

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 8th day of July, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF A 10-DAY SUSPENSION OF YOUR LICENSE** and a correct copy thereof in an envelope addressed as follows:

Peters Market Inc.
d/b/a Peters Market
530 Saint Peter Street
Saint Paul, MN 55102

Ibraheem Sulaiman
13932 Kimberly Circle
Rogers, MN 55374

Del Co Limited Partnership
P.O. Box 17122
Saint Paul, MN 55117

Jon Fure, Executive Director
370 Wabasha Street North, Suite 720
Saint Paul, MN 55102

(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 8th day of July 2022


Notary Public





SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

July 8, 2022

NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION
OF A 10-DAY SUSPENSION OF YOUR LICENSE

Peters Market Inc.
d/b/a Peters Market
530 Saint Peter Street
Saint Paul, MN 55102

RE: Cigarette/Tobacco license held by Peters Market Inc., d/b/a Peters Market, for the premises located at 530 St. Peters Street in Saint Paul.
License ID #: 20200001649

Dear Licensee:

The Department of Safety and Inspections (the "Department") is recommending adverse action against the Cigarette/Tobacco license held by Peters Market Inc., d/b/a Peters Market (the "Licensee"), for the premises located at 530 Saint Peter Street in Saint Paul (the "Licensed Premises") for a first-time flavored product violation.

Saint Paul Legislative Code section 324.07(j) prohibits a licensee from selling, offering for sale, or otherwise distributing any flavored tobacco products. Under Saint Paul Legislative Code section 310.17, the conduct of any clerk, employee, manager, or agent working for or on behalf of a licensee is treated as the conduct of the licensee for the purpose of adverse action.

Saint Paul Legislative Code section 324.10(b)(2) sets the presumptive penalties for violations of provisions of the Legislative Code relating to the display, possession, or multiple incidents of sales of menthol or flavored tobacco products. Under section 324.10(b)(2), the presumptive penalty for a first-time violation is a 10-day license suspension.

The Department asserts that the following facts, along with photos of the violations attached herein, constitute proof of a violation of section 324.07(j) of the Saint Paul Legislative Code by a preponderance of the evidence.

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

*The Saint Paul City Attorney's Office does not discriminate
based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status
in the delivery of services or employment practices.*



Synopsis of Alleged Facts:

On May 12, 2022, Department Inspector Voyda went to the Licensed Premises for a complaint inspection. Inspector Voyda spoke with the store clerk, Salim Hkamt, and informed him that the Department received a complaint that the Licensee was selling flavored tobacco products and he was there for an inspection. In plain sight behind the counter/cash register were multiple flavored tobacco products.

Voyda located and photographed a large volume of flavored tobacco products located behind bags and boxes under the sales counter. Voyda then educated the clerk on the flavor violations and advised to remove all flavored products into a back storage and to call a distributor to pick them up.

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 **July 22, 2022**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for a 10-day suspension of your license.
2. If you wish to admit the facts but you contest 10-day suspension 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 no later than **July 22, 2022**. The matter will then be scheduled before the City Council to determine whether to suspend your license. You will have an opportunity to appear before the Council and make a statement.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (the "ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **July 22, 2022**. At that hearing both you and the City will appear and present witnesses and 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 hearing, 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 reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code section 310.05(k).



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

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Saint Paul, MN 55102
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If you have not contacted me by July 22, 2022, I will assume that you do not contest the imposition of a 10-day suspension of your license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

Sincerely,

Stephen Earnest
Assistant City Attorney
License No.: 0402652

cc: Ibraheem Sulaiman, 13932 Kimberly Circle, Rogers, MN 55374
Del Co Limited Partnership, P.O. Box 17122, Saint Paul, MN 55117
Jon Fure, Executive Director, 370 Wabasha Street North, Suite 720, Saint Paul, MN 55102

Attachments: Inspector's Report
List of Tobacco Products Found on License Premises
Licensee information on Eclips System
License Group Conditions Text
STAMP – Ownership/Zoning Information
Photos of tobacco products

