



## Legislation Details (With Text)

**File #:** RES 19-15    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 1/2/2019

**Title:** Approving adverse action against the Cigarette/Tobacco, Gas Station, and Malt Off Sale licenses held by Northern Tier Retail, LLC, d/b/a SuperAmerica #4359 (License ID #20100004250) at 950 Lexington Parkway North.

**Sponsors:** Amy Brendmoen

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Violation with Affidavit of Service.pdf, 2. MN Department of Revenue letter with attached seizure notice dated November 13th 2018.pdf, 3. License Group Comments Text and licensee information.pdf, 4. Minn. Stat. Section 297F.21.pdf, 5. SPLC Section 310.05(m) - Presumptive Penalties.pdf, 6. SPLC section 310.06.pdf, 7. STAMP Property Ownership Information.pdf

| Date     | Ver. | Action By      | Action  | Result |
|----------|------|----------------|---------|--------|
| 1/7/2019 | 1    | Mayor's Office | Signed  |        |
| 1/2/2019 | 1    | City Council   | Adopted | Pass   |

Approving adverse action against the Cigarette/Tobacco, Gas Station, and Malt Off Sale licenses held by Northern Tier Retail, LLC, d/b/a SuperAmerica #4359 (License ID #20100004250) at 950 Lexington Parkway North.

WHEREAS, the Cigarette/Tobacco, Gas Station and Malt Off Sale licenses held by Northern Tier Retail, LLC d/b/a SuperAmerica #4359 (License ID #20100004250) for the premises located at 950 Lexington Parkway North in Saint Paul were the subject of a Notice of Violation sent November 29, 2018; and

WHEREAS, the Notice stated that during an inspection on November 13, 2018 the Minnesota Department of Revenue seized contraband tobacco products in violation of Minn. Stat. § 297F.21 (a); and

WHEREAS, the licensing office recommended a \$500.00 matrix penalty; and

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

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$500.00 matrix penalty or request a public or administrative hearing by the December 10, 2018 deadline that the matter would be placed on the January 2, 2019 consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, Northern Tier Retail, LLC d/b/a SuperAmerica #4359 (License ID #20100004250) for the premises located at 950 Lexington Parkway North is hereby ordered to pay a \$500.00 matrix penalty for contraband tobacco products seized by the Minnesota Department of Revenue during an inspection on November 13, 2018.

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

