



Legislation Details (With Text)

File #: RES 19-1730 **Version:** 1
Type: Resolution **Status:** Archived
In control: City Council
Final action: 10/16/2019

Title: Approving adverse action against the Cigarette/Tobacco License held by High 5 Inc., d/b/a SNAP Market (License ID #20190001517) at 957 Rice Street.

Sponsors: Amy Brendmoen

Indexes:

Code sections:

Attachments: 1. [[http://OQZ1RJFP0EE6V6](#)][v][NOV, SNAP Market] (14)

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|-----------|--------|
| 10/16/2019 | 1 | City Council | Withdrawn | |

Approving adverse action against the Cigarette/Tobacco License held by High 5 Inc., d/b/a SNAP Market (License ID #20190001517) at 957 Rice Street.

WHEREAS, the Cigarette/Tobacco license held by High 5 Inc. d/b/a SNAP Market (License ID #20190001517) for the premises located at 957 Rice Street in Saint Paul was the subject of a Notice of Violation sent August 19, 2019; and

WHEREAS, the Notice stated that on June 16, 2019 a DSI inspector used an underage cooperating individual (UCI) to conduct an underage tobacco compliance check. During the compliance check the store clerk sold a pack of Marlboro Cigarettes to the UCI; and

WHEREAS and during the underage compliance check the DSI Inspector observed flavored products offered for sale including: Black and Mild Wine, Zig Zag Grape, Zig Zag Slo Burn Grape, Zig-Zag Cigarillos, White Grape and Double Platinum KUSH in violation of Saint Paul Legislative Code § 324.07 (f); and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (2) and § 324.11 (b) (1), the licensing office recommended a \$500.00 matrix penalty for the first-time violation for selling flavored products and a \$200.00 matrix penalty for the sale of tobacco to an underage person; and

WHEREAS, the licensee did not respond to the Notice of Violation to either pay the \$500.00 and \$200.00 matrix penalties or request a public or administrative hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$500.00 and \$200.00 matrix penalties or request a public or administrative hearing by August 30, 2019, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, High 5 Inc. d/b/a SNAP Market (License ID #20190001517) for the premises located at 957 Rice Street is hereby ordered to pay the \$500.00 and \$200.00 matrix penalties for sale of tobacco to an underage UCI and for offering prohibited flavored products for sale including Black and Mild Wine, Zig Zag Grape, Zig Zag Slo Burn Grape, Zig-Zag Cigarillos, White Grape and Double Platinum KUSH.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.