



## Legislation Details (With Text)

**File #:** RES 15-236    **Version:** 1

**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 2/4/2015

**Title:** Approving adverse action against the Cigarette/Tobacco license held by Midway University & Hamline, LLC, d/b/a Midway Amoco BP at 1347 University Avenue.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Violation with Affidavit of Service.pdf, 2. Minn.Stat.Section 609.685, 3. SPLC Section 324.07, 4. SPLC Section 324.11

Date	Ver.	Action By	Action	Result
2/10/2015	1	Mayor's Office	Signed	
2/4/2015	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by Midway University & Hamline, LLC, d/b/a Midway Amoco BP at 1347 University Avenue.

WHEREAS, the Cigarette/Tobacco license held by Midway University & Hamline, LLC d/b/a Midway Amoco BP (License ID #20100000243) for the premises located at 1347 University Avenue West in Saint Paul was the subject of a Notice of Violation dated January 9, 2015, stating that on December 29, 2014, a clerk sold tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this is the first (1<sup>st</sup>) violation for the sale of cigarettes to an underage person, therefore, per Saint Paul Legislative Code § 324.11 (b) (1), the licensing office recommended an \$200.00 matrix penalty; and

WHEREAS, licensee did not respond to the Notice of Violation to pay the \$200.00 matrix penalty or request a public or administrative hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$200.00 matrix penalty or request a public or administrative hearing by January 19, 2015, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, Midway University & Hamline, LLC d/b/a Midway Amoco BP is hereby ordered to pay a matrix penalty of \$200.00 for sale of tobacco products to an underage person on December 29, 2014. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.