



Legislation Details (With Text)

File #: RES PH 19- 330 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 10/2/2019

Title: Approving adverse action against the Cigarette/Tobacco License held by Moundsview Retail Inc., d/b/a Mounds Park Market (License ID #20170000776) at 241 Earl Street.

Sponsors: Jane L. Prince

Indexes:

Code sections:

Attachments: 1. Email from owner, 2. [http][OSNE6W8O0DJ1R6][v][NOV, Mounds Park Market] (5)

Date	Ver.	Action By	Action	Result
10/4/2019	1	Mayor's Office	Signed	
10/2/2019	1	City Council	Adopted As Amended	Pass

Approving adverse action against the Cigarette/Tobacco License held by Moundsview Retail Inc., d/b/a Mounds Park Market (License ID #20170000776) at 241 Earl Street.

WHEREAS, the Cigarette/Tobacco license held by Moundsview Retail Inc. d/b/a Mounds Park Market (License ID #20170000776) for the premises located at 241 Earl Street in Saint Paul was the subject of a Notice of Violation sent June 27, 2019; and

WHEREAS, the Notice stated that during a cigarette/tobacco and price compliance check on April 12, 2019, a DSI Inspector observed Hemp Zone Wraps: Kush, Bee Berry and Jamaican Buzz in violation of Saint Paul Legislative Code § 324.07 (f); 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 respond to the Notice of Violation matrix via email and requested a public Hearing on August 27, 2019; and

WHEREAS, a public hearing was held on October 2, 2019 and

WHEREAS, the Licensee appeared and explained to Council that his distributor had told him that Hemp Zone Wraps: Kush, Bee Berry and Jamaican Buzz were not flavored products; and

WHEREAS, the Licensee showed a copy of an invoice from his distributor that showed he returned the prohibited flavored products and received a refund; and

WHEREAS, Council believed that based on the testimony of the Licensee there had been a case of genuine confusion; now therefore be it

RESOLVED, that the \$500 matrix penalty requested by the licensing office against Moundsview Retail Inc. d/b/a Mounds Park Market (License ID #20170000776) for the premises located at 241 Earl Street is hereby

~~suspended for 12 months as long as there are no same or similar violations. ordered to pay a \$500.00 matrix penalty for the Hemp Zone Wraps: Kush, Bee Berry and Jamaican Buzz.~~

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