



## Legislation Details (With Text)

**File #:** RES PH 14- 218 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 8/6/2014

**Title:** Approving adverse action against the Cigarette/Tobacco license held by Little Grocery, LLC, d/b/a Little Grocery located at 1724 University Avenue West.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Council Hearing with Affidavit of Service dated July 29th 2014, 2. Uncontested License Matter Form, 3. License Group Comments Text, 4. Letter from MN Department of Revenue dated April 28th 2014, 5. Notice of Seizure of Contraband dated February 25th 2014, 6. Notice of Violation dated June 24th 2014, 7. Letter requesting a public hearing dated June 26th 2014, 8. Tobacco Compliance Check Purchase Form dated July 9th 2014, 9. Amended Notice of Violation with Affidavit of Service dated July 11th 2014, 10. SPLC 310.05(m), 11. Minn. Stat. Section 297F.21 - Contraband, 12. Minn.Stat.Section 609.685, 13. SPLC Section 324.07, 14. SPLC Section 324.11

Date	Ver.	Action By	Action	Result
8/11/2014	1	Mayor's Office	Signed	
8/6/2014	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by Little Grocery, LLC, d/b/a Little Grocery located at 1724 University Avenue West.

WHEREAS, the Cigarette/Tobacco license held by Little Grocery, LLC d/b/a Little Grocery (License ID #20120003282) for the premises located at 1724 University Avenue West in Saint Paul was the subject of a Notice of Violation dated June 24, 2014, stating that the Department of Safety and Inspections received a notice from the Minnesota Department of Revenue indicating tobacco products were seized as contraband from the licensed premises during an inspection on February 24, 2014; and

WHEREAS, due to the fact that the criminal activity was directly related to the licensed activity, per Saint Paul Legislative Code § 310.05 (m), the licensing department recommended a \$700.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation on June 26, 2014 to request a public hearing; and

WHEREAS, on July 9, 2014, an employee of the licensee sold tobacco to an underage person in violation of Minn. Stat. § 609.685 and Saint Paul Legislative Code § 324.07; and

WHEREAS, an Amended Notice of Violation was sent to the licensee on July 11, 2014 to include the latest violation and per Saint Paul Legislative Code § 324.11 (b) (1) recommend an additional \$200.00 matrix penalty; and

WHEREAS, the licensee did not respond to the Amended Notice of Violation, but based on his initial request for a public hearing received on June 26, 2014, a hearing was scheduled and held on August 6, 2014; now

therefore be it

RESOLVED, Little Grocery, LLC d/b/a Little Grocery is hereby ordered to pay a matrix penalty of \$700.00 for tobacco products seized as contraband from the licensed premises by the Minnesota Department of Revenue during an inspection on February 24, 2014.

FURTHER RESOLVED, Little Grocery, LLC d/b/a Little Grocery is also hereby ordered to pay a matrix penalty of \$200.00, for sale of tobacco products to an underage person on July 9, 2014.

Payment of these penalties shall be made within thirty (30) days of the date of the adoption of this resolution.