



Legislation Text

File #: RES PH 12-124, **Version:** 1

Approving adverse action against the Cigarette/Tobacco license held by Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store located at 1340 Payne Avenue in Saint Paul.

WHEREAS, adverse action was taken against the Cigarette/Tobacco license held by Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store (License ID #20050002096) for the premises located at 1340 Payne Avenue in Saint Paul by Notice of Violation and Notice of Administrative Fine dated March 26, 2012, alleging that on March 12, 2012, the licensee was also the clerk who sold tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a, Minn. Stat. § 461.12, Subd. 3 and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this was the first violation regarding the sale of tobacco products to an underage person, so per Saint Paul Legislative Code § 324.11 (b) (1), and Minn. Stat. § 461.12, Subd. 3, the licensing office recommended a \$200.00 matrix penalty to the licensee as the owner of the establishment and a \$50.00 administrative fine to the licensee as the clerk who sold the tobacco products; and

WHEREAS, licensee responded to the Notice of Violation and Notice of Administrative Fine to request two (2) public hearings which were combined and held on May 2, 2012, now therefore be it

RESOLVED, that Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store is hereby ordered to pay a matrix penalty of \$200.00 and also an administrative fine of \$50.00 for the sale of tobacco products to an underage person on March 12, 2012. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.