirements of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information, required by law, is to be collected by the licensing agency and retained in their files. Licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore if this information is not provided or is falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

	INSURANCE INFORMATION				
Insur	ance Company	Name (Not Insurance Agent)			
Polic	y No.				
Date	s of Coverage	From	То		
	I am not required to have workers compensation liability coverage because:				
	I have no employees.				
	☐ I am self-insured (Please include copy of permit to self-insure).				
	I have no employees who are covered by the Workers Compensation Law (These include spouse, parents, children and certain farm employees).				
GENERAL INFORMATION					
Applicants Full Name Phone No.					
Home Address City			City	State	Zip
Busir	Business Name Phone No.				
Business Address City State Zip			Zip		
Email					
I certify that the information provided is accurate and complete and that a valid Workers Compensation Policy will be kept in effect at all times as required by law.					
Appli	Applicants Signature Date				



CITY HALL 6000 McColl Drive Savage, MN 55378



Savage City Code

Title XI: Business Regulations
Chapter 123: Edible THC Products

Receipt of Ordinance Acknowledgement

I acknowledge receipt of Chapter 123 of the Savage City Code for Edible THC Products; and I have read and understand the Ordinance.

Print Applicant Name:	
Signature:	
Data	
Date:	

CHAPTER 123: EDIBLE THC PRODUCTS

Section

123.01 Purpose and Findings

123.02 Definitions

123.03 License Required

123.04 Exceptions

123.05 Ineligibility

123.06 License Applications

123.07 Conditions, Restrictions, and Regulations

123.08 Suspension and Revocation

123.09 Violations

123.10 Automatic Expiration

§123.01 Purpose and Findings.

The Council of the City of Savage finds that, based on the most reliable and up-to-date scientific evidence, the rapid introduction of legalized edible THC products presents a potential threat to the public health, safety, and welfare of the residents of the City. The intent of this section is to require a license for the sale of those edible THC products that may be legally sold under Minnesota law. (Ord. No. 864, passed 08-07-2023)

§123.02 Definitions.

When used in this section, the following terms have the following meanings:

Edible cannabinoid has the meaning given in Minn. Stat. § 151.72, subd. 1.

Edible THC product means any product that contains THC and (1) is intended to be eaten or consumed as a beverage by humans, (2) is not a drug as defined in Minn. Stat. § 151.01, subd. 5, and (3) in combination with food ingredients, contains no more THC than the amount permitted for edible cannabinoids under Minn. Stat. § 151.72.

Movable place of business means a business whose physical location is not permanent or is capable of being moved or changed, including, but not limited to, any business that is operated from a kiosk, other transportable structure or shelter, or a motorized or nonmotorized vehicle.

Self-service merchandising means open displays of edible THC products in any manner where any person has access to the edible THC products without the assistance or intervention of the licensee or licensee's employee.

THC means tetrahydrocannabinol.

Vending machine means any mechanical, electric or electronic, self-service device which, upon inserting money, tokens, or any other form of payment, dispenses edible THC products and including vending machines equipped with manual, electric or electronic locking devices. (Ord. No. 864, passed 08-07-2023)

§123.03 License Required.

No person may keep for retail sale, sell at retail, or otherwise dispose of any edible THC product at any place in the City without first obtaining a license from the City. If a license is mistakenly issued or renewed to a person, it shall be automatically revoked upon the discovery of the ineligibility of the person for the license. (Ord. No. 864, passed 08-07-2023)

§123.04 Exceptions. Reserved.

§123.05 Ineligibility.

