

PURCHASING AND LICENSING COMMITTEE

09-0145R

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VA BENE CAFÉ, INC. (VA BENE), 734 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 February 4, 2009, the alcohol, gambling and tobacco commission held a public hearing to consider whether disciplinary action should be taken against the intoxicating liquor license of Va Bene Café, Inc. (Va Bene), 734 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 February 4, 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 Va Bene Café, Inc. (Va Bene), 734 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: that the Duluth City Council fine the licensee \$500 for the first offense, however that \$250 of the fine be due and payable within 30 days of final council action. The remaining

fine amount to be stayed for a period of one year following final council action and be abated if no same or similar violations occur during that one year period.

Approved as to form:

Attorney

CLERK JJC:mao 2/25/2009

Alcohol, gambling and tobacco commission discussion: The alcohol, gambling and tobacco commission held a hearing on February 4, 2009, regarding the on sale intoxicating liquor license of Va Bene Café, Inc. (Va Bene), 734 East Superior Street. 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 first offense for Va Bene's and the AGTC fined the licensee \$500 payable in 30 days, but stayed \$250 of the fine if no same or similar violations occur during a one year period which is in accordance with the guidelines set forth in Section 8-9 of the City Code.