

★ Roll Call Number

Agenda Item Number

36

Date September 25, 2006

RESOLUTION APPROVING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT AND ORDER SUSPENDING CIGARETTE PERMIT OF DELL OIL, 5800 S.W. 9TH STREET, FOR SECOND VIOLATION OF SELLING TOBACCO TO A MINOR

WHEREAS, an employee of Dell Oil has been convicted of selling tobacco products to a person under 18 years of age at the place of business in violation of Iowa Code Section 453A.2; and

WHEREAS, Dell Oil has signed the attached acknowledgment/settlement agreement whereby it acknowledges the violation took place as alleged, was the second violation in a two year period, and agrees to a 30 day suspension pursuant to Iowa Code section 453A.22(2); and

WHEREAS, an order suspending the license has been prepared for the mayor's signature to carry out the penalty;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that:

The acknowledgement/settlement agreement for Dell Oil, 5800 S.W. 9th Street, Des Moines, IA is approved and the mayor is authorized and directed to sign the order suspending the cigarette permit for 30 days.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Douglas P. Philip
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ Mayor

_____ City Clerk