



## Legislation Details (With Text)

**File #:** RES 16-184    **Version:** 1

**Type:** Resolution                                **Status:** Passed

**In control:** City Council

**Final action:** 2/3/2016

**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 Intent to Suspend License with Affidavit of Service.pdf, 2. Amended Notice of Violation with Affidavit of Service dated 7/11/14.pdf, 3. Search Warrant and attachments dated November 5th 2015.pdf, 4. SPPD CN #15-228-902 - controlled buys on Oct. 22 & Nov. 4, 2015.pdf, 5. Minn. Stat. Section 297F.08 - Cigarettes Stamps.pdf, 6. Minn. Stat. Section 297F.21 - Contraband.pdf, 7. SPLC Section 310.05 - Matrix.pdf

Date	Ver.	Action By	Action	Result
2/10/2016	1	Mayor's Office	Signed	
2/3/2016	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 Intent to Suspend License dated December 30, 2015, stating that according to an anonymous tip given to Saint Paul Police, the licensee was selling contraband tobacco products within the licensed premises; and

WHEREAS, Saint Paul Police conducted two controlled buys on October 23, 2015 and again on November 4, 2015 in which the licensee sold an officer contraband tobacco products with a Nebraska tax stamp; and

WHEREAS, Saint Paul Police executed a search warrant on November 10, 2015 and confiscated numerous tobacco products with Nebraska tax stamps in violation of Minn. Stat. § 297F.08, Subd. 3; and

WHEREAS, this was the second violation for the same offense and due to the severity of the repeated violations, the licensing office recommended an upward departure to a five (5) day suspension of the Cigarette/Tobacco license; and

WHEREAS, the licensee did not respond to the Notice of Intent to Suspend License to request a public or administrative hearing; and

WHEREAS, the Notice of Intent to Suspend License stated that if the licensee failed to request a public or administrative hearing by January 11, 2016, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, the Cigarette/Tobacco license held by Little Grocery, LLC d/b/a Little Grocery is hereby

suspended for (five) 5 days for the possession and sale of contraband tobacco products within the licensed premises and be it,

FURTHER RESOLVED, said suspension will begin at 12:00 midnight on Wednesday, February 24, 2016 and run through 11:59 p.m. on Sunday, February 28, 2016.