



Legislation Details (With Text)

File #: RES 13-1891 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 12/4/2013

Title: Approving adverse action against the Cigarette/Tobacco license held by Richard A. Stai, d/b/a 5th Street Convenience at 55 Fifth Street East.

Sponsors: Dave Thune

Indexes:

Code sections:

Attachments: 1. Tobacco Compliance Check Purchase Form dated Oct. 17th 2013, 2. Notice of Violation dated Nov. 1st 2013, 3. Minn.Stat.Section 609.685, 4. SPLC Section 324.07, 5. SPLC Section 324.11

Date	Ver.	Action By	Action	Result
12/11/2013	1	Mayor's Office	Signed	
12/4/2013	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by Richard A. Stai, d/b/a 5th Street Convenience at 55 Fifth Street East.

WHEREAS, the Cigarette/Tobacco license held by Richard A. Stai d/b/a 5th Street Convenience (License ID #20050004334) for the premises located at 55-5th Street East in Saint Paul was the subject of a Notice of Violation dated November 1, 2013, alleging that on October 17, 2013, a clerk sold Marlboro cigarettes to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this was the second violation within one (1) year regarding the sale of cigarettes to an underage person, so per Saint Paul Legislative Code § 324.11 (b) (1), the licensing office recommended a \$400.00 matrix penalty; and

WHEREAS, licensee did not respond to the Notice of Violation to pay the \$400.00 matrix penalty or request a hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$400.00 matrix penalty or request a hearing by November 11, 2013, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that Richard A. Stai d/b/a 5th Street Convenience is hereby ordered to pay a matrix penalty of \$400.00 for the sale of cigarettes to an underage person on October 17, 2013. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.