



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

January 18, 2013

NOTICE OF VIOLATION

Amanuel Sahle
Piazza Market
512 Snelling Avenue North
St. Paul, MN 55104-2332

RE: Cigarette/Tobacco license held by Piazza Market, LLC d/b/a Piazza Market for the premises located at 512 Snelling Avenue North in Saint Paul
License ID #20080001922

Dear Amanuel Sahle:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Cigarette/Tobacco license held by Piazza Market, LLC d/b/a Piazza Market for the premises located at 512 Snelling Avenue North in Saint Paul. The basis for the recommendation is as follows:

On December 27, 2012, a tobacco compliance check was conducted at the Piazza Market located at 512 Snelling Avenue North. A fifteen year old male entered your establishment and asked to buy cigarettes. He was asked to show his identification, and did so. It correctly stated his date of birth, which indicated he was underage. Nevertheless, the clerk sold him a package of cigarettes. Sale of tobacco to an underage person is a violation of Minn. Stat. § 609.685 and Saint Paul Legislative Code § 324.07(c).

This is the first (1st) violation for the sale of cigarettes to an underage person; therefore, per Saint Paul Legislative Code §324.11 (b) (1) the licensing office will recommend a \$200.00 matrix penalty.

At this time you have three options on how to proceed:

1. You can pay the recommended \$200.00 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, January 28, 2013**. A self-addressed envelope is enclosed for your convenience. Payment of the \$200.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter no later than **Monday, January 28, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$200.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.

Piazza Market
January 18, 2013
Page 2

3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing by **Monday, January 28, 2013**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by Monday, January 28, 2013, I will assume that you are not contesting the imposition of the \$200.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

Please be advised that the clerk who was identified as having made the sale on this date is also being charged a \$50.00 administrative penalty pursuant to Minn. Stat. §461.12, subd. 3. This is a separate action from this license matter.

If you have any questions, please feel free to contact me at (651) 266-8710.

Sincerely,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Amanuel Sahle, 1865-47th Street East, Inver Grove Heights, MN 55077
Faith Krogstad, Community Organizer, Hamline Midway Coalition, 1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 18th day of January she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Amanuel Sahle
Piazza Market
512 Snelling Avenue North
St. Paul, MN 55104-2332

Amanuel Sahle
1865-47th Street East
Inver Grove Heights, MN 55077


Faith Krogstad, Community Organizer
Hamline Midway Coalition
1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.



Julie Kraus

Subscribed and sworn to before me
this 18th day of January, 2013



Notary Public

