Legislation Details (With Text)

File #:	RES 19-1309 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	8/28/2019

Title: Approving adverse action against the Cigarette/Tobacco license held by Mel Lindholm, d/b/a Charlie's (License ID #20180002499) at 444 Cedar Street. (Public hearing continued from August 21)

Sponsors: Rebecca Noecker

Indexes:

Code sections:

Attachments: 1. Email from Owner requesting hearing, 2. NOV, Charlie's

Date	Ver.	Action By	Action	Result
8/29/2019	1	Mayor's Office	Signed	
8/28/2019	1	City Council	Adopted As Amended	Pass
8/21/2019	1	City Council	Laid Over	Pass

Approving adverse action against the Cigarette/Tobacco license held by Mel Lindholm, d/b/a Charlie's (License ID #20180002499) at 444 Cedar Street. (Public hearing continued from August 21)

WHEREAS, the Cigarette/Tobacco license held by Charlie's on Cedar Inc, Inc. d/b/a Charlie's (License ID #20180002499) for the premises located at 444 Cedar Street in Saint Paul was the subject of a Notice of Violation sent June 24, 2019; and

WHEREAS, the Notice stated that during a Cigarette/tobacco compliance check on April 22, 2019, a DSI Inspector observed flavored tobacco products: General White (citrus and pepper), cigars priced at $2.00 in violation of Saint Paul Legislative Code §§'s 324.07 (e) and (f) and Jack Links Original and Teriyaki Beef Jerky in violation of Saint Paul Legislative Code §295.03; and

WHEREAS, the licensing office recommended a $500.00 matrix penalty; and

WHEREAS, the licensee did respond to the Notice of Violation via email and requested a public hearing on June 28, 2019; and

WHEREAS, a public hearing was held on August 21, 2019; and

WHEREAS, given the testimony heard and the business owner's history of no violations and the circumstances of the case, the City Council voted to amend the department's recommendation; now therefore be it

RESOLVED, Charlie's on Cedar Inc., Inc. d/b/a Charlie's (License ID #20180002499) for the premises located at 444 Cedar Street is hereby ordered to pay a $500.00 matrix penalty for the display for sale of flavored tobacco products - General White (citrus and pepper), cigars priced at $2.00, and Jack Links Original and Teriyaki Beef Jerky, with that penalty stayed for 6 months provided that the licensee has no same or similar violations.

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

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