



Roll Call Number

17-0569

Agenda Item Number

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Date: April 3, 2017

RESOLUTION APPROVING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT AND ORDER SUSPENDING CIGARETTE PERMIT OF BEAVER TAP, 4050 URBANDALE AVE., FOR SECOND VIOLATION OF SELLING TOBACCO TO A MINOR

WHEREAS, an employee of Beaver Tap 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, Beaver Tap has signed the acknowledgment/settlement agreement, now on file with the City Clerk's Office, 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 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 Beaver Tap, 4050 Urbandale Ave., 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 Hensley TO ADOPT.

FORM APPROVED:

[Signature of Douglas P. Philip]

Douglas P. Philip Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (YEAS: 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.

[Signature of Mayor] Mayor

[Signature of Diane Rauh] City Clerk