



CITY OF SAINT PAUL
Mayor Melvin Carter

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

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

April 15, 2019

NOTICE OF INTENT TO SUSPEND LICENSES

Twin City Beer Barons, LLC, Licensee
d/b/a World of Beer
356 Sibley Street
St. Paul, MN 55101
Attn: Adam Chwala, President

RE: Liquor On Sale –101-180 seats or less, Liquor On Sale-Sunday, Entertainment (A) licenses held by Twin City Beer Barons, LLC d/b/a World of Beer for the premises located at 356 Sibley Street in Saint Paul.
License ID #: 20140003000

Dear Licensee:

The Department of Safety and Inspections (“Department”) has recommended adverse action against the Liquor On Sale –101-180 seats or less, Liquor On Sale-Sunday, Entertainment (A) licenses held by Twin City Beer Barons, LLC d/b/a World of Beer for the premises located at 356 Sibley Street in Saint Paul.

The Department asserts that the following facts along with attachments herein constitute proof of a violation of Saint Paul Legislative Code § 409.26 (b) (12) by a preponderance of the evidence:

March 21, 2019, DSI received your Certificate of Liability Insurance indicating a coverage period of March 21, 2019 to March 21, 2020. The certificate now indicates a Thirty-Three (33) day lapse in liquor liability coverage (February 16, 2019 – March 20, 2019).

Saint Paul Legislative Code § 409.065 states: “No license under this chapter may be issued, maintained or renewed unless the licensee or applicant therefor complies with the insurance requirements imposed by Minn. Stat. § 340A.409. Such insurance coverage shall comply with the requirements of Minn. Stat. § 340A.409 and Chapters 7 and 8 of this Legislative Code. “

You are required to hold current liquor liability insurance without a lapse in coverage in order to continue operating your business. Therefore, as a result of this lapse, per Saint Paul Legislative Code § 409.26 (b) (12), the licensing department will recommend a ten (10) day suspension of all your licenses.

You have three (3) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Thursday, April 25, 2019**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the **May 15, 2019** City Council Consent agenda for approval of the proposed remedy.

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 by **Thursday, April 25, 2019**, the matter will then be scheduled before the City Council to determine whether to suspend your fLiquor On Sale –101-180 seats or less, Liquor On Sale-Sunday, Entertainment (A) licenses for a period of ten (10) days. You will have an opportunity to appear before the Council and make a statement on your own behalf.
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 no later than **Thursday, April 25, 2019**. 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 Thursday, April 25, 2019, I will assume that you do not contest a ten (10) day suspension of your Liquor On Sale –101-180 seats or less, Liquor On Sale-Sunday, Entertainment (A) licenses. In that case, the matter will be placed on the May 15, 2019 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact my Legal Assistant Shawn McDonald at (651) 266-8729.

Sincerely,



Therese Skarda
Assistant City Attorney
License No.: 0240989

cc Adam Chwala 14606 Galt Lake Drive, Tampa, FL 33626
Jon Fure, Executive Director, Capitol River Council, 180 5th Street E. Saint Paul, MN 55101
Strauss Apartment LP, 1525 S. 4th Street #201, Minneapolis, MN 55454-1134

Attachments: Renewal invoice dated 2/25/2019
Certificate of Liability Insurance dated 3/21/19
Screen shots from DSI ECLIPS system dated 3/25/19
Saint Paul Legislative Code § 409.26 (b) (12)

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 15TH day of April, he served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:


Twin City Beer Barons, LLC, Licensee
d/b/a World of Beer
356 Sibley Street
St. Paul, MN 55101
Attn: Adam Chwala, President

Adam Chwala
14606 Galt Lake Drive
Tampa, FL 33626

Jon Fure, Executive Director,
Capitol River Council,
180 5th Street E.
Saint Paul, MN 55101

