

UNCONTESTED LICENSE MATTER

Licensee Name: The Cherry Pit

Address: 735 White Bear Avenue
St. Paul, MN 55102

Council Date: Wednesday, April 20, 2011 at 5:30 p.m.

Violation: Saint Paul Police observed an employee drinking an alcoholic beverage after 2:30 a.m. in violation Saint Paul Legislative Code § 409.26 (b) (6). The licensee offered to provide the videotape concerning the incident, but was unable to because the DVR was not plugged in that night in violation of license condition #1.

Date of Violation: January 9, 2011

Recommendation of Assistant City Attorney on behalf of client, Department of Safety and Inspections:

\$500.00 matrix penalty and modification to license condition #1.

Attachments:

1. Proposed resolution
2. License Group Comments Text from ECLIPS system dated 1/26/2011
3. License Condition Affidavit signed by licensee 7/21/2006
4. Original Offense/Incident Report dated 1/9/2011
5. Supplemental Offense/Incident Report dated 1/9/2011
6. Notice of Violation with Affidavit of Service dated 2/8/2011
7. Electronic mail from licensee to Kris Schweinler dated 1/10/2011 (10:13 a.m.)
8. Electronic mail from licensee to Kris Schweinler dated 1/10/2011 (2:37 p.m.)
9. Letter from licensee requesting a public hearing dated 2/16/2011
10. Saint Paul Legislative Code § 409.26 (b) (6)
11. Saint Paul Legislative Code § 310.05 (m) (2)