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

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Inspector's Report

Inspectors Name: Joseph Voyda

Date & Time: 5/12/2022 - 2:35pm

Staff Member's Name: Salim Hkamt (clerk)

Business/DBA Name: Peters Market

Property Address: 530 ST Peter Street

Reason for Visit: Complaint Inspection

Observations: Selling Flavored Tobacco Products

Photos Taken: ☒ Yes ☐ No – Area(s) of where the Photo(s) were taken: Behind the counter and shelving

Action Taken: ☐ Education / warning

☒ Request for Adverse Action

Other: -

Details of Conversations (Statements to and by Person Responsible for Property):

Upon arrival on May 12, 2022 at 2:35pm I spoke with the clerk Salim Hkamt I introduced myself as a licensing Inspector for the City of Saint Paul with Department of Safety and Inspections. I explained I was there for an inspection from a complaint that was received by DSI for flavor tobacco product being sold.

In plain sight located behind the counter/cash register were multiple flavor tobacco product violations equivalent to a tobacco products shops (see attached photos –10 pages total), hidden behind bags and boxes under the counter two were menthol products intended for sale (see listed products below). I asked Salim if there were any other flavor products that were present or hidden, Salim response was “no, I don’t know anything I just work here”. Continuing the inspection, I advised Salim to move all products (two 3 foot by 3 foot boxes and a 1 foot by 1 foot box) that where flavor violations into the back storage room/restroom. I spoke and advised the license holder Ibraheem Sulaiman to call the distributor for a pickup. I educated Salim on the flavor violations that were discovered.

Types of flavored tobacco products found of Multiple Boxes of:

Menthol - Two (2) 'Golden Harvest' menthol cigar pipe bags, two (2) cartons of 'Newport' including four loose packs, eight (8) packs of 'Crown' and three (3) packs of 'Winners' menthol cigarettes

'American Spirits' - Black (five (5) Packs)

'High Hemp' - Hydrolemonade, Grapeape, Area 51 Green, Florapassion & Plain
'Backwoods' - Honey Berry, Banana, Honey Bourbon, Black Russian, Russian Cream & Honey
'Dutch' - Sweet Fusion, Gold Fusion, Blue Dream Fusion, Honey Fusion, Irish Fusion & Berry Fusion
'Black & Mild' - Blues & Wine
'Pack Wraps' - Gushing Grape
'Throw Back' - Banana Nana
'Pronto Leaf Master' - Palma & Cream
'Zig Zag Hemp' - OG Purp, Island Vibe & Blue Dream
'Twisted Hemp' - Blue Raspberry
'Twisted PALM' - Orange Cream, Island Hopper & Purple Haze
'Crop Kingz' - Passionfruit Liquor * Champagne & Grape Syrup * Hard Candy
'Al Capone' - Rum
'Moon Buzz' - Indica THC-O California Dream
'Al Fakher' - Mint
'BUDDY' - 2 jars or Kief Hemp Flower - Indica & Jack Sativa (being sold by the gram or once seperatly by scale)
'Guaranteed Pharma' - Moon Rocks (being sold by the gram or once seperatly by scale)

List of Vape Pens and Juice:

'LOON MAXX' - Iced Lush, Pink, Frozen Fizzy Pop Peach, Creamy Frost Bite, Iced Lush, Mint, Blue Razz, Blue Lightning, Bowzer Berry, Iced Pineapple, Iced Melon, Frozen Grape Slushy, Dragon's Blood & Frozen Mango
'Flum Float' - Red Bang, Cool Mint, Mixed Berries, Strawberry Mango & Strawberry Banana
'The Mixer' - Peach Mango Pineapple Lemonade Cherry, Watermelon Strawberry, Aloe Pineapple Grape, Banana Ice Strawberry Banana, Kiwi Strawberry Watermelon Spearmint
'GST' - Cran Grape, Cool Mint, Ceral Milk, Peach Ice, Banana Ice & Peach Cream
'Mr. Frog' - Raspberry Strawberry & Raspberry Grape Apple Watermelon on Ice
'Hyde' - Grape Ice, Peach Mango Watermelon, Sour Apple Ice & Pineapple Peach Mango
'Drippin AF' - Mango, Banana Ice, Banana Melon & Berry Cake
'Cali 2K' - Sweet Mint, Frozen Rainbow & Mango Ice
'The High Club' - Sour Diesel
'Sky High' - Sour Diesel, Granddaddy Purple, Forbidden Fruit, Blue Dream & Mango Kush
'KI' - Lemon Meringue

