

**Ordinance No. 2022-10**

**An Ordinance amending sections 625.005 and 625.030 of the  
Minnetonka City Code; relating to tobacco licenses;  
imposing restrictions on licenses for exclusive tobacco stores**

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The City of Minnetonka Ordains:

Section 1. Section 625.005 of the Minnetonka City Code, relating to definitions, is revised by adding a new subdivision 2 to read as follows and renumbering subsequent subdivisions accordingly:

2. "Exclusive tobacco store" means a place of business that is primarily dedicated to the sale of tobacco or tobacco-related devices or products.

Section 2. Section 625.030 of the Minnetonka City Code is amended to read as follows:

625.030. Restrictions. The following restrictions apply to tobacco licenses in the city.

1. No license may be issued to a person not of good moral character.
2. No license may be issued for the sale of tobacco-related products at a movable place of business.
3. A separate license is required for the sale of tobacco-related products at each place of business.
4. A license is not transferable from one person to another.
5. No new license may be issued to an exclusive tobacco store after [effective date of ordinance] if any of the following circumstances exist:
  - (a) issuing the license would cause the total number of exclusive tobacco stores in the city to exceed six; (If more than six applications are received in a single year, priority will be given to establishments that were licensed as of [effective date of ordinance]; or
  - (a)(b) the premises for which the application is being made is less than 2,000 feet away from the property line of a school; or

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The ~~stricken~~ language is deleted; the underlined language is inserted.

(c) there is a licensed exclusive tobacco store located on the same property as the premises for which the application is being made.

When a licensed establishment is sold or has a change in ownership, this section does not prevent the issuance of a new license to the successor establishment, provided that the establishment remains in the same location.

Section 3. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 4. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on

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Brad Wiersum, Mayor

Attest:

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Becky Koosman, City Clerk

**Action on this Ordinance:**

Date of introduction: March 21, 2022  
Date of adoption: Aug. 1, 2022  
Motion for adoption: Calvert  
Seconded by: Coakley  
Voted in favor of: Kirk, Schack, Wilburn, Calvert, Schaeppi, Coakley, Wiersum  
Voted against: None  
Abstained: None  
Absent: None  
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

\_\_\_\_\_  
Becky Koosman, City Clerk