



## Legislation Details (With Text)

**File #:** RES PH 11- 1153 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 12/7/2011

**Title:** Approving adverse action against all licenses held by Attucks-Brooks American Legion Post #606, d/b/a Attucks-Brooks American Legion Post #606, 976 Concordia Avenue.

**Sponsors:** Melvin Carter III

**Indexes:**

**Code sections:**

**Attachments:** 1. Attucks-Brooks Notice of Rescheduled Council Hearing.pdf, 2. Attuck-Brooks Uncontested License Matter.pdf, 3. License Group Comments Text.pdf, 4. Certificate of Liability Insurance dated June 16th 2011.pdf, 5. Notice of Violation.pdf, 6. Certificate of Liability Insurance dated July 21st 2011.pdf, 7. Amended Notice of Violation.pdf, 8. Request for Administrative Hearing.pdf, 9. SPLC Section 310.05 (m).pdf, 10. SPLC Section 409.26.pdf, 11. SPLC Section 411.01.pdf

| Date       | Ver. | Action By      | Action             | Result |
|------------|------|----------------|--------------------|--------|
| 12/13/2011 | 1    | Mayor's Office | Signed             |        |
| 12/7/2011  | 1    | City Council   | Adopted As Amended | Pass   |

Approving adverse action against all licenses held by Attucks-Brooks American Legion Post #606, d/b/a Attucks-Brooks American Legion Post #606, 976 Concordia Avenue.

WHEREAS, adverse action was taken against all licenses held by Attucks-Brooks American Legion Post #606 d/b/a Attucks-Brooks American Legion Post #606 (License ID #0023519) for the premises located at 976 Concordia Avenue in Saint Paul by Notice of Violation dated July 20, 2011, alleging the licensee's liquor liability insurance was cancelled effective May 28, 2011 and on July 8, 2011, the licensee provided alcoholic beverages and entertainment without the appropriate license; and

WHEREAS, the licensee submitted a second Certificate of Liability Insurance showing coverage effective July 7, 2011 through July 7, 2012; and

WHEREAS, an Amended Notice of Violation was sent to the licensee on July 26, 2011, stating that there was still a lapse in liquor liability coverage from May 28, 2011 through July 6, 2011; and

WHEREAS, licensee did respond to the Amended Notice of Violation on July 30, 2011, to request an administrative hearing; and

WHEREAS, an administrative hearing was scheduled on October 24, 2011 at which time the licensee decided not to pursue an administrative hearing, admit to the violations and request a public hearing before City Council which was then scheduled on December 7, 2011, now therefore be it

RESOLVED, all licenses held by Attucks-Brooks American Legion Post #606 d/b/a Attucks-Brooks American Legion Post #606 are hereby suspended for ten (10) days with five (5) days stayed for eighteen (18) months with no same or similar violations and a five (5) day closure to begin 12:00 a.m. on Wednesday, December 28, 2011, until 12:00 p.m. on Friday, January 6, Sunday, January 1, 2012 for the lapse in liquor liability coverage from May 28, 2011 through July 6, 2011.

FURTHER RESOLVED, the licensee is ordered to pay a \$500.00 matrix penalty for providing entertainment without the appropriate license. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

This resolution, and action taken above, is based upon facts contained in the July 26, 2011, Amended Notice of Violation sent to the licensee and the arguments made at the public hearing on December 7, 2011.