



Legislation Details (With Text)

File #: RES 23-566 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 5/3/2023

Title: Approving adverse action against the Cigarette/Tobacco License held by KMH Retail LLC d/b/a Mini Pac (License ID# 20210000750), at 1184 Maryland Avenue East. (Licensee's Attorney will speak to City Council on licensee's behalf) (laid over from April 26, 2023)

Sponsors: Nelsie Yang

Indexes:

Code sections:

Attachments: 1. Mini Pac Council Hearing Packet, 2. Public Comment - Association of NonSmokers

Date	Ver.	Action By	Action	Result
5/4/2023	1	Mayor's Office	Signed	
5/3/2023	1	City Council	Adopted	Pass
4/26/2023	1	City Council	Laid Over	Pass
4/19/2023	1	City Council	Laid Over	Pass

Approving adverse action against the Cigarette/Tobacco License held by KMH Retail LLC d/b/a Mini Pac (License ID# 20210000750), at 1184 Maryland Avenue East. (Licensee's Attorney will speak to City Council on licensee's behalf) (laid over from April 26, 2023)

WHEREAS, the Cigarette/Tobacco license ("License") held by KMH Retail LLC d/b/a Mini Pac (License ID# 20210000750) at 1184 Maryland Avenue East in Saint Paul ("Licensed Premises") was the subject of a Notice of Violation and Request for Imposition of a 10-Day Suspension, herein incorporated as Exhibit 1 ("Notice") sent February 8, 2023; and

WHEREAS, the Notice alleged, that during a complaint-based inspection on January 13, 2023, a DSI inspector observed and documented with photographs multiple flavored tobacco products that were behind the counter/cash register in violation of Saint Paul Legislative Code section 324.07(j); and

WHEREAS, under the penalty matrix contained in Saint Paul Legislative Code section 324.10(b)(2), the presumptive penalty for a first violation of section 324.07(j) is a 10-day suspension; and

WHEREAS, the Notice stated that if the Licensee failed to request a public or administrative hearing by February 22, 2023, that the matter would be placed on the next available consent agenda to impose the recommended penalty; and

WHEREAS, On February 21, 2023, the licensee's attorney responded to the Notice of Violation by letter requesting a public hearing before Council; now, therefore, be it

RESOLVED, that the Cigarette/Tobacco license held KMH Retail LLC d/b/a Mini Pac (License ID# 20210000750), for the premises located at 1184 Maryland Avenue East is hereby suspended for 10 days for selling flavored tobacco products on the Licensed Premises.