



## Legislation Details (With Text)

**File #:** RES 24-150    **Version:** 1

**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 2/7/2024

**Title:** Approving adverse action against the Gas Tobacco Shop license held by I Mart St Paul d/b/a I Mart St Paul (License ID # 20230000995) for the premises located at 296 Seventh Street East.

**Sponsors:** Rebecca Noecker

**Indexes:**

**Code sections:**

**Attachments:** 1. I Mart St Paul Completed and signed packet-20122023-112844

Date	Ver.	Action By	Action	Result
2/14/2024	1	Mayor's Office	Signed	
2/7/2024	1	City Council	Adopted	Pass

Approving adverse action against the Gas Tobacco Shop license held by I Mart St Paul d/b/a I Mart St Paul (License ID # 20230000995) for the premises located at 296 Seventh Street East.  
WHEREAS, the Tobacco Shop license held by I Mart St Paul d/b/a I Mart St Paul (License ID # 20230000995) for the premises located at 296 7th Street East in Saint Paul was the subject of a Notice of Violation and Request for 10 Day License Suspension ("Notice") dated December 20, 2023; and

WHEREAS, the Notice stated that on November 15, 2023, Department of Safety and Inspections (DSI) inspected the Licensed Premises due to a flavored tobacco complaint from the Minnesota Department of Revenue (MDR); and

WHEREAS, with permission from store clerk the DSI Inspector went behind the counter to conduct an inspection, in plain sight on the left side of the counter there were numerous flavored tobacco products; and

WHEREAS, Saint Paul Legislative Code §310.06(b)(6) allows for adverse action when a licensee has violated or performed any act which is a violation of any of the provisions of these chapters or of any statute, ordinance or regulation reasonable related to the licensed activity; and

WHEREAS, Saint Paul Legislative Code §324.07(j) states, "[n]o person may sell, offer for sale, or otherwise distribute any flavored products, unless excepted under section 324.07(1) of this chapter"; and

WHEREAS, Saint Paul Legislative Code §324.10(b)(2) provides a presumptive penalty of a 10-day suspension for "[d]isplay possession or multiple incidents of sales of; single cigarettes; menthol tobacco products; or flavored tobacco products"; and

WHEREAS, the Department of Safety and Inspections recommended the imposition of a 10-Day License Suspension; and

WHEREAS, the licensee was given until December 26, 2023, to 1) accept the penalty; 2) request a Council Hearing or 3) request an Administrative Hearing; and

WHEREAS, the licensee failed to respond to the Notice to 1) accept the penalty; 2) request a Council Hearing or 3) request an Administrative Hearing; and

WHEREAS, the Notice stated that if the licensee failed to respond to the Notice by December 26, 2023, that the matter would be placed on the City Council Consent Agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, the Tobacco Shop license held by I Mart St Paul d/b/a I Mart St Paul (License ID # 20230000995) for the premises located at 296 7th Street East in Saint Paul is hereby suspended for violating Saint Paul Legislative Code § 324.07(j), and be it further

RESOLVED, that the Department of Safety and Inspections will notify the Licensee of the dates of the suspension once this resolution is final.