Strauss Apartment LP,
1525 S. 4th Street #201,
Minneapolis, MN 55454-1134

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

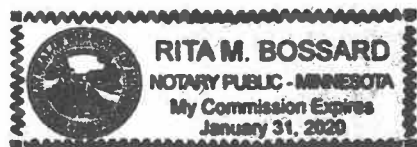


Shawn McDonald

Subscribed and sworn to before me
this 15TH day of April 2019



Notary Public





CERTIFICATE OF LIABILITY INSURANCE

WBWII-1

OP ID: NM

DATE (MM/DD/YYYY)

03/21/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
 Mid-State Insurance
 7105 W Mequon Rd, PO Box 550
 Mequon, WI 53092
 Joseph LaBarbera

CONTACT NAME: **Joseph LaBarbera**
 PHONE (A/C No. Ext): **262-241-0550** FAX (A/C No.): **262-241-0516**
 E-MAIL ADDRESS: **joe@midstateis.com**

INSURED **WB WI II, LLC**
dba World of Beer
Twin City Beer Barons LLC
14606 Galt Lake Drive
Tampa, FL 33626

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Liberty Mutual Insurance	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INBD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		59389533	03/21/2019	03/21/2020	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input checked="" type="checkbox"/> Liquor Liability		59389533	03/21/2019	03/21/2020	MED EXP (Any one person) \$ 15,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 2,000,000
	OTHER:					PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY					Liquor \$ 1,000,000
	<input type="checkbox"/> ANY AUTO					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DED	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Location: 356 N. Sibley Street, Saint Paul, MN 55101

CERTIFICATE HOLDER

CITY/STP

City of St. Paul - DSI
 375 Jackson Street, Suite 220
 St. Paul, MN 55101-1806

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

LICENSE ID: 20140003000



Renewal Invoice

CITY OF SAINT PAUL

Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application

February 25, 2019

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
PHONE: (651) 266-8989
FAX: (651) 266-9124
An Equal Opportunity Employer

TWIN CITY BEER BARONS LLC
WORLD OF BEER
CONTACT: ADAM D CHWALA
14606 GALT LAKE DRIVE
TAMPA FL 33626

Invoice #: 1048992

Invoice Due Date : Upon Receipt

Account Balance: \$6,378.00

Pay this Amount: \$3,413.00

HOME PHONE: 813-732-3744

Transaction Description	Transaction Total
Inv: 1044736 140003000 Entertainment - Class A Expires: 02/16/2019 @ 366 SIBLEY ST	248.00
Inv: 1044736 140003000 Liquor On Sale - Sunday Expires: 02/16/2019	200.00
Inv: 1044736 140003000 Liquor On Sale - 101-180 Seats Expires: 02/16/2019	2,655.00
Late Fee 7-30 days late (10%)	310.00

Requirements	Invoice Amount Due: \$3,413.00
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Your account is overdue. Please mail payment today!!

Please complete the following information for your First Half renewal (disregard if invoice is for the 2nd half payment):

Company & DBA Names (if different than above):

Business Phone #'s (include fax, cell, & pager if applicable): 813-732-3744

Applicant Name, Date of Birth, Home Address, & Phone #'s:

Manager Name, Date of Birth, Address, & Phone #'s:

Liquor is served in the following rooms:
Signature & Title of Applicant: Adam Chwala - Manager, President

Submit with First Half payment only:

*State renewal certificate

*Proof of current liquor liability insurance (expiration must coincide with your license expiration date)

Your Taxpayer Identification is on file. Thank you.

Please Give Us Your Email Address: achwala@lve.com

Please Return this invoice with your payment!

