



Legislation Details (With Text)

File #: RES PH 12- **Version:** 1
124

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In control: City Council
Final action: 5/2/2012

Title: Approving adverse action against the Cigarette/Tobacco license held by Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store located at 1340 Payne Avenue in Saint Paul.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing.pdf, 2. Uncontested License Matter Form.pdf, 3. License Group Comments Text.pdf, 4. Tobacco Compliance Check Purchase Form.pdf, 5. Notice of Violation.pdf, 6. Licensee's Request for public hearing.pdf, 7. Minn.Stat.Section 609.685.pdf, 8. SPLC Section 324.07.pdf, 9. SPLC Section 324.11.pdf, 10. Notice of Administrative Fine.pdf, 11. Licensee/Clerk's request for public hearing.pdf, 12. Minn.Stat.Section 461.12.pdf

Date	Ver.	Action By	Action	Result
5/7/2012	1	Mayor's Office	Signed	
5/2/2012	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store located at 1340 Payne Avenue in Saint Paul.

WHEREAS, adverse action was taken against the Cigarette/Tobacco license held by Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store (License ID #20050002096) for the premises located at 1340 Payne Avenue in Saint Paul by Notice of Violation and Notice of Administrative Fine dated March 26, 2012, alleging that on March 12, 2012, the licensee was also the clerk who sold tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a, Minn. Stat. § 461.12, Subd. 3 and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this was the first violation regarding the sale of tobacco products to an underage person, so per Saint Paul Legislative Code § 324.11 (b) (1), and Minn. Stat. § 461.12, Subd. 3, the licensing office recommended a \$200.00 matrix penalty to the licensee as the owner of the establishment and a \$50.00 administrative fine to the licensee as the clerk who sold the tobacco products; and

WHEREAS, licensee responded to the Notice of Violation and Notice of Administrative Fine to request two (2) public hearings which were combined and held on May 2, 2012, now therefore be it

RESOLVED, that Payne Ivy No. 1, Inc. d/b/a Payne Ivy Grocery Store is hereby ordered to pay a matrix penalty of \$200.00 and also an administrative fine of \$50.00 for the sale of tobacco products to an underage person on March 12, 2012. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.