



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

June 2, 2023

**NOTICE OF VIOLATION
AND REQUEST FOR IMPOSITION OF
\$500 MATRIX PENALTY**

Go Get It Tobacco, LLC
d/b/a Go Get It Tobacco, LLC
2484 University Avenue West
St. Paul, MN 55106

RE: Tobacco Products Shop license held by Go Get It Tobacco, LLC d/b/a Go Get It Tobacco for the premises located at 2484 University Avenue in Saint Paul.
License ID #: 20180002292

Dear Licensee:

The Department of Safety and Inspections ("Department") has recommended adverse action against the Tobacco Products Shop license held by Go Get It Tobacco, LLC ("Licensee") herein for the premises known as Go Get It Tobacco located at 2484 University Avenue West (Licensed Premises").

Legal Basis for Action:

Saint Paul Legislative Code §310.01, defines Adverse Action as:

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code §310.03 (m)(1)(2) provides for a presumptive penalty of \$500 for a first-time violation of a provision of the legislative code related to the licensed activity.

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MELVIN CARTER, MAYOR

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in the delivery of services or employment practices.*



Saint Paul Legislative Code §310.04 (b) sets forth a variety of reasons on which adverse action may be based. §310.04 (b)(6) allows for adverse action when a licensee has violated or performed any act which is a violation of any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity.

Minnesota Statute §297F.21 states: The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter:

(a) Cigarette packages which do not have stamps affixed to them as provided in this chapter, including but not limited to (i) packages with illegible stamps and packages with stamps that are not complete or whole even if the stamps are legible, and (ii) all devices for the vending of cigarettes in which packages as defined in item (i) are found, including all contents contained within the devices.

(b) A device for the vending of cigarettes and all packages of cigarettes, where the device does not afford at least partial visibility of contents. Where any package exposed to view does not carry the stamp required by this chapter, it shall be presumed that all packages contained in the device are unstamped and contraband.

(c) A device for the vending of cigarettes to which the commissioner or authorized agents have been denied access for the inspection of contents. In lieu of seizure, the commissioner or an agent may seal the device to prevent its use until inspection of contents is permitted.

(d) A device for the vending of cigarettes which does not carry the name and address of the owner, plainly marked and visible from the front of the machine.

(e) A device including, but not limited to, motor vehicles, trailers, snowmobiles, airplanes, and boats used with the knowledge of the owner or of a person operating with the consent of the owner for the storage or transportation of more than 5,000 cigarettes which are contraband under this subdivision. When cigarettes are being transported in the course of interstate commerce or are in movement from either a public warehouse to a distributor upon orders from a manufacturer or distributor, or from one distributor to another, the cigarettes are not contraband, notwithstanding the provisions of clause (a).

(f) A device including, but not limited to, motor vehicles, trailers, snowmobiles, airplanes, and boats used with the knowledge of the owner, or of a person operating with the consent of the owner, for the storage or transportation of untaxed tobacco products intended for sale in Minnesota other than those in the possession of a licensed distributor on or before the due date for payment of the tax under section 297F.09, subdivision 2.

(g) Cigarette packages or tobacco products obtained from an unlicensed seller.

(h) Cigarette packages offered for sale or held as inventory in violation of section 297F.20, subdivision 7.

(i) Tobacco products on which the tax has not been paid by a licensed distributor.



(j) Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4.

(k) Cigarette packages which have been imported into the United States in violation of United States Code, title 26, section 5754. All cigarettes held in violation of that section shall be presumed to have entered the United States after December 31, 1999, in the absence of proof to the contrary.

(l) Cigarettes subject to forfeiture under section 299F.854, subdivision 5, and cigarette packaging and markings, including the cigarettes contained therein, which do not meet the requirements under section 299F.853, paragraph (a).

Adverse Action Recommendation:

The Department of Safety and Inspections will recommend a \$500.00 matrix penalty for the following violations of Minnesota Statute §297F.21 (g), (i) and (j).

Factual basis for imposition of \$500.00 matrix penalty:

On May 4, 2023, the Department of Safety and Inspections (DSI) received a Seized Cigarette/Tobacco Product letter from the Minnesota Department of Revenue/Tobacco Licensing Division. Attached to the letter was a Notice of Seized Contraband report from an inspection conducted on January 24, 2023, at the license premises listing the items seized as contraband which were not listed on an invoice and therefore illegally obtained:

<u>Quantity</u>	<u>Unit</u>	<u>Product Description</u>
5	Pens	Lost Mary Space Edition Grape OS5000 Disposable Vape
5	Pens	Lost Mary Space Edition Strawberry Pina Colada OS5000 Disposable Vape
1	Pen	Lost Mary Space Edition Blue Razz Ice OS5000 Disposable Vape
3	Pens	Lost Mary Space Edition Strawberry Ice OS5000 Disposable Vape
8	Pens	Lost Mary Space Edition Blue Cotton Candy OS5000 Disposable Vape
10	Pens	Lost Mary Space Edition Blueberry Ice OS5000 Disposable Vape
27	Pens	Lost Mary Space Edition Strawberry Mango OS5000 Disposable Vape
3	Pens	SWFT Grape Ice 5000 Puffs Disposable Pens
7	Pens	SWFT White Peach 5000 Puffs Disposable Pens
4	Pens	SWFT Kiwi Berry Ice 5000 Puffs Disposable Pens
11	Pens	SWFT Pineapple Punch 5000 Puffs Disposable Pens
11	Pens	SWFT Lychee Berry Ice 5000 Puffs Disposable Pens
7	Pens	SWFT Pina Colada 5000 Puffs Disposable Pens



