File #: RES PH 22-87, **Version:** 1

Approving adverse action against the Cigarette/Tobacco License held by Narjis LLC, d/b/a East Side Grocery, at 1340 Payne Avenue.

WHEREAS, Narjis LLC, d/b/a East Side Grocery ("Licensee"), holds a Cigarette/Tobacco license under License ID #20190003644 for the premises located at 1340 Payne Avenue in Saint Paul ("Licensed Premises"); and

WHEREAS, on February 24, 2022, the City, by and through its Department of Safety and Inspections ("Department"), sent a Notice of Violation ("Notice") to the Licensee; and

WHEREAS, the Notice alleged that, during a complaint-based inspection on January 5, 2022, a DSI inspector observed and documented with photographs Black and Mild Casino Cigars, Dutch Master Sweet Fusion cigars, and Blue Palam cigars in violation of Saint Paul Legislative Code section 324.07(f); and

WHEREAS, under the penalty matrix contained in Saint Paul Legislative Code section 324.10(b)(2), the presumptive penalty for a second violation of section 324.07(f) within a 24-month period is revocation of the license; and

WHEREAS, because the Licensee's violations on January 5, 2022, constituted their second violation of Saint Paul Legislative Code section 324.07(f) within a 24-month period, the Department recommended revocation of their Cigarette/Tobacco license; and

WHEREAS, on March 30, 2022, the Licensee's attorney responded to the notice via electronic delivery and requested a public hearing, which was held on April 13, 2022; now, therefore, be it

RESOLVED, that the City Council issues this decision based upon consideration of the record of the entire proceedings herein, including the oral argument from the Licensee and his attorney from the April 13, 2022, public hearing; and be it

FURTHER RESOLVED, that the Cigarette/Tobacco license held by Narjis LLC, d/b/a East Side Grocery, for the premises located at 1340 Payne Avenue is hereby revoked for having Black and Mild Casino Cigars, Dutch Master Sweet Fusion cigars, and Blue Palam cigars on the Licensed Premises.