



Legislation Details (With Text)

File #: RES 19-544 **Version:** 1
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In control: City Council
Final action: 4/17/2019

Title: Approving adverse action against Cigarette/Tobacco and Gas Station licenses held by Midway University & Hamline LLC, d/b/a Midway Amoco BP at 1347 University Avenue West.

Sponsors: Mitra Jalali

Indexes:

Code sections:

Attachments: 1. Midway Amoco BP Notice of Violation with Affidavit of Service.pdf, 2. Notice of Seized Contraband from MN Department of Revenue dated September 7th 2018.pdf, 3. Screenshots from DSI ECLIPS System.pdf, 4. Seized Cigarette-Tobacco Product letter from MN Department of Revenue dated November 13th 2018.pdf, 5. SPLC 310.05 - Hearing procedures.pdf, 6. SPLC 310.06 - Revocation-suspension-adverse actions-imposition of conditions.pdf, 7. Minn. Stat. Section 297F.21 - Contraband.pdf, 8. STAMP - Ownership Zoning Information.pdf

Date	Ver.	Action By	Action	Result
4/24/2019	1	Mayor's Office	Signed	
4/17/2019	1	City Council	Adopted	Pass

Approving adverse action against Cigarette/Tobacco and Gas Station licenses held by Midway University & Hamline LLC, d/b/a Midway Amoco BP at 1347 University Avenue West.

WHEREAS, the Cigarette/Tobacco and Gas Station licenses held by Midway University & Hamline LLC ("Licensee") d/b/a Midway Amoco BP (License ID# 20100000243) for the premises located at 1347 University Avenue West in Saint Paul were the subject of a Notice of Violation ("Notice") dated March 12, 2019; and

WHEREAS, the Notice stated on September 4, 2018 the Minnesota Department of Revenue conducted an inspection of the licensed premises and seized contraband flavored tobacco products in violation of Minn. Stat. §297F.21(j); and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (2), 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 hearing 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 hearing or administrative hearing by March 22, 2019 that the matter would be placed on the April 3, 2019 Council Consent Agenda; now, therefore, be it

RESOLVED, Midway University & Hamline LLC d/b/a Midway Amoco BP (License ID# 20100000243) is hereby ordered to pay a matrix penalty of \$500.00 for contraband flavored tobacco products seized by the Minnesota Department of Revenue during an inspection on September 4, 2018.

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

