Legislation Details (With Text)

File #:	RES PH 16-425 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	12/7/2016

Title: Approving adverse action against all licenses held by KIB Properties, Inc., d/b/a Trend Bar at 1537 University Avenue West.

Sponsors: Russ Stark

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 September 16th 2016.pdf, 4. Original Offense Incident Report CN #16-188-411 dated September 15th 2016.pdf, 5. Supplemental Offense Incident Report CN #16-188-411 dated September 15th 2016.pdf, 6. Notice of Violation with License Condition Affidavit and Affidavit of Service.pdf, 7. Letter from co-owner requesting a public hearing dated October 20th 2016.pdf, 8. SPLC 310.06.pdf, 9. SPLC Section 409.08. - Regulations generally.pdf, 10. SPLC Section 409.26 - Presumptive Penalties.pdf

Date	Ver.	Action By	Action	Result
12/12/2016	1	Mayor's Office	Signed	
12/7/2016	1	City Council	Adopted	Pass

Approving adverse action against all licenses held by KIB Properties, Inc., d/b/a Trend Bar at 1537 University Avenue West.

WHEREAS, all licenses held by KIB Properties, Inc. d/b/a Trend Bar (License ID# 20070003867) for the premises located at 1537 University Avenue West in Saint Paul were the subject of a Notice of Violation dated October 14, 2016; and

WHEREAS, the notice stated that a Saint Paul Police officer posing as a patron was allowed to leave the licensed premises with an alcoholic beverage during a compliance check on September 15, 2016 (CN #16-188-411) in violation of Saint Paul Legislative Code § 409.08 (15); and

WHEREAS, per Saint Paul Legislative Codes § 409.26(b) (9), the licensing office recommended a $500.00 matrix penalty and, in addition, imposition of three (3) new license conditions; and

WHEREAS, the licensee responded to the Notice of Violation to admit to the violation and request a public hearing which was scheduled for December 7, 2016; now therefore, be it

RESOLVED, KIB Properties, Inc. d/b/a Trend Bar is hereby ordered to pay a $500.00 matrix penalty for allowing a patron to leave the licensed premises with an alcoholic beverage on September 15, 2016.

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

FURTHER RESOLVED, the following recommended license conditions will be placed on the license:

1. Licensee will create a video surveillance camera and lighting placement plan (Video Surveillance

Plan) for the interior and exterior of the licensed premises. Licensee will submit the Video Surveillance Plan to the Saint Paul Police Department liaison with the Department of Safety and Inspections for review and approval. In accordance with the approved Video Surveillance Plan, Licensee will ensure that the video surveillance cameras are installed by ~~November 30, 2016~~ December 31, 2016. Licensee will maintain installed video surveillance cameras in working order; ensure that they are recording 24-hours per day and capable of producing surveillance video in a commonly used, up-to-date format. Licensee will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, Licensee shall make surveillance video immediately available for viewing by SPPD. If a copy of a surveillance video from a serious incident is requested by SPPD, Licensee shall have the technology, material and staff available to immediately make the copy. In all other cases, Licensee shall provide a copy of the surveillance video to the requestor within 48 hours.

2. Licensee shall retain clearly identifiable security personnel. Clearly identifiable security personnel mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance of the licensed premises starting at 9:00 PM during any day of operation and shall remain until all patrons have left the licensed premises. Security personnel shall “wand” (using a metal detector) each patron and check all handbags and packages carried by patrons. The requirement to wand patrons includes those who are returning to the establishment. Security personnel shall verify the age of patrons by checking state or federally issued identification cards. Licensee shall establish and require that security personnel enforce a no picture I.D., no entrance policy. Security personnel shall not allow alcoholic beverages to leave the service area of the licensed establishment.

3. Licensee will insure that daily inspection of the perimeter of the licensed premises takes place. Any trash, debris, cigarettes butts, bottles, cups or similar materials shall immediately be removed.

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