ε - 3/12/2019 - lab

Licensee: TWIN CITY BEER BARONS LLC

DBA: WORLD OF BEER

License #: 20140003000

3/25/19 To CAO for lapse of Liq. Liq from 2/16/19 to 3/21/19.KS
03/25/2019 License expiration date changed from 02/16/19 to 3/21/19 to expire with liquor liability. LAB
02/26/2019 Sent delinquent letter. Response deadline date is March 19, 2019, Max
02/27/2018 Sent delinquent letter. Response deadline date is March 20, 2018.Max
NOTE: As of 10/15/17 \$3,383 owed on liq. 2nd 1/2 including late fees.
02/15/2018 Per State AGED owner canceled 2AM lic. and not renewing. Cancel City 2AM lic. JWF
10/16/2017 No response to 2nd 1/2 liq. fee delinquent letter, to KS for CA adverse action. JWF
08/29/2017 Sent delinquent letter. Response deadline date is September 19, 2017. Max
12/07/2016 Auth. to Adjust submitted to waive late fees totaling \$696 due to computer error generating and payment of 2nd 1/2 fee submitted. JWF
12/05/2016 Paid 2nd 1/2 fee. JWF
11/21/2016 Delinquent 2nd 1/2 letter (\$904 owed), response date 12/05/2016. JWF
08/29/2016 Mailed 2nd 1/2 invoice (\$822), no late fees if paid by 11/01/2016. JWF
06/08/2016 Per bldg. insp. scheduled for final on permit and EH lic. 06/14/2016 (Gray file by date). JWF
05/16/2016 Prmts. not finalized, rck 06/14/2016 (gray file). JWF
04/20/2016 Per licensee rep. anticipated opening date to be 05/15/2016 (app. in gray file by date). JWF
03/24/2016 Liq. Out. Serv. Area (Sidewalk) lic. app. withdrawn per license applicant. JWF
03/23/2016 License notification sent to add Liq. Out. Sidewalk lic., 5M/35EM, response date 04/08/2016. jwf
02/11/2016 Bldg. prmt issued 01/25/2016. jwf
12/07/2015 Bldg. prmt. app. #15-163864 submitted for buildout (under review), rck 02/07/2016 (gray file). JWF
09/21/2015 No bldg. prmt. app. yet, 11/21/2015 rck (app. in gray file). JWF
07/17/2015 No bldg. prmt. app. yet, 09/19/2015 rck (app. in gray file). JWF
05/22/2015 No bldg. prmt. app. yet, 07/17/2015 rck (app. in gray file). JWF
03/02/2015 No bldg. prmt. app. yet, 05/02/2015 rck (app. in gray file). JWF
01/22/2015 No bldg. prmt. app. yet, 02/24/2015 rck (app. in gray file). JWF
12/22/2014 No bldg. prmt. app. yet, 01/14/2015 rck (app. in gray file). JWF
12/15/2014 Rcvd. signed cond. affidavit. JWF
12/01/2014 No objections to license notification per Nhia Vang's office, Leg. Hearing Officer. JWF
11/13/2014 License notification sent, 13M/35EM, response date 11/28/2014. JWF

License Query

Address Licensee Contact License Cardholder

Licensee Name: TWIN CITY BEER BARONS LLC
 DBA: WORLD OF BEER
 Sales Tax Id:

- Find Now
- OK
- Cancel
- New Search
- Help



SEARCH WINDOW

License #	Tag #	Licensee Name	DBA	License Type	Status	Reason
140003000	0	TWIN CITY BEER BARONS LLC	WORLD OF BEER	Entertainment (A)	Approved	Ok to Print
				Liquor On Sale - Sunday	Approved	Ok to Print
				Liquor On Sale - 101-180 Seats	Approved	Ok to Print
	23597	TWIN CITY BEER BARONS LLC	WORLD OF BEER	Alarm Permit (New)	Canceled	10/14/2015 No Alarm
	0	TWIN CITY BEER BARONS LLC	WORLD OF BEER	Liquor On Sale - 2 AM Closing	Canceled	02/15/2018 Per State
				Liquor-Outdoor Service Area (Side Withdrawn)		03/24/2016 Lq. Ou

6 Items Found

Properties For License 356 SIBLEY ST

Licensee: TWIN CITY BEER BARONS LLC
 DBA: WORLD OF BEER

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Property
 Licensee
 Unofficial