<u>Quantity</u>	<u>Unit</u>	<u>Product Description</u>
9	Pens	SWFT Peach Mango 5000 Puffs Disposable Pens
8	Pens	SWFT Berry Blast 5000 Puffs Disposable Pens
6	Pens	SWFT Jolly Green 5000 Puffs Disposable Pens
27	Pens	ELF Bar Mint BC5000 Disposable Vape Pens
26	Pens	ELF Bar Blue Razz Ice BC5000 Disposable Vape Pens
21	Pens	ELF Bar Watermelon Ice BC5000 Disposable Vape Pens
15	Pens	ELF Bar Lemon Mint BC5000 Disposable Vape Pens
10	Pens	ELF Bar Peach Berry BC5000 Disposable Vape Pens
10	Pens	ELF Bar Passon Fruit Orange Guava BC5000 Disposable Vape Pens
7	Pens	ELF Bar Strawberry Ice BC5000 Disposable Vape Pens
9	Pens	ELF Bar Watermelon Nana Ice BC5000 Disposable Vape Pens
9	Pens	ELF Bar Triple Berry Ice BC5000 Disposable Vape Pens
3	Pens	ELF Bar Rainbow Cloudz BC5000 Disposable Vape Pens
2	Pens	ELF Bar Strawberry Watermelon Peach BC5000 Disposable Vape Pens
10	Pens	ELF Bar Tropical Rainbow Blast BC5000 Disposable Vape Pens
10	Pens	ELF Bar Strazz BC5000 Disposable Vape Pens
10	Pens	ELF Bar Watermelon Brzz Ice BC5000 Disposable Vape Pens
16	Pens	ELF Bar Miami Mint BC5000 Disposable Vape Pens
10	Pens	ELF Bar Fanta Strawberry BC5000 Disposable Vape Pens
10	Pens	ELF Bar Kiwi Passion Fruit Guava BC5000 Disposable Vape Pens
20	Pens	ELF Bar Sakura Grape BC5000 Disposable Vape Pens
2	Pens	ELF Bar Raspberry Watermelon BC5000 Disposable Vape Pens
5	Pens	ELF Bar Dragon Fruit Banana Berry BC5000 Disposable Vape Pens
9	Pens	ELF Bar Grape Honeydew BC5000 Disposable Vape Pens
6	Pens	ELF Bar Black Winter BC5000 Disposable Vape Pens
9	Pens	ELF Bar Strawberry Mango BC5000 Disposable Vape Pens
10	Pens	ELF Bar Strawberry Watermelon BC5000 Disposable Vape Pens
6	Containers	Adalya Lady Killer Shisha 250 grams
2	Containers	Eternal Smoke Cool Series blue Lit Blueberry Ice Shisha 250 grams
6	Containers	Eternal Smoke Cool Series Watermelon Lit Watermelon Ice Shisha 250 grams
6	Containers	Eternal Smoke Cool Series Lemon Lit Lemon Ice Shisha 250 grams
4	Containers	Eternal Smoke Cool Series Lime Lit Lime Ice Shisha 250 grams
2	Containers	Al Fakher Blueberry with Mint Shisha 1000 grams
2	Containers	Al Fakher Watermelon with Mint Shisha 1000 grams
2	Containers	Al Fakher Peach Shisha 1000 grams



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<u>Quantity</u>	<u>Unit</u>	<u>Product Description</u>
2	Containers	Al Fakher Pineapple Shisha 1000 grams
1	Container	Al Fakher Lemon with Mint Shisha 1000 grams
1	Container	Al Fakher Mint Shisha 1000 grams
11	Pens	Esco Bars Fruitia White Gummy 2500 Puffs Disposable Vape Pens
18	Pens	Esco Bars Spearmint 2500 Puffs Disposable Vape Pens
13	Pens	Esco Bars Fruitia Sun Kissed 2500 Puffs Disposable Vape Pens
11	Pens	Esco Bars Lychee Mango 2500 Puffs Disposable Vape Pens
13	Pens	Esco Bars Mango Ice 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Ripe Tropical Rainbow Blast 2500 Puffs Disposable Vape Pens
5	Pens	Esco Bars Ripe Kiwi Dragon Berry 2500 Puffs Disposable Vape Pens
5	Pens	Esco Bars Mega Blueberry Raspberry Ice 5000 Puffs Disposable Vape Pens
12	Pens	Esco Bars Fruitia Apple Ice 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Ripe Fiji Melons Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Ripe Peachy Mango Pineapple Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Pink Lemonade 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Strawberry Banana 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Banana Ice 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Watermelon Ice 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Cream Salted Caramel 2500 Puffs Disposable Vape Pens
9	Pens	Esco Bars Mesh Black Dragon Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Ripe Blue Razzleberry Pomegranate 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Ripe Straw Nanners Ice 2500 Puffs Disposable Vape Pens
5	Bottles	Pacha SYN Fuji Synthetic Nicotine Salt 50mg/30ml
5	Bottles	Pacha SYN Fuji Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha SYN Strawberry Watermelon Synthetic Nicotine Salt 50mg/30ml
3	Bottles	Pacha SYN Strawberry Watermelon Synthetic Nicotine Salt 25mg/30ml
3	Bottles	Pacha SYN Fuji Ice Synthetic Nicotine Salt 50mg/30ml
5	Bottles	Pacha SYN Fuji Ice Synthetic Nicotine Salt 25mg/30ml
5	Bottles	Pacha SYN Sorbet Synthetic Nicotine Salt 50mg/30ml
1	Bottle	Pacha SYN Sorbet Synthetic Nicotine Salt 25mg/30ml
1	Bottle	Pacha SYN Starfruit Grape Ice Synthetic Nicotine Salt 50mg/30ml
3	Bottles	Pacha SYN Starfruit Grape Ice Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha SYN Kiwi Berry Ice Synthetic Nicotine Salt 50mg/30ml
1	Bottle	Pacha SYN Kiwi Berry Ice Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha Mama Salts Strawberry Watermelon 50mg/30ml
2	Bottles	Pacha SYN Starfruit Grape 50mg/30ml

