



## Legislation Text

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**File #:** RES 11-1329, **Version:** 1

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Waiving the 45 day notice requirement for issuance of Wine On Sale and Malt On Sale (Strong) licenses for Joan's In The Park, d/b/a Grampa Tony's, 631 Snelling Avenue South.

WHEREAS, Joan's In The Park d/b/a Grampa Tony's, located at 631 Snelling Avenue South in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of Wine On Sale and Malt On Sale (Strong) licenses; and

WHEREAS, the Highland District Council has agreed to the waiver of the notice requirements; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the license and that the failure to grant the waiver and the consequent delay in approving the license would cause exceptional and unusual hardship to the license applicant; and

WHEREAS, the licensee agrees that in the event a complaint is received prior to the expiration of the 45-day period and the complaint provides a basis for adverse action against the license, that the Department of Safety and Inspections may direct the licensee to immediately discontinue all operations until a public hearing is scheduled, and that the licensee shall comply with said directive; now, therefore, be it,

RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code are hereby waived and Wine On Sale and Malt On Sale (Strong) licenses are issued to Joan's In The Park d/b/a Grampa Tony's, located at 631 Snelling Avenue South in Saint Paul, subject to the agreement stated above and the following conditions:

1. Per City of Saint Paul Legislative Code 409.15(a)(2), On-sale wine license shall mean a license authorizing the sale of wine not exceeding fourteen (14) percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale and service of food (menu item only). The sale of Malt (Strong) will also take place only in conjunction with the sale and service of food.
2. Per City of Saint Paul Legislative Code 409.15(d), licensee must be able to show that gross receipts are at least sixty (60) percent attributable to the sale of food.
3. Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed.