

RESOLUTION 2017-7
CITY OF HAYWARD, FREEBORN COUNTY
STATE OF MINNESOTA
A RESOLUTION APPROVING LIQUOR VIOLATION PENALTIES

WHEREAS; the Hayward City Council has requested a policy regarding the handling of liquor license violations;

Minnesota Statute 340A.415 LICENSE REVOCATION OR SUSPENSION; CIVIL PENALTY states, “On a finding that the license or permit holder has (1) sold alcoholic beverages to another retail licensee for the purpose of resale, (2) purchased alcoholic beverages from another retail licensee for the purpose of resale, (3) conducted or permitted the conduct of gambling on the licensed premises in violation of the law, (4) failed to remove or dispose of alcoholic beverages when ordered by the commissioner to do so under section 340A.508, subdivision 3, or (5) failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages or the operation of the licensed establishment, or failed to comply with a lawful license condition duly imposed by the authority issuing the license or permit or agreed to by the license or permit holder, the commissioner or the authority issuing a retail license or permit under this chapter may revoke the license or permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to \$2,000 for each violation, or impose any combination of these sanctions. No suspension or revocation takes effect until the license or permit holder has been given an opportunity for a hearing under sections 14.57 to 14.69 of the Administrative Procedure Act. This section does not require a political subdivision to conduct the hearing before an employee of the Office of Administrative Hearings. Imposition of a penalty or suspension by either the issuing authority or the commissioner does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum.”

Therefore, the following civil penalties shall be applied after Council review of liquor license violations.

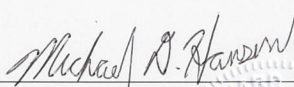
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| First Offense: | \$200.00 fine. |
| Second Offense: | \$300.00 fine |
| Third Offense: | \$500.00 fine and a 5-day suspension of license. |
| Fourth Offense: | \$500.00, 10 days suspension of license and double the cost of next
License renewal |

The aforesaid civil penalties shall apply within a two-year time frame. This timeframe is set at the onset of the first offense. After two years from the first offense has expired, the civil penalty time frame shall be reset.

The aforesated civil penalties shall include, but are not limited to, to the following offenses:

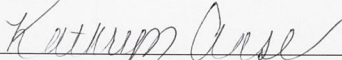
- Sale to underage person
- Sale after/before hours
- Consumption after hours
- Illegal gambling, prostitution, adult entertainment on premises
- Sale to obviously intoxicated person
- Sale of liquor that is not permitted by the license

The Resolution was declared, duly passed, and adopted, and was signed by the Mayor, Michael Hansen, and attested to by the City Clerk Treasurer, Kathryn Aase, this 11th day of September, 2017.



Michael Hansen, Mayor

Attest:



Kathryn Aase, Clerk/Treasurer