Street #: 356
 Street Name: SIBLEY
 Street Type: ST Direction:
 Unit Ind: Unit #:
 City: ST PAUL
 State: MN Zip: 55101
 Ward: 2
 Dist Council: 17

Project Facilitator: ZANGS, LAWRENCE (LARRY)

Adverse Action Comments
 02/15/2018 Per State AGED owner canceled 2AM lic. and not renewing. Cancel City 2AM lic. JWF
 10/30/2017 - Sent Notice of Intent to Suspend Licenses

License Group Comments:
 3/25/19 To CAO for lapse of Liq. Liq from 2/16/19 to 3/21/19.KS
 03/25/2019 License expiration date changed from 02/16/19 to 3/21/19 to expire with liquor liability. LAB
 02/26/2019 Sent delinquent letter. Response deadline

Licensee: TWIN CITY BEER BARONS LLC Licensee:
 DBA: WORLD OF BEER Comments:
 Sales Tax Id: ***** Bus Phone: () -

License Type	Class	Effective	Expiration	Conditions	License Fee
Alarm Permit (New)	R	12/08/2014	12/08/2015	N	\$27.00
Liquor-Outdoor Service Area (Sidewalk)	N	03/18/2016	03/18/2017	N	\$34.00
Liquor On Sale - 2 AM Closing	N	07/01/2016	02/16/2019	N	\$53.00

License # 140003000 Save Changes to History

Properties For License 356 SIBLEY ST

Licensee: TWIN CITY BEER BARONS LLC
 DBA: WORLD OF BEER

Licensee Name: TWIN CITY BEER BARONS LLC
 DBA: WORLD OF BEER
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 06/01/2019
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses:

Other Licensing Agency Name / License Type	License #	Expiration
State of Minnesota / Optional 2AM Closing Lice no number		07/01/2017

Financial Hold Reasons:

Reason	Active	Date

Contacts for this Licensee:

Addr. Type	Active	Inactive	Last Name	First Name	Title	Bus. Phone
Business	11/13/2014	00/00/0000	CHWALA	ADAM	PRESIDENT / C	() - ()
Mail To	10/08/2014	00/00/0000	CHWALA	ADAM	PRESIDENT / C	() - ()
Other	10/09/2014	00/00/0000	FERCHOFF	JEFFREY	MEMBER / OW	() - ()
Other	10/08/2014	00/00/0000	PARR	STEPHEN	MANAGER - 4	() - ()

Mail License To: Mail To Contact License Address
 Mail Invoice To: Mail To Contact License Address

Background Check Required

License # 140003000 Save Changes to History

Properties for Licensee Contact

Name | Address | Phone | Email | Groups

Street #: 14606
Street Name: GALT LAKE
Street Pre Direct: <All>
Street Type: DRIVE
Street Post Direct: <All>
Unit #:
Unit Abbrev:
P.O. Box #:
City: TAMPA
State: FL
Country: U.S.A.
Zip Code: 33626
Zip+4:
Inter Office Address:
 Override Formatted Address for Mailing
US Post Formatted Address:
Last Upload: 01/01/1997

OK Cancel Help Save Changes to History

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Pay Print Warn Hist Summ
Licensee: TWIN CITY BEER BARONS LLC
DBA: WORLD OF BEER

License | Licensee | Lic. Types | Insurance | Bond | Requirements

License Type: Liquor On Sale - 101-180 Seats < 1 of 1 >

Insurance Type: Liquor Liability Insurance Vehicles
 Policy #: 59389533

Company: LIBERTY MUTUAL INS
 Address: joe@midstateis.com
 Phone #: () -

Effective: <u>03/21/2019</u>	Liability Limits	Insurance Rec'd: <u>03/25/2019</u>
Expiration: <u>03/21/2020</u>	<u>\$1,000,000</u>	Days To Cancel: <u>10</u>
Continuous: <input type="checkbox"/>		Canceled: <u>00/00/0000</u>
City Insured: <input type="checkbox"/>		Cancel Rec'd: <u>00/00/0000</u>

Agency: MID-STATE INSURANCE
 Address: 7105 W MEQUON ROAD, PO BOX 550, MEQUON, WI 53092
 Phone #: (262) 241-0550 Contact: CHRISTINA SANDFORD

New Delete Copy << 6 of 6 >>

License # 140003000 Save Changes to History OK Cancel Help

Sec. 409.26. - Intoxicating liquor; nonintoxicating malt liquor; presumptive penalties.

