



Legislation Details (With Text)

File #: RES PH 14- 349 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 1/7/2015

Title: Approving adverse action against all licenses held by Thai Ginger Restaurant, Inc., d/b/a Thai Ginger at 173 Robert Street South. (Public hearing held December 17)

Sponsors: Dave Thune

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing with Affidavit of Service.pdf, 2. Uncontested License Matter form.pdf, 3. License Group Comments Text dated November 4th 2014.pdf, 4. DSI letter sent to licensee dated October 28th 2014.pdf, 5. Notice of Cancellation dated December 4th 2013.pdf, 6. Certificate of Liability Insurance dated December 10th 2013.pdf, 7. Certificate of Liability Insurance dated October 31st 2014.pdf, 8. Notice of Violation with Affidavit of Service dated November 14th 2014.pdf, 9. Letter from licensee requesting a public hearing dated November 21st 2014.pdf, 10. Notice of Violation with Affidavit of Service dated April 1st 2014.pdf, 11. SPLC Section 409.26.pdf

Date	Ver.	Action By	Action	Result
1/12/2015	1	Mayor's Office	Signed	
1/7/2015	1	City Council	Adopted	Pass
12/17/2014	1	City Council	Laid Over	Pass

Approving adverse action against all licenses held by Thai Ginger Restaurant, Inc., d/b/a Thai Ginger at 173 Robert Street South. (Public hearing held December 17)

WHEREAS, all licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger (License ID #20080000932) for the premises located at 173 Robert Street South in Saint Paul were the subject of a Notice of Violation dated November 14, 2014, stating the licensee submitted a Certificate of Liquor Liability Insurance with a lapse in coverage from December 16, 2013 through October 31, 2014; and

WHEREAS, the Department of Safety and Inspections later received a Notice of Cancellation from the insurance company indicating they cancelled the licensee's liquor liability insurance policy as of December 16, 2013 for non-payment of premium; and

WHEREAS, in addition on April 1, 2014, the licensee was sent a Notice of Violation regarding the fact that they were fined twice by the Minnesota Department of Public Safety -Alcohol and Gambling Enforcement Division during inspections on December 11, 2013 and February 13, 2014 for the purchase of alcoholic beverages from another retailer while on the Delinquent Liquor Posting List in violation of Minn. Stat. § 340A.415; and

WHEREAS, the Department of Safety and Inspection also included in the Notice of Violation that they were made aware of evidence of illegal gambling found during the State inspections in violation of Saint Paul Legislative Code § 409.26 (b) (8) and fined the licensee \$1,500.00 for these violations, which the licensee paid on April 11, 2014; and

WHEREAS, due to the seriousness of the previous adverse action and the egregiousness of operating a liquor

service establishment without liquor liability insurance coverage for ten and one-half (10½) months, per Saint Paul Legislative Code § 409.26 (b) (12), the licensing office recommended revocation of all licenses; and

WHEREAS, licensee did respond to the Notice of Violation to contest the penalty and request a public hearing which was held on December 17, 2014; now therefore be it

RESOLVED, all licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger (License ID #20080000932) for the premises located at 173 Robert Street South in Saint Paul are hereby revoked.