

PURCHASING AND LICENSING COMMITTEE

10-0042R

RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING
LIQUOR LICENSE OF RIDGEVIEW COUNTRY CLUB, 700 WEST
REDWING STREET.

CITY PROPOSAL:

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

(a) On November 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 Ridgeview Country Club, 700 West Redwing 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 January 25, 2010, 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 Ridgeview Country Club, 700 West Redwing 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 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:

Attorney

CLERK JJC:mao 1/12/2010

STATEMENT OF PURPOSE: The alcohol, gambling and tobacco commission (AGTC) held a hearing on November 5, 2009, regarding the liquor license of Ridgeview Country Club. On May 21, 2009, the police department conducted a alcohol compliance check and an employee of the licensee sold intoxicating liquor to a person under the age of 21 which is in violation of City Code and state law. A second violation was cited as Ridgeview Country Club has a club license and the underage person was not a member or a guest of a member at the time the sale was made. Section 8-34 of city code provides that the licensee is responsible for the conduct of its place of business. This is the first offense for the licensee, and Section 8-9 provides that the presumptive penalty for a first offense is a \$500 penalty. The recommendation of the AGTC is the licensee is liable for only one violation and impose a civil penalty of \$500 with \$250 of the penalty be payable within 30 days of council action, and \$250 stayed for one year and abated if no same or similar during the year.