Legislation Details (With Text)

File #:	RES 23-751 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	5/24/2023
Title:	Approving a Tobacco Products Shop license to Mowney, Inc. d/b/a High 5 Tobacco (License ID #20230000294) for the premises located at 162 Pennsylvania Avenue West, Suite A.		
Sponsors:	Russel Balenger		
Indexes:			
Code sections:			
Attachments:	1. High 5 Tobacco - Class R License application, 2. High 5 Tobacco - Capitol Area Architectural and Planning Council Zoning Permit, 3. High 5 Tobacco - Site Plan, 4. High 5 Tobacco - License Condition Affidavit		

Date	Ver.	Action By	Action	Result
5/25/2023	1	Mayor's Office	Signed	
5/24/2023	1	City Council	Adopted	Pass

Approving a Tobacco Products Shop license to Mowney, Inc. d/b/a High 5 Tobacco (License ID #20230000294) for the premises located at 162 Pennsylvania Avenue West, Suite A.

WHEREAS, Mowney, Inc. d/b/a High 5 Tobacco (License ID #20230000294) applied for a Tobacco Products Shop license on February 21, 2023, for the premises located at 162 Pennsylvania Avenue West, Suite A in Saint Paul; and

WHEREAS, Zoning Permit #Z-218 was reissued to the licensee on April 23, 2023, by the Capitol Area Architectural and Planning Board (CAAPB) due to a change in ownership; and

WHEREAS, the Department of Safety and Inspections received Zoning Permit #Z-218 along with a site plan from the Capitol Area Architectural and Planning Board (CAAPB); and

WHEREAS, the Council finds that the application is in order, the license conditions are reasonable and there are no grounds to deny approval of the license; now, therefore, be it,

RESOLVED, a Tobacco Products Shop license is hereby approved and issued to Mowney, Inc. d/b/a High 5 Tobacco (License ID #20230000294) for the premises located at 162 Pennsylvania Avenue West, Suite A in Saint Paul with the following conditions:

1. License holder acknowledges per the Ramsey County Clean Indoor Air Ordinance resolution B2015-302 sec 5.02 prohibits smoking in public spaces where cigarette smoking is currently prohibited under the "Minnesota Clean Indoor Air Act" (MN Stat. 144.411 -144.417), as well as prohibiting vaping or smoking within 25 feet of public building entrances and vents.

2. License holder agrees to operate the business in a manner that is consistent with the Business Summary (Business Plan Addendum) submitted by the license holder dated 2/21/2023 and floor plans submitted with the Department of Safety and Inspections (DSI). License holder agrees to obtain prior written approval from OSI before making any substantive changes to their approved method of operation.

3. License holder agrees to provide a detailed breakdown of all items sold, including total dollar amounts for individual items by category upon request from DSI.

4. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (OSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to -date format, and ensure that accurate date and time of day are visible on all recorded video. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, License holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.?. Licensee agrees to operate in accordance with CAABP: A condition of this permit and that permit holder operate the tobacco products within the existing location referenced, will only sell products over the counter, in their original packing, and will not provide or allow repackaging, sampling, or use of any tobacco - related products within the store.

5. License holder agrees to operate in accordance with CAABP: A condition of this permit and that permit holder operate the tobacco products within the existing convenience store/stations referenced, will only sell products over the counter, in their original packing, and will not provide or allow repackaging, sampling, or use of any tobacco - related products within the store.

6. License holder agrees to operate in accordance with CAABP: A condition of this permit is that the applicant follows all necessary tobacco licensing requirements set forth and all approvals required bv jurisdictions the City of Saint Paul, Ramsey County, the State of Minnesota and the U.S. Federal Government.

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