



Legislation Details (With Text)

File #: RES 18-2007 **Version:** 1

Type: Resolution **Status:** Passed

In control: City Council

Final action: 12/5/2018

Title: Approving adverse action against the Liquor Off Sale and Cigarette/Tobacco licenses held by Phann Liquor, Inc., d/b/a Capital Wine & Spirit at 531 Rice Street.

Sponsors: Dai Thao

Indexes:

Code sections:

Attachments: 1. Photographs taken during re-inspection on November 6th 2018.pdf, 2. Letter to licensee dated October 23rd 2018.pdf, 3. Notice of Violation with Affidavit of Service.pdf, 4. License Group Comments Text and licensee information.pdf, 5. License Group Conditions Text.pdf, 6. STAMP Ownership Information.pdf

Date	Ver.	Action By	Action	Result
12/10/2018	1	Mayor's Office	Signed	
12/5/2018	1	City Council	Adopted	Pass

Approving adverse action against the Liquor Off Sale and Cigarette/Tobacco licenses held by Phann Liquor, Inc., d/b/a Capital Wine & Spirit at 531 Rice Street.

WHEREAS, the Liquor Off Sale and Cigarette/Tobacco licenses held by Phann Liquor, Inc. d/b/a Capital Wine & Spirit (License ID# 20040000866) for the premises located at 531 Rice Street were the subject of a Notice of Violation dated November 9, 2018; and

WHEREAS, the Notice stated that during a complaint-based inspection of the licensed premises on October 18, 2018, an inspector from the Department of Safety and Inspections (DSI) observed multiple people loitering in front of the property and cigarette debris and small pieces of plastic and paper were in the parking lot; and

WHEREAS, the licensee was sent a letter on October 23, 2018 detailing these violations and giving him until November 1, 2018 to bring the licensed premises into compliance with his license conditions; and

WHEREAS, on November 6, 2018, the inspector returned for a re-inspection and documented with photographs empty cans and bottles of alcohol, plastic cups in the parking lot, a grocery cart with debris and dumpsters overflowing with trash in violation of license condition #3; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee did not respond to the Notice of Violation to pay the \$500.00 matrix penalty or request a public or administrative hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$500.00 matrix penalty or request a public or administrative hearing by November 19, 2018, that the matter would be placed on the December 5, 2018 consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, Phann Liquor, Inc. d/b/a Capital Wine & Spirit (License ID# 20040000866) for the premises located at 531 Rice Street is hereby ordered to pay a matrix penalty of \$500.00 for the violations to license condition #3 documented by a DSI Inspector during a re-inspection of the licensed premises on November 6, 2018.

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