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<u>Quantity</u>	<u>Unit</u>	<u>Product Description</u>
2	Bottles	Pacha SYN Starfruit Grape 25mg/30/ml
3	Bottles	Pacha SYN Frosted Cronut 25mg/30ml
2	Bottles	Pacha SYN Frosted Cronut 50mg/30ml
3	Bottles	Pacha SYN Blood Orange Banana Gooseberry 3mg/60ml
3	Bottles	Pacha SYN Blood Orange Banana Gooseberry 6mg/60ml
3	Bottles	Pacha SYN Fuji Apple Strawberry Nectarine 6mg/60ml
3	Bottles	Pacha SYN Fuji Apple Strawberry Nectarine 3mg/60ml
3	Bottles	Pacha SYN Huckleberry Pear Acai 6mg/60ml
3	Bottles	Pacha SYN Huckleberry Pear Acai 3mg/60ml
3	Bottles	Pacha SYN The Mint Leaf 6mg/60ml
3	Bottles	Pacha SYN The Mint Leaf 3mg/60ml
3	Bottles	Pacha SYN Peach Papaya Coconut 6mg/60ml
3	Bottles	Pacha SYN Peach Papaya Coconut 3mg/60ml
2	Bottles	Naked Max Salt Watermelon Ice 35mg/30ml
2	Bottles	Naked Max Salt Salt Apple Ice 35mg/30ml
3	Bottles	Naked Max Salt Apple Ice 50mg/30ml
2	Bottles	NKD Salt 100 Menthol Mint 35mg/30ml TFN
3	Bottles	NKD Salt 100 Menthol Mint 50mg/30ml TFN
2	Bottles	NKD Salt 100 Menthol Strawberry Pom 50mg/30ml TFN
3	Bottles	Cloud Nurdz Iced Watermelon Apple 6mg/100ml
3	Bottles	Cloud Nurdz Iced Watermelon Apple 3mg/100ml
3	Bottles	Cloud Nurdz Watermelon Berry 6mg/100ml
3	Bottles	Cloud Nurdz Watermelon Berry 3mg/100ml
3	Bottles	Cloud Nurdz Aloe Mango 6mg/100ml
3	Bottles	Cloud Nurdz Aloe Mango 3mg/100ml
3	Bottles	Cloud Nurdz Iced Peach Blue Raspberry 6mg/100ml
3	Bottles	Cloud Nurdz Iced Peach Blue Raspberry 3mg/100ml
1	Pen	SWFT Strawberry Lush Ice 5000 Puffs Disposable Pens

You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **June 12, 2023**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent agenda for approval of the proposed remedy.



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2. You can pay the \$500 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **June 12, 2023**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered an admission to the violation and waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the \$500 matrix penalty, you may have a hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a Council hearing no later than **June 12, 2023**. The matter will then be scheduled before the City Council to determine whether to impose the \$500 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **June 12, 2023**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.03 (k).

If you have not contacted me by June 12, 2023, I will assume that you do not contest the imposition of the \$500 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact my Legal Assistant Julie Kraus (651) 266-8776.

Sincerely,

Therese Skarda
Assistant City Attorney
License No. 0240989

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Cc: Mussie Embaye, 2395 Benson Avenue, Apt. 205, Saint Paul, MN 55116
Midway Commercial Building, 1821 University Avenue West, Saint Paul, MN 55104-2801
Katherine Murray, Executive Director, St. Anthony Park Community Council District 12
P.O. Box 8124, Saint Paul, MN 55108

Attachments: April 28, 2023, Letter from Minnesota Department of Revenue
January 30, 2023, Notice of Seized Contraband
Screenshots from ECLIPS system
STAMP Ownership/Zoning Information
Saint Paul Legislative Code §310.01
Saint Paul Legislative Code §310.03
Saint Paul Legislative Code §310.04
Minnesota Statute 297F.21

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STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 2nd day of June she served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF \$500 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

Go Get It Tobacco, LLC
d/b/a Go Get It Tobacco, LLC
2484 University Avenue West
St. Paul, MN 55106

Mussie Embaye
2395 Benson Avenue, Apt. 205
Saint Paul, MN 55116

Midway Commercial Building
1821 University Avenue West
Saint Paul, MN 55104-2801

Katherine Murray, Executive Director
St. Anthony Park Community Council District 12
P.O. Box 8124
Saint Paul, MN 55108

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
This 2nd day of June 2023


Notary Public





Received

MAY 04 2023

April 28, 2023

City of Saint Paul - DSI

Tobacco Licensing Division
375 Jackson Street #220
St Paul, MN 55101

Seized Cigarette/Tobacco Product

The Minnesota Department of Revenue recently seized cigarette and/or tobacco products as contraband under Minnesota Statute 297F.21 from a business located in your jurisdiction. Because all time periods for judicially challenging the seizure have expired, the property has been forfeited to the State.

Attached you will find a copy of our Notice of Seized Contraband. The notice lists the products we seized.

Why are you contacting me?

We are providing you information about our seizure of tobacco contraband so you may take any action against the city/county license as appropriate.

Contact me if you have any questions.

