

PURCHASING AND LICENSING COMMITTEE

09-0465R

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF SHOTZ BAR, INC. (SHOTZ BAR), 1321 COMMONWEALTH AVENUE.

CITY PROPOSAL:

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

(a) On July 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 Shotz Bar, Inc. d/b/a Shotz Bar, 1321 Commonwealth 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 July 27, 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 Shotz Bar, Inc. d/b/a Shotz Bar, 1321 Commonwealth 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: the commission recommends that the Duluth City Council impose a \$250 penalty, but that the fine be stayed for a period of one year and waived if during one year from the date

of council action the licensee is not found to have violated any laws related to the operation of a liquor establishment.

Approved as to form:

Attorney

AGTC/CLK JJC:mao 7/9/2009

Alcohol, gambling and tobacco commission discussion: The alcohol, gambling and tobacco commission held a hearing on July 1, 2009, regarding the on sale intoxicating liquor license of Shotz Bar, Inc. (Shotz Bar), 1321 Commonwealth Avenue. The licensee was having an employee Christmas party in the bar and alcohol was being consumed after 9:00 p.m. on Christmas Eve which is a violation of City Code. According to City Code, the sale of alcohol ends at 8:00 p.m. on December 24 with all alcohol consumption ceasing one hour after the close of the bar, which would be 9:00 p.m. on this day. The commission is recommending a \$250 civil fine, and the fine be stayed for one year if no same or similar violations occur.