



Legislation Details (With Text)

File #: RES PH 12- 165 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/27/2012

Title: Approving adverse action against all licenses held by Frankensteen Taco LLC, d/b/a Rusty Taco, 508 Lexington Parkway South. (Public hearing held June 20)

Sponsors: Chris Tolbert

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing.pdf, 2. Uncontested License Matter form.pdf, 3. License Group Comments Text.pdf, 4. Email dated March 30th 2012.pdf, 5. Notice of Intent to Suspend Licenses.pdf, 6. Request for public hearing.pdf, 7. Minn. Stat. Section 340A.409.pdf, 8. SPLC Section 409.065.pdf, 9. SPLC Section 409.26.pdf

Date	Ver.	Action By	Action	Result
7/3/2012	1	Mayor's Office	Signed	
6/27/2012	1	City Council	Adopted As Amended	Pass
6/20/2012	1	City Council	Laid Over	Pass

Approving adverse action against all licenses held by Frankensteen Taco LLC, d/b/a Rusty Taco, 508 Lexington Parkway South.

Amended 6/27/12

WHEREAS, adverse action was taken against all licenses held by Frankensteen Taco LLC d/b/a Rusty Taco (License ID #20110000045) for the premises located at 508 Lexington Parkway South in Saint Paul, by Notice of Intent to Suspend Licenses dated April 25, 2012, alleging on April 2, 2012, the licensee submitted liquor liability insurance to the Department of Safety and Inspections (DSI) with a lapse in coverage from February 1, 2012 through April 1, 2012. A lapse in liquor liability insurance is a violation of Minn. Stat. § 340A.409 and Saint Paul Legislative Code § 409.065; and

WHEREAS, per Saint Paul Legislative § 409.26 (b) (12) the licensing office recommended a ten (10) day suspension of all licenses; and

WHEREAS, the licensee did respond to the Notice of Intent to Suspend Licenses to request a public hearing which was held on June 20, 2012; and

WHEREAS, the public hearing was held on June 20, 2012, closed and laid over to June 27, 2012; now, therefore, be it

RESOLVED, that all licenses the Wine On Sale and Malt On Sale (Strong) licenses held by Frankensteen Taco LLC d/b/a Rusty Taco are hereby suspended for a period of ten (10) days with eight (8) days of the suspension stayed for a period of two (2) years for a lapse in liquor liability insurance from February 1, 2012 through April 1, 2012. Said suspension will begin at 12:00 a.m. on the first Wednesday following adoption and approval of this resolution.

This resolution, and action taken above, is based upon facts contained in the April 25, 2012, Notice of Intent to Suspend Licenses sent to the licensee and the arguments made at the public hearing on June 20, 2012.