Sincerely,

Steve Johnson
Compliance Coordinator
Phone: 651-556-4708
Email: steve.johnson@state.mn.us

Supervisor Contact Information:
Dan Hughes
651-556-4750
dan.hughes@state.mn.us



January 30, 2023

ID: XX-XXX8052
Letter ID: L1707654304
Notice Date: January 30, 2023

GOGETIT TOBACCO LLC
2484 UNIVERSITY AVE W
SAINT PAUL MN 55114-1735

Notice of Seized Contraband

Seized Date and Time: 25-Jan-2023 330PM
Seized by: LINDSAY/JODY
Seizure Location: 2484 UNIVERSITY AVE W
SAINT PAUL MN 55114-1706
Seized From: GOGETIT TOBACCO LLC

The Minnesota Department of Revenue seized the following property as contraband under the authority granted to the commissioner of revenue (Minnesota Statutes Chapter 297F)

Quantity	Unit	Product Description
5	Pens	Lost Mary Space Edition Grape 0S5000 Disposable Vape
5	Pens	Lost Mary Space Edition Strawberry Pina Colada 0S5000 Disposable Vape
1	Pen	Lost Mary Space Edition Blue Razz Ice 0S5000 Disposable Vape
3	Pens	Lost Mary Space Edition Strawberry Ice 0S5000 Disposable Vape
8	Pens	Lost Mary Space Edition Blue Cotton Candy 0S5000 Disposable Vape
10	Pens	Lost Mary Space Edition Blueberry Ice 0S5000 Disposable Vape
27	Pens	Lost Mary Space Edition Strawberry Mango 0S5000 Disposable Vape
3	Pens	SWFT Grape Ice 5000 Puffs Disposable Pens
7	Pens	SWFT White Peach 5000 Puffs Disposable Pens
4	Pens	SWFT Kiwi Berry Ice 5000 Puffs Disposable Pens
11	Pens	SWFT Pineapple Punch 5000 Puffs Disposable Pens
11	Pens	SWFT Lychee Berry Ice 5000 Puffs Disposable Pens
7	Pens	SWFT Pina Colada 5000 Puffs Disposable Pens
9	Pens	SWFT Peach Mango 5000 Puffs Disposable Pens
8	Pens	SWFT Berry Blast 5000 Puffs Disposable Pens
6	Pens	SWFT Jolly Green 5000 Puffs Disposable Pens
27	Pens	ELF Bar Mint BC5000 Disposable Vape Pens
26	Pens	ELF Bar Blue Razz Ice BC5000 Disposable Vape Pens

21	Pens	ELF Bar Watermelon Ice BC5000 Disposable Vape Pens
15	Pens	ELF Bar Lemon Mint BC5000 Disposable Vape Pens
10	Pens	ELF Bar Peach Berry BC5000 Disposable Vape Pens
10	Pens	ELF Bar Passion Fruit Orange Guava BC5000 Disposable Vape Pens
7	Pens	ELF Bar Strawberry Ice BC5000 Disposable Vape Pens
9	Pens	ELF Bar Watermelon Nana Ice BC5000 Disposable Vape Pens
9	Pens	ELF Bar Triple Berry Ice BC5000 Disposable Vape Pens
3	Pens	ELF Bar Rainbow Cloudz BC5000 Disposable Vape Pens
2	Pens	ELF Bar Strawberry Watermelon Peach BC5000 Disposable Vape Pens
10	Pens	ELF Bar Tropical Rainbow Blast BC5000 Disposable Vape Pens
10	Pens	ELF Bar Strazz BC5000 Disposable Vape Pens
10	Pens	ELF Bar Watermelon Brzz Ice BC5000 Disposable Vape Pens
16	Pens	ELF Bar Miami Mint BC5000 Disposable Vape Pens
10	Pens	ELF Bar Fanta Strawberry BC5000 Disposable Vape Pens
10	Pens	ELF Bar Kiwi Passion Fruit Guava BC5000 Disposable Vape Pens
20	Pens	ELF Bar Sakura Grape BC5000 Disposable Vape Pens
2	Pens	ELF Bar Raspberry Watermelon BC5000 Disposable Vape Pens
5	Pens	ELF Bar Dragon Fruit Banana Berry BC5000 Disposable Vape Pens
9	Pens	ELF Bar Grape Honeydew BC5000 Disposable Vape Pens
6	Pens	ELF Bar Black Winter BC5000 Disposable Vape Pens
9	Pens	ELF Bar Strawberry Mango BC5000 Disposable Vape Pens
10	Pens	ELF Bar Strawberry Watermelon BC5000 Disposable Vape Pens
6	Containers	Adalya Lady Killer Shisha 250 grams
2	Containers	Eternal Smoke Cool Series Blue Lit Blueberry Ice Shisha 250 grams
6	Containers	Eternal Smoke Cool Series Watermelon Lit Watermelon Ice Shisha 250 grams
6	Containers	Eternal Smoke Cool Series Lemon Lit Lemon Ice Shisha 250 grams
4	Containers	Eternal Smoke Cool Series Lime Lit Lime Ice Shisha 250 grams
2	Containers	Al Fakher Blueberry with Mint Shisha 1000 grams
2	Containers	Al Fakher Watermelon with Mint Shisha 1000 grams
2	Containers	Al Fakher Peach Shisha 1000 grams

