



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Legislation Text

File #: RES 11-2372, **Version:** 1

Approving adverse action against the Cigarette/Tobacco license held by K-Mart Corporation, d/b/a K-Mart #3059, 245 Maryland Avenue East.

WHEREAS, adverse action was taken against the Cigarette/Tobacco license held by K-Mart Corporation d/b/a K-Mart #3059 (License ID #0016660) for the premises located at 245 Maryland Avenue East in Saint Paul by Notice of Violation dated November 8, 2011, alleging that on October 21, 2011, a clerk from the licensed establishment sold tobacco products to an underage person in violation of Minn. Stat. § 609.685 Subd. 1a and Saint Paul Legislative Code § 324.07 (c); and

WHEREAS, this was the first violation regarding the sale of cigarettes to an underage person, so per Saint Paul Legislative Code § 324.11 (b) (1), the licensing office recommended a \$200.00 matrix penalty; and

WHEREAS, licensee did not respond to the Notice of Violation to pay the \$200.00 matrix penalty or request a hearing; and

WHEREAS, the Notice of Violation stated that if the licensee failed to pay the \$200.00 matrix penalty or request a hearing in writing by November 18, 2011, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that K-Mart Corporation d/b/a K-Mart #3059 is hereby ordered to pay a matrix penalty of \$200.00 for the sale of cigarettes to an underage person on October 21, 2011. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.