Properties For License 530 ST PETER ST

Licensee: PETERS MARKET INC
 DBA: PETERS MARKET

License: _____ Licensee: _____ Lic. Types: _____ Insurance: _____ Bond: _____ Requirements: _____

Licensee Name: PETERS MARKET INC
 DBA: PETERS MARKET
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000
 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: _____ Financial Hold Reasons: _____

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Contacts for this Licensee:

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
SULAIMAN	IBRAHEEM	OWNER	(651) 222-7466	(612) 819-8999	530 ST PETER ST
SULAIMAN	IBRAHEEM	OWNER	(651) 222-7466	(612) 819-8999	13932 KIMBERLY CIR

Mail License To: ☒ Mail To Contact ☐ License Address
 Mail Invoice To: ☒ Mail To Contact ☐ License Address

Background Check Required ☐

License # 200001649

Save Changes to History ☒

OK

Cancel

Help

Properties For License 530 ST PETER ST

Licensee: PETERS MARKET INC
 DBA: PETERS MARKET

License: _____ Licensee: _____ Lic. Types: _____ Insurance: _____ Bond: _____ Requirements: _____

Licensee Name: PETERS MARKET INC
 DBA: PETERS MARKET
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000
 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: _____ Financial Hold Reasons: _____

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Contacts for this Licensee:

Contact Address	City	Zip	DOB	Last Check	Drp
530 ST PETER ST	ST PAUL	55102	00/00/0000	00/00/0000	T23024
13932 KIMBERLY CIRCL	ROCK	55374	07/04/1985	00/00/0000	

Mail License To: ☒ Mail To Contact ☐ License Address
 Mail Invoice To: ☒ Mail To Contact ☐ License Address

Background Check Required ☐

License # 200001649

Save Changes to History ☒

OK

Cancel

Help

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 05/16/22 02:26 PM

House#:

Last updated from Ramsey County data on:

Street Name:

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

23 10th St W - House Of Hair / 530 St Peter St - G & H Market / 532 St Peter St / 534 St Peter St - Capitol Guitars / 538 St Peter St / 544 St Peter St - Babani'S Restaurant - 55102-1009 - [Other Applications](#)

PIN: 312922340009

Census Track: 34202

Census Block: 2010

Council Ward: 2 **District Council:** 17

Year Built:

Foundation Sq Feet:

Loan Company: 95
Thomas Del

Land

Value: 450000

Building

Value: 898900

Unverified Usage: 10- GENERAL RETAIL & SVC- B- Commercial

ISP:

Units:

Zoning: CA / CAAPCJ

Heritage Preservation: HP Inventory #: RA-SPC-3502 / **HP Property Name:** Colonnade Hotel / **HP Date Built:** 1889/1899 / **HP Address:** 534-544 St. Peter St.

Legal Desc: BAZIL AND GUERIN'S ADDITION BAZIL AND GUERIN'S ADDITION LOTS 7 AND LOT 8 BLK 2

Owner:

Del Co Limited Partnership
Po 17122
St Paul MN 55117-0122

Tax Owner:

Del Co Limited Partnership
Po 17122
St Paul MN

Licensee: PETERS MARKET INC

DBA: PETERS MARKET

License #: 20200001649

1. Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area, and cannot block views into the clerk or cashier station.

