- (a) *Purpose.* The purpose of this section is to establish a standard by which the city council determines the length of license suspensions and the propriety of revocations, and shall apply to all on-sale and off-sale licensed premises for both intoxicating liquor under this chapter and nonintoxicating liquor under chapter 410. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.
- (b) *Presumptive penalties for violations.* Adverse penalties for convictions or violations shall be presumed as follows (unless specified, numbers below indicate consecutive days' suspension):

	Type of Violation	Appearance			
		1st	2nd	3rd	4th
(1)	Commission of a felony related to the licensed activity.	Revocation	NA	NA	NA
(2)	Sale of alcohol beverages while license is under suspension.	Revocation	NA	NA	NA
(3)	Sale of alcoholic beverages to underage person.	500.00	1,000.00	Up to 18	Revocation
(4)	Sale of alcoholic beverage to intoxicated person.	500.00	1,000.00	Up to 18	Revocation
(5)	After hours sale of alcoholic beverages.	500.00	6	18	Revocation
(6)	After hours display or consumption of alcoholic beverage.	500.00	4	12	Revocation
(7)	Refusal to allow city inspectors or police admission to inspect premises.	5	15	Revocation	NA
(8)	Illegal gambling on premises.	500.00	6	18	Revocation
(9)	Failure to take reasonable steps to stop person from leaving premises with alcoholic beverage.	500.00	4	12	Revocation
(10)	Failure to make application for license renewal prior to license expiration date.	500.00	6	18	Revocation

(11)	Sale of intoxicating liquor where only license is for nonintoxicating liquor.	500.00	6	18	Revocation
(12)	Failure to comply with statutory, and ordinance requirements for liability insurance.	10	Revocation	NA	NA

For on-sale intoxicating liquor establishments with a seating capacity of one hundred fifty (150) or more, the monetary penalty for any violation (including violations found in chapter 310) shall be doubled.

For off-sale intoxicating liquor establishments with five thousand one (5,001) or more square feet of retail space, the monetary penalty for any violation (including violations found in chapter 310) shall be doubled.

A licensee who would be making a first appearance before the council may elect to pay the fine to the department of safety and inspections without an appearance before the council, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive penalty. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and shall be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.

(c) *Multiple violations.* At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.

Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council.

The same procedures shall apply to a second, third or fourth appearance before the council.

(d) *Subsequent appearances.* Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance.

(e) *Computation of time.*

(1) *Second appearance.* A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.

(2) *Third appearance.* A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.

(3) *Fourth appearance.* A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.

