



Legislation Text

File #: RES 22-311, **Version:** 1

Approving adverse action against the Liquor On-Sale 291 or more seats, Liquor On-Sale Sunday, Liquor On-Sale 2AM Closing, Liquor Outdoor Service Area - Patio, and Entertainment (B) license held by RJMP Group Inc. d/b/a Billy's On Grand (License ID #20200000158), for the premises located at 857 Grand Avenue and addition of the conditions to the licenses held by RJMP Group Inc. d/b/a Billy's On Grand (License ID #20200000158).

WHEREAS, the Liquor On-Sale 291 or more seats, Liquor On-Sale Sunday, Liquor On-Sale 2AM Closing, Liquor Outdoor Service Area - Patio, and Entertainment (B) license held by RJMP Group Inc. d/b/a Billy's On Grand (License ID #20200000158) for the premises located at 857 Grand Avenue in Saint Paul were the subject of a Notice of Violation on February 1, 2022 that included a request for imposition of license conditions and \$500 matrix penalty (herein incorporated as Exhibit 1); and

WHEREAS, the notice stated that Sgt. Charles Graupman of the Saint Paul Police Department assigned to the Department of Safety and Inspections (DSI) was made aware of numerous "quality of life" police calls related to the licensed premises; and

WHEREAS, the number of phone calls and call types generated community concern and consumed a vast amount of police resources; and

WHEREAS, Sgt. Graupman was asked to review police reports related to the Disturbances, fights, and assaults that the Saint Paul Police Department responded to on October 30, 2021 - October 31, 2021 and November 12, 2021 - November 13, 2021; and

WHEREAS, after reviewing the reports, Sgt. Graupman worked with DSI Licensing Manager Eric Hudak to draft a formal request for all interior and exterior surveillance video from the license premises that asked for video from Saturday, October 30, 2021, 10:00 p.m. until 1:30 a.m. on Sunday, October 31, 2021, and On Friday, November 12, 2021, from 10:30 p.m. until 1:30 a.m. on Saturday, November 13, 2021.

WHEREAS, the licensee produced the requested video and it was reviewed by Sgt. Graupman and the DSI staff; and

WHEREAS, the following violations of license conditions were observed on the surveillance video:

- ☐ A couple engaged in a sexual act in violation of Saint Paul Legislative Code § 409.09 (3).

- ☐ Large altercation inside of the bar in violation of Saint Paul Legislative Code § 409.08 (5).
- ☐ Patron leaving the licensed premises with an alcoholic drink in violation of Saint Paul Legislative Code § 409.08 (15).; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (2), the Department sent the Licensee a Notice of Violation which proposed adverse action including a \$500.00 matrix penalty for a first time violation and the addition of license conditions to the license; and

WHEREAS, the Department also recommended that one license condition be removed as it is obsolete; and

WHEREAS, the License conditions changes recommended by the Department are noted with underline and strike out as follows:

1. Wait staff and managers will ensure that IDs are checked so that patrons under the age of 21 will not be served or consume alcohol.
2. ~~The extension of service as a result of the renovation of the patio area is subject to the consent for the use of three (3) off-street parking spaces from an adjacent parking lot located to the west of the business in accordance with City Zoning regulations.~~
3. Per Fire Inspection Certificate of Occupancy (CofO), occupancy limit is 285 when billiard tables are in the establishment, and 297 when all billiard tables are removed from the premises.
4. Licensee will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. Licensee will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, licensee 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. Licensee will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, licensee 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, Licensee shall have the technology, materials and staff available to immediately make the copy. In all other cases, licensee shall provide a copy of the surveillance video to the requestor within 48 hours.
5. License holder shall retain clearly identifiable and appropriately trained security personnel. Clearly identifiable security personnel shall mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance/exit of the licensed liquor service area(s) as well as sufficient roving security to appropriately address minor conflicts to prevent escalation. Security personnel shall start at 10:00 p.m. during any day of operation and shall remain until the establishment has closed and all patrons have left the licensed property and parking lot.
6. Security or staff will conduct outside sweeps of the building and parking lot at least twice an hour to disperse and discourage loitering from 10:00 p.m. during any day of operation until closing and shall remain at the licensed premises until all patrons have left the property/parking lot. All customers/patrons must be off the property/parking lot within 15 minutes after closing time.
7. License Holder shall ensure no alcoholic beverages leave the licensed liquor service area(s).

8. Whenever the establishment is open past 11:00 p.m. no patrons shall be admitted into the establishment 30 minutes prior to closing time. Last call will be given 30 minutes prior to closing time.

and;

WHEREAS, the Notice of Violation laid out a number of options for the Licensee and stated that if the Licensee did not contest the proposed adverse action the license could pay the matrix penalty and agree to the additional license conditions; and

WHEREAS, the Notice of Violation further stated that if the Licensee paid the \$500.00 matrix penalty, it would be considered an agreement to the additional conditions and a waiver of the hearing to which the licensee was entitled; and

WHEREAS, the Department believes that the imposition of these conditions will serve to reinforce industry standard operational practices that improve safety and help ensure the well-being of staff, patrons and the surrounding community; and

WHEREAS, the Licensee paid the \$500 matrix penalty on February 8, 2022; and

WHEREAS, the Council finds that the that the imposition of the conditions proposed by the Department will serve to reinforce industry standard operational practices that improve safety and help ensure the well-being of staff, patrons and the surrounding community; now, therefore, be it,

RESOLVED, that the imposition of the above conditions on the Liquor On-Sale 291 or more seats, Liquor On-Sale Sunday, Liquor On-Sale 2AM Closing, Liquor Outdoor Service Area - Patio, and Entertainment (B) Licenses held by RJMP Group Inc. d/b/a Billy's On Grand (License ID #20200000158) for the premises located at 857 Grand Avenue in Saint Paul is approved.