

PURCHASING AND LICENSING COMMITTEE

09-0008R

RESOLUTION IN THE MATTER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF PIEDMONT BOTTLE SHOP, INC. (PIEDMONT BOTTLE SHOP), 2818 PIEDMONT AVENUE.

CITY PROPOSAL:

BE IT RESOLVED, that the city council of the city of Duluth makes the following findings of fact:

(a) On November 5, 2008, the alcohol, gambling and tobacco commission held a public hearing to consider whether disciplinary action should be taken against the intoxicating liquor license of Piedmont Bottle Shop, Inc., d/b/a Piedmont Bottle Shop, 2818 Piedmont Avenue and has submitted its report to the city council of the city of Duluth as Public Document No. \_\_\_\_\_;

(b) Pursuant to Duluth City Code Chapter 8, Section 9, clause (a), on January 12, 2009, the city council considered the records and evidence submitted;

(c) The finding of facts as set forth in Public Document No. \_\_\_\_\_ regarding any suspension, revocation and/or civil penalty relating to the off sale intoxicating liquor license of Piedmont Bottle Shop, Inc., d/b/a Piedmont Bottle Shop, 2818 Piedmont Avenue, are adopted.

BE IT FURTHER RESOLVED, that the decision of the city council regarding any suspension, revocation and/or civil penalty is as follows: that the city council impose a \$750 civil penalty, and that \$250 of the penalty be stayed for a period of one year and forgiven if the licensee submits proof that its employees have

attended an appropriate training course during the one year period; and that \$500 of the penalty be payable within 60 days of final council action.

Approved as to form:

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Attorney

AGTC/CLK JJC/MAO:mao 12/18/2008

Alcohol, gambling and tobacco commission discussion: The alcohol, gambling and tobacco commission (AGTC) held a hearing on November 5, 2008, regarding the off sale intoxicating liquor license of Piedmont Bottle Shop, Inc. (Piedmont Bottle Shop), 2818 Piedmont Avenue. The police department conducted alcohol compliance checks on June 30, 2008, at several on and off sale intoxicating liquor license establishments. 17 establishments were written tickets for selling alcohol to an underage individual. This was the second offense for Piedmont Bottle Shop and the AGTC fined the licensee \$750 payable in 60 days, however \$250 of the penalty be stayed for a period of one year and forgiven if the licensee submits proof that its employees have attended an appropriate training course during the one year period.