



City of New Prague

In the Counties of Scott & Le Sueur

118 CENTRAL AVENUE NORTH · NEW PRAGUE, MINNESOTA 56071 · PHONE (952) 758-4401
www.ci.new-prague.mn.us

Joshua M. Tetzlaff
City Administrator

September 26, 2025

Mr. Steve Binstock
410 Main Street West, Suite 100
New Prague, MN 56071

Re: Second Application for Tobacco License for 410 Main Street W, DBA Anna Tobacco & Smoke Shop
New Prague

Dear Mr. Binstock:

Thank you for submitting your application for a tobacco license to the City of New Prague on August 20, 2025.¹

Using Section 117.03 of City Code, I reviewed your application. This review included the materials you submitted as well as gathering background information on other facilities you own. I have included all of the documentation used in the review as Exhibit A.

New Prague City Code, Section 117.02 defines applicant and person as follows:

APPLICANT. A person, as defined herein, who completes or signs an application for a license to sell tobacco, tobacco related devices or electronic delivery devices individually or on behalf of a business.

PERSON. Includes one or more natural persons, a partnership, limited liability company, corporation, including a foreign, domestic, or nonprofit corporation, a trust, a political subdivision of the state or any other business organization.

New Prague City Code, Section 117.03(J)(2), reads:

(J) The following shall be grounds for denying the issuance or renewal of a license under this section. The following list is not exhaustive or exclusive:

(2) The applicant has been convicted within the past five years of a violation of any provisions of this chapter or a violation of a federal, state, or local law, ordinance provision, or other regulation relating to tobacco, tobacco related devices, or electronic delivery devices.

¹ This is the second application the City has received from this business for this property, with the first having been denied on August 15, 2025. Based on information provided as part of the application, and which are included in Exhibit A, the previous owner transferred ownership of Anna Tobacco New Prague LLC to you on August 19, 2025.

During the review, the City found the Office of Cannabis Management (“OCM”) determined that violations of Minnesota Statutes, Section 151.72, related to the sale of products containing THC, occurred at a location for which you were a 50% owner², Anna Tobacco & Smoke Shop in Chaska, Minnesota. These violations are documents in an OCM Administrative Order dated September 24, 2024, which is enclosed for reference as Exhibit B (“Administrative Order”). At the time the violations occurred, the business held both a THC registration and Tobacco license.

Minnesota Statutes, Section 461.12, subdivision 2a states:

Subd. 2a. Penalties for sales of certain products; licensees.

(a) A licensee's authority to sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products at that location must be suspended for not less than seven days and may be revoked if the licensee:

- (1) holds a license or registration issued pursuant to chapter 342 or section 151.72, subdivision 5b, and the license or registration is revoked;
- (2) is convicted of an offense under section 151.72, subdivision 7; or
- (3) has been convicted under any other statute for the illegal sale of marijuana, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or edible cannabinoid products and the sale took place on the premises of a business that sells tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products.

It is our understanding that the City of Chaska was not notified of the violation and penalty and no suspension occurred.

Minn. Stat. 461.12 is a statute governing tobacco, tobacco related devices, or electronic delivery devices. Violations of Minn. Stat. 151.72 are violations of Minn. Stat. 461.12 as evidenced by the requirement that a licensing authority must suspend a tobacco license “for not less than seven days and may be revoked if the licensee ... has been convicted under any other statute for the illegal sale of ... hemp-derived consumer products, or edible cannabinoid products and the sale took place on the premises of a business that sells tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products.”

The Administrative Order documents violations of Minn. Stat. 151.72, subds. (6)(a)(6), Minn. Stat. 151.72, subd. 3(c)(2), and Minn. Stat. 151.72, subd. 5a (f) that occurred at Anna Tobacco & Smoke Shop, which sells tobacco, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products. The Administrative Order also notes that an administrative penalty was assessed “[d]ue to the serious and repeated nature of the violations...” and that “three violations were deemed severe due to the threat to public health with examples including edibles more than twice the legal limit of THC per serving.”

In addition, retail businesses that offer tobacco and THC products often have cross-use products. Devices, such as dual-use vape pens, can vaporize nicotine or THC oils. The cross-use increases public health concerns and underage access risk, along with potentially illegal sales of THC products under a tobacco license. The City can ascertain that the violations related to electronic delivery devices are reasonably connected to the sale of both THC and Tobacco products. The conviction of the THC electronic delivery device also and alone meets the disqualifying standard described in City Code, Section 117.03(J)(2).

² Exhibit A includes Form 1120-S, Schedule K-1 for the year 2024, which provides that you were a 50% owner of Anna LLC/Anna Tobacco LLC in 2024.



Transferring ownership of Anna Tobacco New Prague LLC does not mitigate the fact that you and the previous owner of the applicant business were both owners of Anna Tobacco, LLC, the entity cited by the OCM in Chaska.

As such, under Section 117.03(C), I am hereby denying your application for a tobacco license in the City of New Prague.

According to Section 117.03(C), you have the right to appeal this denial directly to the City Council. To exercise your right to appeal, please email me at jtetzlaff@ci.new-prague.mn.us by October 16, 2025, with your intent to appeal. If I receive this intention, I shall place the appeal on a subsequent City Council meeting.

Should you have any questions concerning this matter, please feel free to contact me at (952) 758-4401 or jtetzlaff@ci.new-prague.mn.us.

Sincerely,

Joshua M. Tetzlaff, AICP
City Administrator – New Prague

Att:

- Exhibit A
- Exhibit B