

PURCHASING AND LICENSING COMMITTEE

09-0528R

RESOLUTION DENYING RENEWAL OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE DANCE LICENSE OF NORSHOR EXPERIENCE, INC. (NORSHOR EXPERIENCE), 211 EAST SUPERIOR STREET, FOR THE PERIOD BEGINNING SEPTEMBER 1, 2009, AND ENDING AUGUST 31, 2010.

CITY PROPOSAL:

BE IT RESOLVED, that the city council of the city of Duluth finds as follows:

(a) The Norshor Experience, Inc. (licensee) has applied for an on sale intoxicating liquor license and an on sale dancing license;

(b) Duluth Legislative Code Chapter 8, Section 52, restricts the issuance of an on sale intoxicating liquor license and provides in relevant part that no such license shall be granted to "any applicant or for any premises if, in the judgment of the city council, the operations of the proposed establishment are likely to become a public nuisance.....";

(c) During the licensing period ending August 31, 2008, and during the current licensing period, the conduct of the establishment resulted in disciplinary hearings before the alcohol gambling and tobacco commission and this council twice found that the licensee was operating the establishment in a manner that constituted a public nuisance;

(d) Given the management history of the Licensee during the licensing period ending August 31, 2008, and the current period ending on August 31, 2009, it has been demonstrated that the management of the licensee is not capable of operating the establishment in a manner that does not constitute a public nuisance and that it is likely to continue to be a public nuisance.

BE IT FURTHER RESOLVED, that based upon the above findings:

(a) Licensee's application for an on sale intoxicating liquor license and on sale dance license for the period beginning September 1, 2009, and ending August 31, 2010, is denied.

Approved as to form:

Attorney

CLERK JJC:mao 8/5/2009

STATEMENT OF PURPOSE: This resolution denies the application of Norshor Experience, Inc., for an on sale intoxicating liquor license and on sale dance license for the period beginning September 1, 2009, and ending August 31, 2010.