

PURCHASING AND LICENSING COMMITTEE

09-0629R

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF GMRI, INC. (RED LOBSTER), 301 LAKE AVENUE SOUTH.

CITY PROPOSAL:

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

(a) On October 7, 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 GMRI, Inc., d/b/a Red Lobster, 301 Lake Avenue South, 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 October 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 GMRI, Inc., d/b/a Red Lobster, 301 Lake Avenue South, 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 they city council impose a \$500 civil penalty and that payment of \$250 of the penalty be stayed for a period of one year and be abated if no same or similar violations

occur during that one year period, and that payment of \$250 of the penalty be payable within 30 days of final council action.

Approved as to form:

City Attorney

CLERK JJC:mao 10/9/2009

Alcohol, Gambling and Tobacco Commission discussion: The alcohol, gambling and tobacco commission held a hearing on October 7, 2009, regarding the on sale intoxicating liquor license of GMRI, Inc., d/b/a Red Lobster, 301 Lake Avenue South. The police department conducted alcohol compliance checks on May 21, 2009, and this licensee was ticketed for selling alcohol to an underage individual which is a violation under City Code. The commission is recommending a \$500 civil fine, with \$250 payable in 30 days and \$250 stayed for one year if no same or similar violations occur which are in the guidelines of City Code.