No license will be issued under this section to:

- A. A movable place of business.
- B. A person under twenty-one (21) years of age.
- C. A person who has knowingly omitted, misrepresented, or falsified information on the license application;
- D. A person who has been convicted within the past five (5) years of any violation of a federal, state, or local law, ordinance provision or other regulation governing the manufacture, sale, distribution or possession for sale or distribution of any products containing THC.
- E. A person who has had an interest in, or has persons investing in, the business, building, premises, fixtures, furniture or equipment of the proposed licensee that had an interest in, as an individual or as part of a firm, association, partnership, corporation, limited liability company, or joint venture, a license related to the manufacture or sale of any product containing THC or a nonintoxicating cannabinoid as defined in Minn. Stat. § 151.72, subd. 1(h) or a tobacco-related products license that was revoked or suspended within the last five (5) years of the date the license application is submitted to the City.
- F. A person who is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license.
- G. A person who does not have, or at the time of the issuance of a license does not plan to have, at least one permanent physical premises in the City on which the licensed business will be located.
- H. A person who has outstanding fines, penalties, fees, or taxes owed to the City, the City's public utilities, the federal government, Scott County, or the State of Minnesota. (Ord. No. 864, passed 08-07-2023)

§123.06 License Applications.

- A. <u>Application</u>. All applications for licenses issued under this section must be made on forms supplied by the City. All questions asked or information required by the application forms must be answered fully and completely by the applicant.
- B. <u>False Statements</u>. It is unlawful for any applicant to make a false statement or omission upon any application. Any false statement in such application or any omission to state any information called for on such application will, upon discovery of such falsehood, be grounds for denial or, if already issued, for revocation of the license.
- C. <u>License</u>, <u>Application</u>, <u>and Investigation Fees</u>. Upon submission of the application, applicants for a license must pay a fee to the City which will be considered an application and investigation fee, not refundable to applicant, to cover the costs of the City in processing the application and the investigation thereof. Upon approval of an application, whether initial or renewal, the license will not be effective until a separate license fee is paid. All application, investigation, and license fees provided for in this section will be fixed and determined by the Council annually. Such fees may, from time to time, be amended by the Council.
- D. Manager or Agent. If the applicant is a firm, association, partnership, corporation, limited liability company, or joint venture, the application must include the name of the natural person who will serve as the manager or agent of the licensed premises. Such manager or agent must, by the terms of their written consent, (1) take full responsibility for the conduct of the licensed premises, and (2) serve as agent for service of notices and other process relating to the license. A licensee must submit written notification to the City Clerk of any changes of manager on or before thirty (30) days prior to the effective date of any change. The written notice shall contain all of the information about the new manager as required of a single applicant. The new manager shall be subject to the same investigative process. The designation of a new manager shall not cause the licensee's license to become invalid before a decision is rendered by the City Clerk, provided proper notification and application are made.
- E. <u>Investigation</u>. The City is empowered to conduct any and all investigations to verify the information on applications and renewal applications submitted under this section, including but not limited to ordering a criminal history check pursuant to Minn. Stat. § 299C.72 and conducting an inspection of any premises proposed to be licensed. Failure of an applicant to allow an inspection is grounds for denial of the license.
- F. <u>Consideration and Issuance</u>. After the information on the application has been verified as correct by the City pursuant to subsection E above, an initial application for a license under this section will be submitted to the City Council for review and approval, and if approved the City Clerk will issue the license.
 - 1. <u>Issuance</u>. Upon City Council approval, the City Clerk will issue and mail a license to the applicant at the address noted in the application.
- G. <u>Denial</u>. The City Council may deny a license on the grounds set forth in Section §123.05 and/or on the same grounds for which a license may be suspended or revoked as set forth in Section §123.08. A denial of an application will be communicated to the applicant in writing, including findings supporting the decision. The notice of denial will be mailed by

regular mail to the applicant at the address listed on the application. An applicant may appeal a denial by submitting a hearing request to the City Administrator within ten (10) days of the date of the notice of denial. If a hearing request is not received by the City Administrator within ten (10) days of the date contained in the notice, the applicant's right to a hearing will be deemed waived. If timely requested, the hearing will be held in accordance with the procedures set forth in Section §123.08 B(2) and B(3) of this Chapter. Term of License. Licenses issued under this section will expire on the last day in February of each year. License fees for licenses issued during the course of a calendar year shall be charged on a pro rata basis.