- (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen- or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
- (5) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (b) or a violation of section 310.05(m).
- (f) *Other penalties.* Nothing in this section shall restrict or limit the authority of the council to suspend up to sixty (60) days, revoke the license, or impose a civil fine not to exceed two thousand dollars (\$2,000.00), to impose conditions or take any other adverse action in accordance with law, provided, that the license holder has been afforded an opportunity for a hearing in the manner provided for in section 310.05 of this Code.
- (g) *Effect of responsible business practices in determining penalty.* In determining the appropriate penalty, the council may, in its discretion, consider evidence submitted to it in the case of uncontested adverse actions or submitted to a hearing examiner in a contested hearing upon which findings of fact have been made that a licensee has followed or is likely to follow in the future responsible business practices in regard to sales to intoxicated persons and sales to minors.
 - (1) For the purposes of service to intoxicated persons, evidence of responsible business practices may include, but is not limited to, those policies, procedures and actions that are implemented at time of service and that:
 - a. Encourage persons not to become intoxicated if they consume alcoholic beverages on the defendant's premises;
 - b. Promote availability of nonalcoholic beverages and food;
 - c. Promote safe transportation alternatives other than driving while intoxicated;
 - d. Prohibit employees and agents of defendant from consuming alcoholic beverages while acting in their capacity as employees or agents;
 - e. Establish promotions and marketing efforts that publicize responsible business practices to the defendant's customers and community;
 - f. Implement comprehensive training procedures;
 - g. Maintain an adequate, trained number of employees and agents for the type and size of defendant's business;
 - h. Establish a standardized method for hiring qualified employees;
 - i. Reprimand employees who violate employer policies and procedures; and
 - j. Show that the licensee has enrolled in recognized courses providing training to self and one (1) or more employees of the licensed establishment in regard to standards for responsible liquor service.
 - (2) For the purposes of service to minors, evidence of responsible business practices may include, but is not limited to, those listed in subsection (1) and the following:
 - a. Management policies that are implemented at the time of service and that ensure the examination of proof of identification (as established by state law) for all persons seeking service of alcoholic beverages who may reasonably be suspected to be minors;
 - b. Comprehensive training of employees who are responsible for such examination regarding the detection of false or altered identification; and
 - c. Enrollment by the licensee in recognized courses providing training to self and one (1) or more employees of the licensed establishment in regard to standards for responsible liquor service.

(Ord. No. 17556, § 1, 4-28-86; Ord. No. 17657, § 14, 6-8-89; Ord. No. 17675, § 1, 8-22-89; Ord. No. 17694, § 2, 11-7-89; Ord. No. 17756, § 1, 8-7-90; Ord. No. 17924, §§ 2, 3, 5-7-92; C.F. No. 92-1929, § 1, 2-9-93; C.F. No. 97-1445, § 1, 12-30-97; C.F. No. 98-866, § 1, 11-4-98; C.F. No. 07-149, § 161, 3-28-07; C.F. No. 10-818, § 1, 8-25-10; Ord. No. 11-92, § 1, 9-28-11; Ord 12-41, § 1, 8-22-12)

District 17 - Downtown

Capitol River Council

 image

180 5th St. E

St. Paul, MN 55101 ([map](#))

<http://www.capitolrivercouncil.org>

P: (651) 221-0488

Board Chair: Tiffany Brace

Staff

[Jon Fure](#), Executive Director

STAMP - Ownership / Zoning Information[New Search](#)[Help using this report](#)**Run Date:** 04/12/19 12:26 PM**House#:** 356**Last updated from Ramsey County
data on:** 07/07/2018**Street
Name:** sibley

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

346 Sibley St / 350 Sibley St - Straus Knitting Building / 356 Sibley St - 55101 - [Other Applications](#)**PIN: 312922440074****Census
Track:** 34201**Census Block:** 1065**Council
Ward:** 2**District
Council:** 17**Year Built:****Foundation Sq
Feet:****Loan Company:** 00
Glaser Fin**Land Value:** 0**Building Value:** 0**Unverified Usage:****ISP:****Units:****Zoning:** B5 / HPL-LT**Heritage Preservation: HP Inventory #:** RA-SPC-3353 / **HP Property Name:** John Wann Building/Spin Knit
Fabrics Co. / **HP Property Name:** John Wann Building / **HP Date Built:** ca. 1882 / **HP Date Built:** 1882 / **HP
Address:** 356 Sibley Street / **HP Address:** 350-364 Sibley St. / **HP Data Source:** Inventory Form / **HP Local
Context:** Downtown St. Paul, 1849-1975**Legal Desc:** AUDITOR'S SUBDIVISION NO. 32 WITH PARTY WALL AGRT LOTS 2 THRU LOT 5 BLK 1**Owner:**Strauss Apartments Lp
1525 S 4th St Ste 201
Minneapolis MN 55454-1134
612-332-3000