

cigarette, flavored tobacco products, and indoor smoking allegations, denying summary disposition on the remaining allegations, and recommending that a \$1,000.00 fine be imposed against the License; and

WHEREAS, at a public hearing on November 17, 2021, the Department recommended that the City Council adopt Judge LaFave's order and recommendation, impose a \$1,000.00 fine against the License, and dismiss the remaining allegations; and

WHEREAS, at the same hearing, after considering all the evidence contained in the record and the oral arguments presented before it, the City Council rejected the Department's recommendation and requested that the Department try the remaining allegations at an evidentiary hearing to be scheduled by Judge LaFave; and

WHEREAS, a prehearing conference was held by telephone on December 7, 2021 to review the status of the case and Judge LaFave requested that the City Council issue a formal order remanding the case back to him; now, therefore, be it

RESOLVED, that the City Council requests that Judge LaFave schedule an evidentiary hearing on the allegations on which he denied summary disposition and give the parties adequate opportunity to develop the record with respect to those allegations.

A copy of this resolution, as adopted, shall be sent by first class mail to Judge LaFave and the Licensee.