- H. Renewal of License. Applications for renewal of all licenses issued under this section must be made at least sixty (60) days prior to the date of expiration of the license and must contain such information as is required by the City. After the information on the renewal application has been verified as correct by the City pursuant to subsection E above, a renewal application for a license under this section will be presented to the City Council for issuance or denial.
 - 1. <u>Issuance</u>. Upon approval of a renewal application and the applicant's payment of the renewal fee, the City will issue and deliver a license certificate to the applicant at the address noted in the renewal application.
 - 2. Denial. The City Council may deny renewal of a license on the grounds set forth in Section §123.05 and/or on the same grounds for which a license may be suspended or revoked as set forth in Section §123.08. A denial of a renewal application will be communicated to the applicant in writing, including findings and conclusions supporting the decision. The notice of denial will be mailed by regular mail to the licensee at the address listed on the renewal application. A licensee may appeal a non-renewal by submitting a hearing request to the City Administrator within ten (10) days of the date of the City's notice of non-renewal. If a hearing request is not received by the City Administrator within ten (10) days of the date contained in the notice, the licensee's right to a hearing will be deemed waived. If requested, the hearing will be held in accordance with the procedures set forth in Section §123.08 B(2) and B(3) of this Chapter.
- I. <u>Change of Information</u>. A licensee must notify the City within thirty (30) days of a change in the information or facts required to be furnished on the application for a license, even after the license has been issued. Failure to comply with this subsection is cause for suspension or revocation of the license.
- J. <u>Best Practices.</u> No person shall be issued a license, or have their license renewed, to sell edible THC products, unless the person has an approved program for instructing all employees regarding the legal requirements pertaining to the sale of edible THC products at the premises for which the license was issued. The instructional program shall include, but is not limited to, reviewing the law on the sale of edible THC products and the law regarding the requirement of purchasers to establish proof of age. Further, a license shall not be issued unless the person signs a form attesting that each employee of the license holder has received training and instruction on the sale of edible THC products and the date such training occurred. The training shall include information that the sale of edible THC products to a person under the age of 21 is illegal, explanation of what proof of age

is legally acceptable, and that a sale to persons under the age of 21 can subject the license holder and their employees to criminal and civil liability. (Ord. No. 864, passed 08-07-2023)

§123.07 Conditions, Restrictions, and Regulations

- A. A license is subject to the conditions, restrictions, and regulations in this section, all other provisions of City Code, and all provisions of other applicable federal, state, and local laws, regulations, and ordinances.
- B. A licensee is responsible for the conduct of their place of business and the conditions of order in it. The act of an employee of the licensee is deemed the act of the licensee as well, and the licensee is liable for all penalties provided by this section equally with the employee.
- C. The license must be posted in a conspicuous place in the premises for which it is issued and must be exhibited to any person upon request.
- D. No person may sell, offer for sale, give away, furnish, or deliver any edible THC product to any person under twenty-one (21) years of age.
- E. A licensee may sell edible THC products only in a direct face-to-face exchange between the licensee or the licensee's employee and the consumer. Edible THC products may not be consumed onsite at licensee's premises.
- F. No person may sell or dispense any edible THC product through the use of vending machines or by means of delivery.
- G. No person may sell or dispense any edible THC product, other than edibles that are intended to be consumed as a beverage, through self-service merchandising. All edible THC product, other than edibles that are intended to be consumed as a beverage, for sale shall be either stored or displayed for sale behind glass, plexiglass, counter, or another area so that they are not freely accessible to customers without the intervention of an employee. The assistance or intervention of licensee or licensee's employee must entail the actual physical exchange of the edible THC products between the customer and the licensee or employee. Edibles that are intended to be consumed as a beverage shall be segregated and displayed for sale in a location within the premises that is distinct from the sale of all other beverages so as to avoid confusion.
- H. No person under twenty-one (21) years of age may sell, give, or otherwise furnish edible THC products.
- I. No person may distribute samples of any edible THC product free of charge or at a nominal cost. Distribution of edible THC products as a free donation is prohibited.
- J. No person may sell any edible THC product that is not in compliance with the requirements of Minn. Stat. § 151.72, including but not limited to the packaging, labeling, and other requirements for edible cannabinoids provided by Minn. Stat. § 151.72, subdivisions 4, 5, and 5a.

