



Legislation Details (With Text)

File #: RES PH 12- 139 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/16/2012

Title: Approving adverse action against the Cigarette/Tobacco license held by M Z R Family, LLC, d/b/a Payne Ave's Shop-N-Go, 1050 Payne Avenue.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing.pdf, 2. Uncontested License Matter form.pdf, 3. License Group Comments Text.pdf, 4. Tobacco Compliance Check Purchase Form.pdf, 5. Notice of Violation.pdf, 6. Request for public hearing.pdf, 7. Minn.Stat.Section 609.685.pdf, 8. SPLC Section 324.07.pdf, 9. SPLC Section 324.11.pdf

Date	Ver.	Action By	Action	Result
5/18/2012	1	Mayor's Office	Signed	
5/16/2012	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by M Z R Family, LLC, d/b/a Payne Ave's Shop-N-Go, 1050 Payne Avenue.

WHEREAS, adverse action was taken against the Cigarette/Tobacco license held by M Z R Family, LLC d/b/a Payne Ave's Shop-N-Go (License ID #20100001380) for the premises located at 1050 Payne Avenue in Saint Paul by Notice of Violation dated April 12, 2012, alleging that on March 12, 2012, 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 second violation within the past year regarding the sale of cigarettes to an underage person, so pursuant to Saint Paul Legislative Code § 324.11 (b) (1), the licensing office recommended a \$400.00 matrix penalty; and

WHEREAS, on April 23, 2012, the City Attorney's Office received a faxed letter from the licensee's attorney requesting a public hearing to contest the \$400.00 matrix penalty which was held on May 16, 2012; now, therefore, be it

RESOLVED, that M Z R Family, LLC d/b/a Payne Ave's Shop-N-Go is hereby ordered to pay a \$400.00 matrix penalty for the sale of tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a and Saint Paul Legislative Code § 324.07 (c). Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

This resolution, and action taken above, is based upon facts contained in the April 12, 2012, Notice of Violation sent to the licensee and the arguments made at the public hearing on May 16, 2012.

