



Legislation Text

File #: RES 11-1944, **Version:** 2

Approving adverse action against the Dance or Rental Halls license held by Jonah Ogamien, d/b/a Jonah Ogamien at 508 Snelling Avenue North.

WHEREAS, adverse action was taken against the Dance or Rentals Halls license held by Jonah Ogamien d/b/a Jonah Ogamien (License ID #20010002326) for the premises located at 508 Snelling Avenue North in Saint Paul by Notice of Violation dated September 2, 2011, alleging that the licensee allowed alcohol to be sold on the premises and also served an underage person in violation of Saint Paul Legislative Code § 405.4 (b) and (c) and Saint Paul Legislative Code § 310.06 (b) (7); and

WHEREAS, due to the number and significance of the violations cited during this incident, the licensing office recommended an upward departure from the penalty matrix to \$1,000.00 and the imposition of the following conditions:

1. *Licensee shall close by 12 midnight every night.*
2. *Alcohol will not be sold at the establishment.*
3. *Rental shall be for private parties only. Public dances are not permitted at this location; and*

WHEREAS, substantial and compelling reasons for the upward departure do exist in that there are multiple violations on the same date, which is grounds for departure under Saint Paul Legislative Code § 310.05 (m) (2); and

WHEREAS, licensee did not respond to the Notice of Violation to pay the \$1,000.00 matrix penalty, agree to the license conditions or request a hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$1,000.00 matrix penalty, agree to the license conditions or request a hearing by September 12, 2011, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that Jonah Ogamien d/b/a Jonah Ogamien is hereby ordered to pay a matrix penalty of \$1,000.00 for allowing alcohol to be sold on the premises and also serving an underage person in violation of Saint Paul Legislative Code § 405.4 (b) and (c) and Saint Paul Legislative Code § 310.06 (b) (7). Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

FURTHER RESOLVED, the following license conditions will also be imposed:

1. *Licensee shall close by 12 midnight every night.*
2. *Alcohol will not be sold at the establishment.*
3. *Rental shall be for private parties only. Public dances are not permitted at this location.*