Legislation Details (With Text)

File #:	Ord 12-42	**Version:**	1		
Type:	Ordinance		**Status:**	Passed	
			In control:	City Council	
			Final action:	8/22/2012	

Title: Amending Chapter 310 of the Saint Paul Legislative Code pertaining to technical amendments for computation of time and appearances.

Sponsors: Kathy Lantry

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/28/2012	1	Mayor's Office	Signed	
8/22/2012	1	City Council	Adopted	Pass
8/15/2012	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
8/1/2012	1	City Council	Laid Over to Third Reading/Public Hearing	
7/25/2012	1	City Council	Laid Over to Second Reading	

Amending Chapter 310 of the Saint Paul Legislative Code pertaining to technical amendments for computation of time and appearances.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

Section 310.05 of the Saint Paul Legislative Code is hereby amended to read as follows:

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(v) Computation of time.

(1) Second appearance. A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.

(2) Third appearance. A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.

(3) Fourth appearance. A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.

(4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen-, or twenty-four-month period shall be as follows: The beginning date

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shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.

(5) Notwithstanding subsections (iv)(1), (2), (3) or (4) above, a second appearance before the council regarding a death or great bodily harm in a licensed establishment that is related to a violation of the law or license conditions shall be counted as a second appearance, regardless of how much time has passed since the first appearance if the first appearance was also regarding a death or great bodily harm in a licensed establishment. A third appearance for the same shall be counted as a third appearance regardless of how much time has passed since the first or second appearance.

(6) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph ~~(b)~~ (m) or a violation of section 409.26 (b).

SECTION 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.

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