



## Legislation Details (With Text)

**File #:** RES PH 18- 205 **Version:** 1  
**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 8/1/2018  
**Title:** Approving adverse action against the Cigarette/Tobacco license held by Max Mart 1, LLC, d/b/a Max Grocery & Tobacco at 962 Burr Street.  
**Sponsors:** Amy Brendmoen  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Notice of Council Hearing with Affidavit of Service.pdf, 2. Uncontested License Matter coversheet.pdf, 3. Inspector's Report dated May 1st 2018 with photographs and supporting documentation.pdf, 4. Notice of Violation with Affidavit of Service.pdf, 5. Email from licensee requesting a public hearing dated July 9th 2018.pdf, 6. License Group Comments Text.pdf, 7. SPLC Section 310.05(m) - Presumptive Penalties.pdf, 8. SPLC 324.07.pdf

| Date     | Ver. | Action By      | Action | Result |
|----------|------|----------------|--------|--------|
| 8/7/2018 | 1    | Mayor's Office | Signed |        |
| 8/1/2018 | 1    | City Council   |        |        |

Approving adverse action against the Cigarette/Tobacco license held by Max Mart 1, LLC, d/b/a Max Grocery & Tobacco at 962 Burr Street.

WHEREAS, the Cigarette/Tobacco license held by Max Mart 1, LLC d/b/a Max Grocery & Tobacco (License ID #20170001061) for the premises located at 962 Burr Street in Saint Paul were the subject of a Notice of Violation sent July 6, 2018; and

WHEREAS, the Notice stated that during a menthol education and compliance check on May 1, 2018, a DSI Inspector observed 5-pack cigars priced incorrectly and flavored tobacco products on display for sale in violation of Saint Paul Legislative Code § 324.07 (e) and (f); and

WHEREAS, this was the second (2<sup>nd</sup>) violation within the past twelve (12) months; therefore, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office recommended a \$1,000.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation with a request for a public hearing which was scheduled on August 1, 2018; so therefore, be it

RESOLVED, Max Mart 1, LLC d/b/a Max Grocery & Tobacco (License ID #20170001061) for the premises located at 962 Burr Street is hereby ordered to pay a \$1,000.00 matrix penalty for incorrect pricing of 5-pack cigars and flavored tobacco products on display for sale.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution. Payment of such penalty will be stayed for one (1) year on the condition there are no same or similar offenses.

