



## Legislation Details (With Text)

**File #:** RES 11-2369 **Version:** 1

**Type:** Resolution **Status:** Archived

**In control:** City Council

**Final action:** 12/7/2011

**Title:** Approving adverse action against the Cigarette/Tobacco license held by Kath Fuel Oil Service, Co., d/b/a Gas/Plus #3, 525 Lafayette Road.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. Tobacco Compliance Check Purchase Form.pdf, 2. Notice of Violation.pdf, 3. Minn.Stat.Section 609.685.pdf, 4. SPLC Section 324.07.pdf, 5. SPLC Section 324.11.pdf, 6. Gas Plus Resolution withdrawal notice.pdf

Date	Ver.	Action By	Action	Result
12/7/2011	1	City Council	Withdrawn	

Approving adverse action against the Cigarette/Tobacco license held by Kath Fuel Oil Service, Co., d/b/a Gas/Plus #3, 525 Lafayette Road.

WHEREAS, adverse action was taken against the Cigarette/Tobacco license held by Kath Fuel Oil Service, Co., d/b/a Gas/Plus #3 (License ID #19980000634) for the premises located at 525 Lafayette Road in Saint Paul by Notice of Violation dated November 8, 2011, alleging that on August 2, 2011, a clerk from the licensed establishment sold tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this was the first violation regarding the sale of cigarettes to an underage person, so per Saint Paul Legislative Code § 324.11 (b) (1), the licensing office recommended a \$200.00 matrix penalty; and

WHEREAS, licensee did not respond to the Notice of Violation to pay the \$200.00 matrix penalty or request a hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$200.00 matrix penalty or request a hearing in writing by November 18, 2011, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that Kath Fuel Oil Service, Co., d/b/a Gas/Plus #3 is hereby ordered to pay a matrix penalty of \$200.00 for the sale of cigarettes to an underage person on August 2, 2011. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.