



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Phone: 651-266-8560

## Legislation Text

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**File #:** RES PH 18-284, **Version:** 1

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Approving adverse action against the Cigarette/Tobacco and Malt Off Sale licenses held by Asian Market, Inc., d/b/a Asian Market at 1423 Rice Street.

WHEREAS, the Cigarette/Tobacco and Malt Off Sale licenses held by Asian Market, Inc. d/b/a Asian Market (License ID #20160002560) for the premises located at 1423 Rice Street in Saint Paul were the subject of a Notice of Violation and Notice of Intent to Suspend Licenses sent August 16, 2018; and

WHEREAS, the Notice stated that during an inspection of the licensed premises by the Minnesota Department of Revenue on May 22, 2018, tobacco products were seized as contraband in violation of Minn. Stat. § 297F.21; and

WHEREAS, this was the third (3<sup>rd</sup>) violation within the past eighteen (18) months; therefore, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office recommended a \$2,000 matrix penalty and a ten (10) day suspension of his licenses; and

WHEREAS, the licensee responded to the Notice of Violation and Notice of Intent to Suspend Licenses with a request for a public hearing which was scheduled on September 19, 2018; so therefore, be it

RESOLVED, Asian Market, Inc. d/b/a Asian Market (License ID #20160002560) for the premises located at 1423 Rice Street in Saint Paul is hereby ordered to pay a ~~\$2,000.00~~ \$500.00 matrix penalty for contraband tobacco products seized by the Minnesota Department of Revenue during an inspection on July 23, 2018. Said matrix penalty will be stayed for a period of one (1) year pending no same or similar offenses.

~~FURTHER RESOLVED, payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.~~

FINALLY RESOLVED, Cigarette/Tobacco and Malt Off Sale licenses held by Asian Market, Inc. d/b/a Asian Market are hereby suspended for a period of five (5) days. Said suspension will be stayed for a period of one (1) year pending no same or similar offenses. ~~ten (10) days. Said suspension will begin at 12:00 a.m. (midnight) on Wednesday, October 10, 2018 and end at 11:59 p.m. on Friday, October 19, 2018.~~