2	Containers	Al Fakher Pineapple Shisha 1000 grams
1	Container	Al Fakher Lemon with Mint Shisha 1000 grams
1	Container	Al Fakher Mint Shisha 1000 grams
11	Pens	Esco Bars Fruitia White Gummy 2500 Puffs Disposable Vape Pens
18	Pens	Esco Bars Spearmint 2500 Puffs Disposable Vape Pens
13	Pens	Esco Bars Fruitia Sun Kissed 2500 Puffs Disposable Vape Pens
11	Pens	Esco Bars Lychee Mango 2500 Puffs Disposable Vape Pens
13	Pens	Esco Bars Mango Ice 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Ripe Tropical Rainbow Blast 2500 Puffs Disposable Vape Pens
5	Pens	Esco Bars Ripe Kiwi Dragon Berry 2500 Puffs Disposable Vape Pens
5	Pens	Esco Bars Mega Blueberry Raspberry Ice 5000 Puffs Disposable Vape Pens
12	Pens	Esco Bars Fruitia Apple Ice 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Ripe Fiji Melons Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Ripe Peachy Mango Pineapple Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Pink Lemonade 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Strawberry Banana 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Banana Ice 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Watermelon Ice 2500 Puffs Disposable Vape Pens
6	Pens	Esco Bars Cream Salted Caramel 2500 Puffs Disposable Vape Pens
9	Pens	Esco Bars Mesh Black Dragon Ice 2500 Puffs Disposable Vape Pens
10	Pens	Esco Bars Ripe Blue Razzleberry Pomegranate 2500 Puffs Disposable Vape Pens
8	Pens	Esco Bars Ripe Straw Nanners Ice 2500 Puffs Disposable Vape Pens
5	Bottles	Pacha SYN Fuji Synthetic Nicotine Salt 50mg/30ml
5	Bottles	Pacha SYN Fuji Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha SYN Strawberry Watermelon Synthetic Nicotine Salt 50mg/30ml
3	Bottles	Pacha SYN Strawberry Watermelon Synthetic Nicotine Salt 25mg/30ml
3	Bottles	Pacha SYN Fuji Ice Synthetic Nicotine Salt 50mg/30ml
5	Bottles	Pacha SYN Fuji Ice Synthetic Nicotine Salt 25mg/30ml
5	Bottles	Pacha SYN Sorbet Synthetic Nicotine Salt 50mg/30ml
1	Bottle	Pacha SYN Sorbet Synthetic Nicotine Salt 25mg/30ml
1	Bottles	Pacha SYN Starfruit Grape Ice Synthetic Nicotine Salt 50mg/30ml

3	Bottle	Pacha SYN Starfruit Grape Ice Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha SYN Kiwi Berry Ice Synthetic Nicotine Salt 50mg/30ml
1	Bottles	Pacha SYN Kiwi Berry Ice Synthetic Nicotine Salt 25mg/30ml
2	Bottles	Pacha Mama Salts Strawberry Watermelon 50mg/30ml
2	Bottles	Pacha SYN Starfruit Grape 50mg/30ml
2	Bottles	Pacha SYN Starfruit Grape 25mg/30ml
3	Bottles	Pacha SYN Frosted Cronut 25mg/30ml
2	Bottles	Pacha SYN Frosted Cronut 50mg/30ml
3	Bottles	Pacha SYN Blood Orange Banana Gooseberry 3mg/60ml
3	Bottles	Pacha SYN Blood Orange Banana Gooseberry 6mg/60ml
3	Bottles	Pacha SYN Fuji Apple Strawberry Nectarine 6mg/60ml
3	Bottles	Pacha SYN Fuji Apple Strawberry Nectarine 3mg/60ml
3	Bottles	Pacha SYN Huckleberry Pear Acai 6mg/60ml
3	Bottles	Pacha SYN Huckleberry Pear Acai 3mg/60ml
3	Bottles	Pacha SYN The Mint Leaf 6mg/60ml
3	Bottles	Pacha SYN The Mint Leaf 3mg/60ml
3	Bottles	Pacha SYN Peach Papaya Coconut 6mg/60ml
3	Bottles	Pacha SYN Peach Papaya Coconut 3mg/60ml
2	Bottles	Naked Max Salt Watermelon Ice 35mg/30ml
2	Bottles	Naked Max Salt Salt Apple Ice 35mg/30ml
3	Bottles	Naked Max Salt Apple Ice 50mg/30ml
2	Bottles	NKD Salt 100 Menthol Mint 35mg/30ml TFN
3	Bottles	NKD Salt 100 Menthol Mint 50mg/30ml TFN
2	Bottles	NKD Salt 100 Menthol Strawberry Pom 50mg/30ml TFN
3	Bottles	Cloud Nurdz Iced Watermelon Apple 6mg/100ml
3	Bottles	Cloud Nurdz Iced Watermelon Apple 3mg/100ml
3	Bottles	Cloud Nurdz Watermelon Berry 6mg/100ml
3	Bottles	Cloud Nurdz Watermelon Berry 3mg/100ml
3	Bottles	Cloud Nurdz Aloe Mango 6mg/100ml
3	Bottles	Cloud Nurdz Aloe Mango 3mg/100ml
3	Bottles	Cloud Nurdz Iced Peach Blue Raspberry 6mg/100ml
3	Bottles	Cloud Nurdz Iced Peach Blue Raspberry 3mg/100ml
1	Pens	SWFT Strawberry Lush Ice 5000 Puffs Disposable Pens

The property listed was seized as contraband under the authority granted in M.S. 297F. The

specific section of the law under which this property is declared to be contraband is M.S. 297F.21, which state(s).

Subdivision 1. Contraband defined. The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter

Cigarette/Tobacco 297F.21

- (g) Cigarette packages or tobacco products obtained from an unlicensed seller.
- (i) Tobacco products on which the tax has not been paid by a licensed distributor.
- (j) Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4.

What must I do?

