



Legislation Text

File #: RES 23-719, **Version:** 1

Approving adverse action against the Liquor On Sale-100 seats or less, Liquor On Sale-Sunday, Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio), Tobacco Shop, and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 Seventh Street West. (Licensee will speak to Council on his own behalf)

WHEREAS, the Liquor On Sale-100 seats or less,; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 - 7th Street West in Saint Paul ("Licensed Premises") were the subject of a Notice Of Adverse Action And Request For Imposition Of A License Condition, herein incorporated as ("Notice") sent April 27, 2023; and

WHEREAS, the Notice stated that Saint Paul Police investigated a number of serious incidents that led the Department of Safety and Inspections to recommend imposition of a license condition requiring a video surveillance and lighting plan; and

WHEREAS, the Notice described those serious incidents as:

- use of a homemade mixer that included TH/CBD powder
- the following SPPD calls in which SPPD and DSI believed that security cameras and proper lighting would have assisted both the business/property owner in improving workplace safety, deterring crime and assisting law enforcement investigation in identifying suspects and solving crimes:
 - SPPD Homicide investigation involving (4) victims who were believed to have been at the Licensed Premises
 - SPPD investigation involving a female victim who reported being physically forced to the ground in the parking lot of the licensed premises and assaulted.
 - SPPD investigation related to a shots fired report under which patrons of the Licensed Premises reported a group of 8 - 10 males were at the property arguing and that they later heard a single shot fired; and

WHEREAS, Saint Paul Legislative Code §310.04(c) allows for the imposition of license conditions and/or restrictions upon a license when a reasonable basis is found to impose reasonable conditions; and

WHEREAS, the Department asserts that facts exist to support their recommendation for imposition of a license condition; and

WHEREAS, the Department believes that the recommended condition is reasonable and that it will promote the public health, safety and welfare of advancing the public peace and aid in the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life and promote security and safety in nearby neighborhoods; and

WHEREAS, the Notice stated that if the Licensee failed to sign and return the License Condition Affidavit, request a Council or administrative hearing by May 8, 2023, that the matter would be placed on the next available consent agenda to impose the recommended penalty; and

WHEREAS, On May 1, 2023, the licensee responded to the Notice by letter requesting a hearing before City Council which was scheduled on May 17, 2023; now, therefore, be it

RESOLVED, the Council finds that the recommended condition is reasonable and that it will promote the public health, safety and welfare of advancing the public peace and aid in the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life and promote security and safety in nearby neighborhoods; and

BE IT FURTHER RESOLVED that the following license condition will be imposed on the Liquor On Sale-100 seats or less,; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 - 7th Street West in Saint Paul:

License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, License holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.