

PURCHASING AND LICENSING COMMITTEE

09-0274R

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF HOSPITALITY ASSOCIATES OF DULUTH, LLC (ACES ON FIRST), 113 WEST FIRST STREET.

CITY PROPOSAL:

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

(a) On April 1, 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 Hospitality Associates of Duluth, LLC, d/b/a Aces on First, 113 West First 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 May 11, 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 Hospitality Associates of Duluth, LLC, d/b/a Aces on First, 113 West First 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 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:

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Attorney

CLERK JJC:mao 4/15/2009

Alcohol, gambling and tobacco commission discussion: the alcohol, gambling and tobacco commission (AGTC) held a hearing on April 1, 2009, regarding the on sale intoxicating liquor license of Hospitality Associates of Duluth, LLC (Aces on First), 113 West First Street. The police department conducted alcohol compliance checks on June 9, 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 Aces on First and the AGTC fined the licensee \$500, 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, with the remaining penalty of \$250 payable in 30 days from final council action.