



## Legislation Text

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**File #:** RES PH 18-140, **Version:** 1

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Approving adverse action against the Cigarette/Tobacco license held by Dollar Plus, Inc., d/b/a Dollar Plus (License ID #20080000589) at 560 University Avenue West.

WHEREAS, the Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus (License ID #20080000589) for the premises located at 560 University Avenue West in Saint Paul was the subject of a Notice of Intent to Revoke License ("Notice") sent April 17, 2018; and

WHEREAS, the Notice stated on September 20, 2017 officers from the Saint Paul Police Department began investigating citizen complaints that the Dollar Plus was selling synthetic marijuana. Complainants had reported multiple overdoses and medical related problems attributable to these illegal sales; and

WHEREAS, the investigation included an undercover attempt to buy synthetic marijuana from the licensee/owner on November 17, 2017; and

WHEREAS, when the undercover officer asked the licensee for "K" which is a term for synthetic marijuana he told the undercover officer "that's the other dude" informing him that the individual who he identified as "Jay" was not in the store that day and to check back in the morning because the other individual was in the store every morning except weekends and further volunteered that the other individual "doesn't even know that I know. I didn't even know that he does that. I heard from a customer. That's his own privacy."; and

WHEREAS, additional attempts at controlled buys by a confidential reliable informant (CRI) were made inside the Dollar Plus in which officers and CRI were able to purchase a substance later identified as synthetic marijuana on September 20, 2017; September 25, 2017; October 3, 2017 and November 6, 2017; and

WHEREAS, following the controlled buys, officers were able to obtain a search warrant for the Dollar Plus which was executed on November 21, 2017; and

WHEREAS, during the execution of the search warrant, officers found, photographed and recovered a 9MM hand gun, a full magazine of ammunition, a black gun case for the hand gun, a ballistic vest, bullet proof vest inserts, 3 black 7.62x39 MM empty magazines, 2 black 7.62x39 MM full magazines, 2 live 7.62 ammunition rounds, and AK47 rifle, 37 boxes of live 7.62x39 MM TulAmmo rounds and a large knife, 1 black magazine full of live 9MM rounds and a rifle case for an AK47; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (6), the presumptive penalty for a commission of a felony on the property is \$2,000.00 for the first offense and revocation for the second offense; and

WHEREAS, due to the serious nature of the illegal activity the licensee allowed to continue at the licensed premises, the licensing office recommended an upward departure to revocation of the Cigarette/Tobacco license; and

WHEREAS, the licensee responded to the Notice of Intent to Revoke License with a request for a public hearing which was then scheduled on May 16, 2018; so therefore be it

**RESOLVED**, the Cigarette/Tobacco license held Dollar Plus, Inc. d/b/a Dollar Plus (License ID #20080000589)

for the premises located at 560 University Avenue West is hereby revoked.