- K. Notice of the legal sales age must be posted at each location where edible THC products are offered for sale. The required signage must be posted in a manner so that it is clearly visible to anyone who is considering or making a purchase.
- L. The premises licensed under this section must be open to inspection by any duly authorized representative of the City during regular business hours to determine whether or not this section and all other laws are being observed. (Ord. No. 864, passed 08-07-2023; Ord. No. 868, passed 12-04-2023)

§123.08 Suspension and Revocation

- A. <u>Grounds for Suspension or Revocation</u>. The City may suspend or revoke a license issued under this section. The following are grounds for suspension or revocation of a license:
 - 1. Fraud, misrepresentation, omission, or false statement contained in a license application or a renewal application;
 - 2. Failure to comply with any applicable statute, regulation, or ordinance, including this section, relating to the sale or use of edible THC products.
 - 3. If the licensee is also the holder of a tobacco license issued by the City pursuant to Chapter 119, any grounds for suspension or revocation of the tobacco license under Chapter 119. (Ord. No. 864, passed 08-07-2023)

B. <u>Procedure</u>.

- 1. Notice. A suspension or revocation will be preceded by written notice from the City Clerk or their designee to the licensee and an opportunity for a hearing. The notice must state the nature of the violation(s) or grounds for suspension or revocation and must inform the licensee of the licensee's right to request in writing a hearing within ten (10) days of the date contained in the notice to dispute the suspension or revocation. The notice will be mailed by regular mail to the licensee at the most recent address listed on the license application. If a written hearing request is not received by the City within ten (10) days of the date contained in the notice, the licensee's right to a hearing will be deemed waived. No suspension or revocation of a license under this section will take effect until (a) the licensee's time to request a hearing expires; or (b) if a hearing is requested, after the licensee is informed of the decision of the City Clerk.
- 2. <u>Hearing</u>. If a hearing is requested, the City Clerk or their designee will provide written notice to the licensee of the date, time, and place of the hearing. The notice must be served in the same manner as the initial notice. The notice must be served no less than fifteen (15) days and no more than thirty (30) days prior to the hearing. The hearing will be held by an impartial hearing officer appointed by the City Administrator or their designee. Upon conclusion of the hearing, the hearing officer must, within ten (10) days, make his or her recommendation to the City Administrator in writing. If the hearing officer's recommendation is denial of the renewal application or suspension or revocation of the license, they must include in the written recommendation their findings and conclusions supporting the decision.

- 3. <u>Decision</u>. Within thirty (30) days of receipt of the hearing officer's written recommendation, the City Administrator will make a decision on whether the license will be denied renewal, suspended, or revoked. The City Administrator must inform the licensee in writing of the decision, including findings and conclusions supporting the decision, within ten (10) days.
- 4. <u>Appeal</u>. No appeal is allowed to the City Council from a decision of the City Administrator under this Section. The City Council may, on its own motion, determine to review the decision of the City Administrator. (Ord. No. 864, passed 08-07-2023)

§123.09 Violations.

A. Violation of a Misdemeanor.

- 1. A person who commits or attempts to commit, conspires to commit, or aids or abets in the commission of an act constituting a violation of this Chapter, whether individually or in connection with one or more other persons or as principal, agent, or accessory is guilty of a misdemeanor. A person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, permits, or directs another to violate a provision of this section is guilty of a misdemeanor.
- 2. It is an affirmative defense to the charge of selling, giving, or otherwise furnishing edible THC products to a person under the age of twenty-one (21) years in violation of this section that the licensee or individual making the sale relied in good faith upon proof of age as described in Minnesota Statutes Section 340A.503, subdivision 6.
- B. <u>False Identification</u>. A person under twenty-one (21) years of age who purchases or attempts to purchase edible THC products and who uses a driver's license, permit, Minnesota identification card, or any type of false identification to misrepresent the person's age is subject to applicable civil or criminal penalties at law. (Ord. No. 864, passed 08-07-2023)

§123.10 Automatic Expiration.

Unless repealed earlier by City Council, Chapter 123 of the City Code shall automatically expire on March 1, 2025. (Ord. No. 864, passed 08-07-2023)