You must request a judicial review of this seized property within 60 days of the Notice Date. If you do not, the property that we seized will become property of the state of Minnesota.

How do I demand a judicial review?

1. File a civil complaint with the court administrator in the county where the seizure occurred.
2. Include proof that you served a copy of the complaint on the Department of Revenue.
3. List your name as "plaintiff" and the seized property as "defendant" in the title of the complaint.
4. State the grounds on which you allege the property was improperly seized and what your ownership interest is in the property.

You do not have to pay the court filing fee if it is determined you cannot afford the fee. If the value of the seized property is \$15,000 or less, you can file an action in conciliation court to recover the property. If the value of the seized property is less than \$500, you do not have to pay the conciliation court filing fee.

Steven Johnson
Revenue Tax Specialist
Phone: 651-556-4708
Email: steve.johnson@state.mn.us
Fax: 651-282-3933

Licensee: GOGETIT TOBACCO LLC

DBA: GO GET IT TOBACCO LLC

License #: 20180002292

11/03/22 Youth compliance check passed. AYV

3/2/22 email sent with W/C form for renewal.Ks

8/10/2021 Youth Tobacco compliance pass KY

4/06/2020 Sent letter dated 3-3-2020 in email from licensing manager and a follow up email for closure of product shop for executive order 20-20 Covid-19 JNV

4/24/19 Tobacco compliance check, not open yet. Will follow up. ARM

04/082019 Opening inspection pass and license issued / floor plans submitted JNV

12/18/2019 License originally applied for at 1724 University Ave, but changed location to 2484 University Ave before license was issued. LAB

11/1/2019 Licensee delivered amended application with partners signatures-amended business plan and business records-along / missing updated lease agreement to Jerome Benner JNV

10/302018 Licensee amended license application for DBA and company name at front counter JNV

7/30/18 Too close to 681 Snelling. Applicant is applying for a zoning variance. Tentatively scheduled 08/27/2018 (app. gray file). - EH

Licensee: GOGETIT TOBACCO LLC

DBA: GO GET IT TOBACCO LLC

License #: 20180002292

1. This license is issued for a retail use only, and the licensee shall conduct this retail cigarette/tobacco business in compliance with the "Minnesota Clean Indoor Air Act" (MN Stat. 144.411 - 144.417).
2. Licensee agrees to operate the business in a manner that is consistent with the Business Summary submitted by the licensee dated 6/29/2018 and floor plans submitted with the Department of Safety and Inspections (DSI). Licensee agrees to obtain prior written approval from DSI before making any substantive changes to their approved method of operation.
3. No sampling of tobacco products is permitted unless the space is made compliant with applicable code discipline requirements including the mechanical / ventilation code
4. Licensee agrees to provide a detailed breakdown of all items sold, including total dollar amounts for individual items by category, at the time of license renewal if requested by DSI.
5. Licensee agrees to take appropriate measurements to ensure compliance with age limitations in accordance with the City of St. Paul legislative code chapter 324 tobacco, which include age restrictions of who may enter the establishment.
6. Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area, and cannot block views into the clerk or cashier station.

Properties For License 2484 UNIVERSITY AVE W

Pay Print Warn Hist Summ

Licensee: GOGETIT TOBACCO LLC
DBA: GO GET IT TOBACCO LLC

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name: GOGETIT TOBACCO LLC Browse... DBA: GO GET IT TOBACCO LLC Properties... Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 04/07/2024 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐					
Other Agency Licenses			Financial Hold Reasons		
Other Licensing Agency Name / License Type License # Expiration			Reason Active Date		

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
EMBAYE	MUSSIE	PARTNER	(651) 276-0203	(65) 276-0203	2484 UNIVERSITY AVE
EMBAYE	MUSSIE	PARTNER	(651) 276-0203	(65) 276-0203	1724 UNIVERSITY AVE
GHEBRE	DWAIT	PARTNER	() -	(720) 755-7544	2395 BENSON AVE
EMBAYE	MUSSIE	PARTNER	(651) 276-0203	(651) 276-0203	2395 BENSON AVE APT 205

Background Check Required ☐ [Contact Properties...](#)

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

License # 180002292 Save Changes to History ☒ OK Cancel Help

Properties For License 2484 UNIVERSITY AVE W

Pay Print Warn Hist Summ

Licensee: GOGETIT TOBACCO LLC
DBA: GO GET IT TOBACCO LLC

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name: GOGETIT TOBACCO LLC Browse... DBA: GO GET IT TOBACCO LLC Properties... Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 04/07/2024 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐					
Other Agency Licenses			Financial Hold Reasons		
Other Licensing Agency Name / License Type License # Expiration			Reason Active Date		

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Dir
2484 UNIVERSITY AVE W	ST PAUL	55104	01/01/1987	00/00/0000	
1724 UNIVERSITY AVE W	ST PAUL	55104	01/01/1987	00/00/0000	
2395 BENSON AVE	ST PAUL	55116	06/19/1987	00/00/0000	
2395 BENSON AVE APT 205	ST PAUL	55116	01/01/1987	00/00/0000	K09117

Background Check Required ☐ [Contact Properties...](#)

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

License # 180002292 Save Changes to History ☒ OK Cancel Help

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 05/23/23 11:04 AM

House#:

Last updated from Ramsey County data on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

2470 University Ave W ~ Plaudit Design / 2478 University Ave W / 2480 University Ave W / 2482 University Ave W - Secondary Entrance / 2484 University Ave W / 2486 University Ave W - Twin City T'S / 2496 University Ave W - Lincoln Marketing / 2500 University Ave W / 2506 University Ave W - Embodied Health / 2512 University Ave W - Expressive Printing - 55114-1741 - [Other Applications](#)

