



## Legislation Text

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**File #:** RES 22-1282, **Version:** 1

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Approving the request for adverse action for removal of license condition #2 deleting the requirement for uniformed security on the licensed premises and modifying license condition #3 for the licenses held by TK Inspiration Inc d/b/a Tracks Bar & Grill (License ID #20180000178) for the premises located at 1091 Rice Street.

WHEREAS, the licenses held by the Licensee are up for renewal; and

WHEREAS, the Licensee requested removal of License condition #2 which requires the Licensee to hire uniformed security; and

WHEREAS, the Licensee also requested modification of License condition #3 which required security to check patron identification; and

WHEREAS, the Licensee met with the North End Neighborhood Organization on April 1, 2022 to discuss the request; and

WHEREAS, the Licensee informed the North End Neighborhood Organization that there had been no incidents at the Licensed Premises which would warrant the condition, that the Licensed Premises is a neighborhood bar and that security personnel are expensive; and

WHEREAS, the North End Neighborhood Organization recommended that the License Condition 2 be removed from the Licenses held by Licensee unless there was entertainment or a special event; and

WHEREAS, on May 5, 2022 the Department sent out Notice of their recommended changes for the Licenses held by Licensee; and

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

1. 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.

2. Uniformed personnel clearly identified with the wording "Security" easily visible on their uniform shall be assigned to any door where customers may enter the establishment starting at 10PM on Thursdays, Fridays, and Saturdays, or whenever entertainment is provided. Security staff are in addition to bartenders, servers and cooks (staff assigned to these duties are not considered part of the security staff). Security shall remain until all patrons have left the premises (including the patio and parking lot areas).

3 2. Whenever security is present they shall ~~Licensee shall take appropriate actions~~ verify the age of all patrons entering the establishment by checking state or federally issued identification cards (no picture I.D. no entrance) to ensure no one under the age of twenty-one (21) may enter ~~be present within~~ the establishment except in accordance with Minnesota statute 340A.503(4). Customers leaving the establishment to smoke in the contained outdoor patio area who are re-entering the establishment shall be required to present valid identification unless the licensee has established a system to clearly identify those patrons smoking on the patio that have previously presented identification with a unique identifying marking such as stamping on the hand using indelible ink or wristbands.

4. Last call will be given no later than 12:30 a.m. License holder shall not allow new patrons to enter the establishment after 12:30 a.m., consumption of alcohol to be discontinued before 1:00 a.m. The establishment will be closed and all patrons and staff gone by 1:30 a.m. from the premises (including the patio and parking lot areas).

5. The food and beverage service to the patio must stop at 10:00 p.m. each night of the week. Patron will be allowed to smoke on the patio until 1:00 a.m.

6. No outdoor food and/or beverage preparation is allowed on the outdoor patio without prior written approval from DSI.

7. Licensee will post signs in the patio encouraging patrons to respect the neighborhood by limiting noise in the patio area as much as possible.

8. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and or performance dances.

9. Any outdoor activities related to the outdoor seating area shall comply with applicable State and Local rules and regulations, including but not limited to Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code.

10. Licensee agrees to take appropriate action(s) to ensure that the sale, display and/or consumption of alcoholic beverages in contained within the approved indoor and outdoor patio service area as per the approved plan on file with DSI.; and

WHEREAS, the Notice stated that the deadline for responses was Friday, June 24,2022; and

WHEREAS, the Department did not receive comments or objections on the License Conditions they proposed; and

WHEREAS, the Council finds that the request is in order, the proposed modification to the existing conditions are reasonable and there exist no grounds for denial of the modification request; now, therefore, be it,

RESOLVED, that the modification of the above License Conditions on the Licenses held by TK Inspiration Inc. d/b/a Tracks Bar and Grill (License ID #20180000178) for the premises located at 1091 Rice Street in Saint Paul is approved.