

PURCHASING AND LICENSING COMMITTEE

09-0012R

REPLACEMENT  
AS AMENDED

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING  
LIQUOR LICENSE NORSHOR EXPERIENCE, INC. (NORSHOR  
EXPERIENCE), 211 EAST SUPERIOR STREET.

CITY PROPOSAL:

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

(a) On July 22, 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 Norshor Experience, Inc., d/b/a Norshor Experience, 211 East Superior Street 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 26, 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 on sale intoxicating liquor license of Norshor Experience, Inc., d/b/a Norshor Experience, 211 East Superior Street, are adopted.

BE IT FURTHER RESOLVED, that the decision of the city council regarding any suspension, revocation and/or civil penalty is as follows: the commission recommends that the licensee be fined \$750 and have its license suspended for one day for this offense. The commission further recommends that payment of \$250 of the fine and the one day license suspension be stayed for a period of 12 months and if no further violation of the laws regulating the sale of intoxicating beverages occurs during the 12 month period following the date of the council's action, then the \$250 fine and one day suspension will be removed. The commission finally recommends payment of the \$500 be paid within 30 days of council action.

The council hereby accepts the commission recommendation that licensee shall be fined \$750 and have its license suspended for one day but further

determines that no part of the fine or the one day suspension shall be stayed.  
The council further determines that full payment of \$750 shall be paid within 30  
days of council action and the one day suspension shall take place the second  
Friday following the effective date of this resolution.

Approved as to form:

---

Attorney

AGTC/CLK      JJC/MAO:mao      1/26/2009

Alcohol, gambling and tobacco commission (AGTC) discussion: The alcohol, gambling and tobacco commission held a hearing on July 22, 2008, regarding the on sale intoxicating liquor license of Norshor Experience, 211 East Superior Street. The hearing was held to determine if the licensee has failed to maintain order in and around the licensed premises and is operating a public nuisance. Since September 2007, the police have been called to the premises on police business at least 49 times. Attached to the resolution is the notice of hearing that lists seven complaints by the city. After a lengthy hearing (transcript is 103 pages), the AGTC found one violation of operating a public nuisance and fined the licensee \$750 and have its license suspended for one day for this offense. The commission further recommends that if no further violation of the law is committed for the next 12 months, then \$250 of the fine and the one day suspension be stayed. The final commission recommendation is a \$500 fine payable within 30 days of council action.