PIN: 292923340027

Census Track: 33200 **Census Block:** 2007

Council Ward: 4 **District Council:** 12

Year Built:

Foundation Sq Feet: **Loan Company:**

Land Value: 754000 **Building Value:** 762800

Unverified Usage: 21- GENL 1-STORY WALKUP OFC- B- Commercial

ISP: **Units:** 0

Zoning: T3 / HPC: Historic / B3 / HPC: Historic

Heritage Preservation: **HP Inventory #:** RA-SPC-6302 / **HP Property Name:** Twin City Four Wheel Drive Company / **HP Architect/Builder:** Victorson and Johnson / **HP Date Built:** 1915 / **HP CEF:** Y / **HP Address:** 2470-2512 University Avenue West / **HP Data Source:** Inventory Form / **HP Local Context:** Transportation Corridors: 1857-1950

Legal Desc: BAKER'S ADDITION TO THE,CITY O LOTS 1 THRU LOT 6 BLK 6

Owner:

Midway Commercial Building
1821 University Ave W
St Paul MN 55104-2801

Tax Owner:

Midway Commercial Building
1821 University Ave W
St Paul MN 55104-2801

RESOLVED, that the Council of the City of Saint Paul does ordain:

SECTION 2

Chapter 310.01 of the Saint Paul Legislative Code is hereby amended as follows:

Chapter 310. Uniform License Procedures

The procedures in this chapter are meant to govern the issuance of all licenses and certain permits in the City of Saint Paul unless a different process is required by statute. The requirements laid out in this chapter are meant to supersede all requirements laid out in ordinance related to Applications for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures.

Sec. 310.01. Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R, for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section will have the following meanings:

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Bond means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

Building official means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

Chapters and these chapters mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

Class R licenses means those licenses and certain permits which can be issued by the Director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

SECTION 4

Section 310.05 is renumbered 310.03 and amended as follows:

Sec. 310.03. Hearing procedures.

(a) *Adverse action; notice and hearing requirements.* In any case where the council may or intends to consider any adverse action, including the revocation or suspension of a license, the imposition of conditions upon a license, or the denial of an application for the grant, issuance or renewal of a license, or the disapproval of a license issued by the State of Minnesota, the applicant or licensee must be given notice and an opportunity to be heard as provided herein. The council may consider such adverse actions when recommended by the Director, by the director of any executive department established pursuant to Chapter 9 of the Charter, by the city attorney or on its own initiative.

(b) *Notice.* In each such case where, adverse action is or will be considered by the council, the applicant or licensee must be notified in writing that adverse action may be taken against the license or application, and that they are entitled to a hearing before action is taken by the council. The notice must be served or mailed a reasonable time before the hearing date, and must state the place, date and time of the hearing. The notice must state the issues involved or grounds upon which the adverse action may be sought or based. The council may request that such written notice be prepared and served or mailed by the Director or by the city attorney.

(c) *Hearing.* Where there is no dispute as to the facts underlying the violation or as to the facts establishing mitigating or aggravating circumstances, the hearing must be held before the council. Otherwise, the hearing must be conducted before a hearing examiner appointed by the council or retained by contract with the city for that purpose. The applicant or the licensee shall must be provided an opportunity to present evidence and argument as well as meet adverse testimony or evidence by reasonable cross-examination and rebuttal evidence. The hearing examiner may in its discretion permit other interested persons the opportunity to present testimony or evidence or otherwise participate in such hearing.

(c-1) *Procedure; hearing examiner.* The hearing examiner will hear all evidence as may be presented on behalf of the city and the applicant or licensee and must present to the council written findings of fact and conclusions of law, together with a recommendation for adverse action.

The council will consider the evidence contained in the record, the hearing examiner's recommended findings of fact and conclusions, and may not consider any factual testimony not previously submitted to and considered by the hearing examiner. After receipt of the hearing examiner's findings, conclusions, and recommendations, the council must provide the applicant or licensee an opportunity to present oral or written arguments alleging error on the part of the examiner in the application of the law or interpretation of the facts, and to present argument related to the recommended adverse action. Upon conclusion of that hearing, and after considering the record, the examiner's findings and recommendations, together with such additional arguments presented at the hearing, the council must determine what, if any, adverse action should be taken, which action must be by resolution. The council may accept, reject or modify the findings, conclusions and recommendations of the hearing examiner.

(c-2) *Ex-parte contacts.* If a license matter has been scheduled for an adverse hearing, council members shall not discuss the license matter with each other or with any of the parties or interested persons involved in the matter unless such discussion occurs on the record during the hearings of the matter or during the council's final deliberations of the matter. No interested person shall, with knowledge that a license matter has been scheduled for adverse hearing, convey or attempt to convey, orally or in writing, any information, argument or opinion about the matter, or any issue in the matter, to a council member or his or her staff until the council has taken final action on the matter; provided, however, that nothing herein will prevent an inquiry or communications regarding status, scheduling or procedures concerning a license matter. An interested person, for the purpose of this paragraph, means and includes a person who is an officer or employee of the licensee which is the subject of the scheduled adverse hearing, or a person who has a financial interest in such licensee.

(d) *Licensee or applicant may be represented.* The licensee or applicant may represent himself or choose to be represented by another.

(e) *Record; evidence.* The hearing examiner shall receive and keep a record of such proceedings, including testimony and exhibits, and shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

(f) *Council action, resolution to contain findings.* Where the council takes adverse action with respect to a license, licensee or applicant for a license, the resolution by which such action is taken must contain its findings and determination, including the imposition of conditions, if any. The council may adopt all or part of the findings, conclusions and recommendations of the hearing examiner, and incorporate the same in its resolution taking the adverse action.

