Legislation Details (With Text)

File #:	RES 17-1579 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	10/4/2017
Title:	Approving the application of New Hope Market, LLC, d/b/a New Hope Market (License ID #20170002877) for a Cigarette/Tobacco license with conditions for the premises located at 1132 Payne Avenue.		
Sponsors:	Dan Bostrom		
Indexes:			
Code sections:			
Attachments:	1. New Hope Market - Signed License Condition Affidavit dated September 14th 2017, 2. SPLC Section 324.01 - License Required		

Date	Ver.	Action By	Action	Result
10/5/2017	1	Mayor's Office	Signed	
10/4/2017	1	City Council	Adopted	Pass

Approving the application of New Hope Market, LLC, d/b/a New Hope Market (License ID #20170002877) for a Cigarette/Tobacco license with conditions for the premises located at 1132 Payne Avenue.

WHEREAS, New Hope Market, LLC d/b/a New Hope Market (License ID #20170002877) applied for a Cigarette/Tobacco license for the premises located at 1132 Payne Avenue; and

WHEREAS, the Department of Safety and Inspections reviewed the application and finds that the applicant meets the requirements laid out under Saint Paul Legislative Code § 324 and no grounds for denial exist; and

WHEREAS, the Department of Safety and Inspections is recommending approval of the application of New Hope Market, LLC d/b/a New Hope Market for a Cigarette/Tobacco license with conditions signed by the applicant; and

WHEREAS, the previous Cigarette/Tobacco license held at that location by Payne EZ Market, Inc. d/b/a Payne EZ Market, Inc. had been revoked on August 9, 2017 per City Council Resolution #17-1191; and

WHEREAS, Saint Paul Legislative Code § 324.01 (d)(3) requires that any new license granted pursuant to subpart (d)(1) or (d)(2) must be approved by the affirmative vote of no less than five (5) members of council; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the

Cigarette/Tobacco license; now, therefore, be it,

RESOLVED, a Cigarette/Tobacco license is hereby granted to New Hope Market, LLC d/b/a New Hope Market (License ID #20170002877) for the premises located at 1132 Payne Avenue in Saint Paul with the following license conditions:

1. The licensee shall maintain the premises in accordance with applicable City ordinances and regulations with regards to issues including, but not necessarily limited to, graffiti and grass height.

2. None of the following items shall be sold at the store: Diluents and adulterants; separation gins and sifters; hypodermic syringes or needles; metal, wooden, acrylic, glass, stone, plastic or ceramic pipes; permanent screens, hashish heads or punctured metal bowls; water pipes; carburetion tubes and devices; smoking and carburetion masks; roach clips; miniature cocaine spoon and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs; and ice pipes or chillers.

3. No drug paraphernalia shall be sold.

4. No individual razor blades or portions of opened packages of razor blades shall be sold.

5. The store hours shall be no earlier than 6:00 a.m. and no later than 12:00 a.m. midnight.

6. No adult magazines or movies shall be sold.

7. 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 Inspection (DSI) for review and approval. In accordance with the approved Video Surveillance Plan, licensee will ensure that video surveillance cameras are installed prior to license issuance. 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 for a serious incident is requested by SPPD, Licensee shall have the technology, materials 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.

8. Licensee will ensure that daily inspection of the perimeter of the licensed premises takes place to remove any trash, debris, bottles, cups or similar materials.

9. Licensee acknowledges that a Cigarette/Tobacco license only permits the sale of items in original packaging and such sale shall be limited to packaged cigarettes, cigars, smokeless tobacco, lighters, and cigarette paper intended for use as a wrapper cover for tobacco products. The sale of items including blunts, single cigarettes, and flavored products is prohibited at this establishment.

10. Licensee agrees to comply with all federal, state, and local laws.

11. Temporary window signs placed between four (4) and seven (7) feet above grade shall not cover more than thirty (30) percent of this window area, including windows in doors, and cannot block views into the clerk or cashier station.