



# City of Saint Paul

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

## Legislation Text

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**File #:** RES PH 11-968, **Version:** 1

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Approving adverse action taken against all licenses held by Frank's Dairy & Deli, d/b/a Frank's Dairy & Deli, 1201 Edgerton Street.

WHEREAS, adverse action was taken against all licenses held by Frank's Dairy & Deli, Inc. d/b/a Frank's Dairy & Deli (License ID #20100005165) for the premises located at 1201 Edgerton Street in Saint Paul by Notice of Violation dated June 2, 2011, alleging that on February 15, 2011, The Minnesota Department of Revenue seized tobacco products in the licensee's establishment that had not been purchased by a licensed seller in violation of Minn. Stat. § 297F.13, subdivision 4; and

WHEREAS, for this violation the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation on June 7, 2011 to request an administrative hearing; and

WHEREAS, the licensee was then contacted by the City Attorney's Office on June 16, 2011, to explain that he would only be able to contest the \$500.00 matrix penalty recommended by the Department of Safety and Inspections, not the seizure of the tobacco products, which can only be challenged with the Minnesota Department of Revenue within sixty (60) days of seizure; now therefore be it

RESOLVED, that Frank's Dairy & Deli, Inc. d/b/a Frank's Dairy & Deli is hereby ordered to pay a \$500.00 matrix penalty for failure to purchase tobacco products from a licensed seller in violation of Minn. Stat. § 297F.13, subdivision 4. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.