(g) *Additional procedures where required.* Where the provisions of any statute or ordinance require additional notice or hearing procedures, such provisions must be complied with and supersede inconsistent provisions of these chapters. This includes, without limitation by reason of this specific reference, Minnesota Statutes, Chapter 364 and Minnesota Statutes, Section 340A.415.

(h) *Discretion to hear notwithstanding withdrawal or surrender of application or license.* The council may, at its discretion, conduct a hearing or direct that a hearing be held regarding revocation or denial of a license, notwithstanding that the applicant or licensee has attempted or purported to withdraw or surrender said license or application, if the attempted withdrawal or surrender took place after the applicant or licensee had been notified of the hearing and potential adverse action.

(i) *Continuances.* Where a hearing for the purpose of considering revocation or suspension of a license or other disciplinary action involving a license has been scheduled before the council, a continuation of the hearing may be granted by the council president or by the council at the request of the licensee, license applicant, an interested person or an attorney representing the foregoing, upon a showing of good cause by the party making the request.

(j) If the council imposes an adverse action as defined in section 310.01 above, a generic notice of such action must be prepared by the Director and posted by the licensee so as to be visible to the public during the effective period of the adverse action. The licensee shall be responsible for taking reasonable steps to make sure the notice remains posted on the front door of the licensed premises, and failure to take such reasonable precautions may be grounds for further adverse action.

(k) *Imposition of costs.* The council may impose upon any licensee or license applicant some or all of the costs of a contested hearing before an independent hearing examiner. The costs of a contested hearing include, but are not limited to, the cost of the administrative law judge or independent hearing examiner, stenographic and recording costs, copying costs, city staff and attorney time for which adequate records have been kept, rental of rooms and equipment necessary for the hearing, and the cost of expert witnesses. The council may impose all or part of such costs in any given case if (i) the position, claim or defense of the licensee or applicant was frivolous, arbitrary or capricious, made in bad faith, or made for the purpose of delay or harassment; (ii) the nature of the violation was serious, or involved violence or the threat of violence by the licensee or employees thereof, or involved the sale of drugs by the licensee or employees thereof, and/or the circumstances under which the violation occurred were aggravated and serious; (iii) the violation created a serious danger to the public health, safety or welfare; (iv) the violation involved unreasonable risk of harm to vulnerable persons, or to persons for whose safety the licensee or applicant is or was responsible; (v) the applicant or licensee was sufficiently in control of the situation and therefore could have reasonably avoided the violation, such as but not limited to, the nonpayment of a required fee or the failure to renew required insurance policies; (vi) the violation is covered by the Intoxicating Liquor; Nonintoxicating Malt Liquor; Presumptive Penalty Matrix in subsection (m) below; or (vii) the violation involved the sale of cigarettes to a minor.

(l) *Imposition of fines.* The council may impose a fine upon any licensee or license applicant as an adverse license action. A fine may be in such amount as the council deems reasonable and appropriate, having in mind the regulatory and enforcement purposes embodied in the particular licensing ordinance. A fine may be in addition to or in lieu of other adverse action in the sole discretion of the council. To the extent any other provision of the Legislative Code provides for the imposition of a fine, both provisions must be read together to the extent possible; provided, however, that in the case of any conflict or inconsistency, the other provision must be controlling.

(m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, the General Presumptive Penalty Matrix applies to all license types, except that in the case of a violation involving a liquor license the Penalty Matrix for Intoxicating Liquor; Nonintoxicating Malt Liquor applies and for a violation involving tobacco, the Penalty Matrix for Tobacco applies. These penalties are presumed to be appropriate for every case; however, the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate.

1.General presumptive penalties matrix - The general penalty matrix is to be used if there is not a specific penalty matrix for the license type or a category within the specific penalty matrix does not address the violation.

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00 fine	\$1,500.00 fine	5-day suspension	Revocation
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00 fine	Revocation	n/a	n/a
(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Taxi fail to display driver's license as required by 376.16(f)	\$100.00 fine	\$250.00 fine	\$500.00 fine	Revocation

(10) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00 fine	\$250.00 fine	\$500.00 fine	Revocation
(11) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00 fine	\$400.00 fine	\$800.00 fine	Revocation

2. Intoxicating liquor; malt liquor; presumptive penalty matrix.

Presumptive penalties for intoxicating liquor and nonintoxicating malt liquor violations. If a violation is not covered under this penalty matrix, the General presumptive penalty matrix should be used. Penalties for convictions or violations are presumed to be appropriate for every case; however, the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate (unless specified, numbers below indicate consecutive days' suspension):

Type of Violation	1st	Appearance		4th
		2nd	3rd	
(1) Commission of a felony related to the licensed activity.	Revocation	NA	NA	NA
(2) Sale of alcohol beverages while license is under suspension.	Revocation	NA	NA	NA
(3) Sale of alcoholic beverages to underage person.	\$500.00 fine	1,000.00 fine	Up to 18-day suspension	Revocation
(4) Sale of alcoholic beverage to intoxicated person.	\$500.00 fine	1,000.00 fine	Up to 18-day suspension	Revocation
(5) After hours sale of alcoholic beverages.	\$500.00 fine	6-day suspension	18-day suspension	Revocation
(6) After hours display or consumption of alcoholic beverage.	\$500.00 fine	4-day suspension	12-day suspension	Revocation
(7) Refusal to allow city inspectors or police admission to inspect premises.	5-day suspension	15-day suspension	Revocation	NA