

★ Roll Call Number

10-122

Agenda Item Number

31

Date January 25, 2010

RESOLUTION APPROVING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT AND ORDER SUSPENDING CIGARETTE PERMIT OF GIT N GO, 3274 E.UNIVERSITY FOR THIRD VIOLATION OF SELLING TOBACCOO TO A MINOR

WHEREAS, an employee of Git N Go 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, Git N Go has signed the attached acknowledgment/settlement agreement whereby it acknowledges the violation took place as alleged, was the third violation in a three year period, and agrees to a \$1,500.00 civil penalty and a 30 day suspension pursuant Iowa Code section 453A.22(2); and

WHEREAS, the civil penalty has been paid in full and an order suspending the license has been prepared for the mayor's signature to carry out the settlement agreement;

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

The acknowledgement/settlement agreement for Git N Go, 3274 E. University, Des Moines, IA is approved and the mayor is authorized and directed to sign the order suspending the cigarette permit for 30 days and the clerk's office shall give notice of the suspension by posting on the front entrance of the business.

MOVED BY TO ADOPT,

Mahaffey

FORM APPROVED:

Douglas P. Philip Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7).

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk