



City of Minneapolis
Department of Regulatory Services
Licenses and Consumer Services Division
 350 South Fifth Street Room 1-C City Hall
 Minneapolis, Minnesota 55415
www.minneapolismn.gov

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FINDINGS OF FACT
CONCLUSIONS, AND
RECOMMENDATIONS

In the Matter of License No. L028 40621 EASY WAY FOOD
 for OFFSALE – BEER; L155 40041 for FOOD GROCERY; L022 40041 for TOBACCO
 DEALER

Held by:
EASY WAY FOOD INC
DBA: EASY WAY FOOD
SHRANJIT SINGH
2820 JOHNSON ST NE
MINNEAPOLIS, MN 55418

12-0957274

This matter came before a License Settlement Conference hearing on Thursday, December 13, 2012 at 1:30 PM in Room 1C, Minneapolis City Hall. Appearing on behalf of the licensee were Shranjit Singh, Owner, Easy Way Food. Appearing for the City of Minneapolis were Grant Wilson, Manager of Licenses and Consumer services, Sgt. Rolf Markstrom, Minneapolis Police Department, and Dan Jacobs, License Inspector. Based on the evidence presented at the hearing, the department makes the following findings of fact:

Findings of Fact

1. The Minneapolis Police Department License Investigative Division conducts youth alcohol compliance checks in an effort to assure retail-alcohol license holders are not serving alcohol to persons under the age of 21.

2. On June 30, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance check at Easy Way Food, located at 2820 Johnson St NE, in the City of Minneapolis. A 20 year old female and a 20 year old male were sent into the business in an attempt to purchase alcohol. The shoppers went to the beer cooler, and the male shopper picked out a six pack of Miller Lite. The shoppers brought the six pack of beer to the register, and the male shopper set the six pack down on the counter. The cashier did not ask either shopper for ID. The cashier rang up the sale. 2 plain clothes Minneapolis Police Officers were standing approximately 15 feet away from the shoppers and observed the above transaction. The male shopper paid for the six pack of beer, picked it up, and handed it off to the officers. The transaction was completed, and the business was considered to have failed the compliance check. As a result of the compliance check failure, an administrative citation was issued to Easy Way Food in the amount of \$500.00, as detailed in a City Council Resolution. Easy Way Food has paid the \$500.00 administrative fine.

3. On August 30, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance re-check at Easy Way Food, pursuant to the above compliance check failure. One underage shopper was sent into the business in an attempt to purchase alcohol. The underage shopper was carded, identified as being under 21 years of age, and refused service. The business passed the youth alcohol compliance re-check.

4. On September 26, 2012 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance check at Easy Way Food for the calendar year of 2012. Two 19 year old females were sent into the business in an attempt to purchase alcohol. The shoppers went to the beer cooler and picked out a six pack of Bud Light. The shoppers brought the six pack of beer to the register. The cashier asked for ID from the shopper who presented the beer. The cashier looked at the ID, returned it to the shopper and then rang up the sale. 2 plain clothes Minneapolis Police Officers were standing approximately 15 feet away from the shoppers and observed the transaction. The shopper paid for the six pack of beer, picked it up, and handed it off to the officers. The transaction was completed, and the business was considered to have failed the compliance check. This constituted the second youth alcohol compliance check failure for Easy Way Food within a 24 month period. As a result of the second compliance check failure, an administrative citation was issued to Easy Way Food in the amount of \$1000.00, as detailed in a City Council Resolution. Easy Way Food has not paid the \$1000.00 administrative fine.

5. From the first compliance check failure on June 30, 2011, the cashier was charged with and convicted of Furnishing Alcohol to a Person Under 21. Regarding the second compliance check failure on September 26, 2012, criminal charges against the cashier are pending.

Conclusions

1. On two separate occasions, employees of Easy Way Food sold alcohol to persons under the age of 21, in violation of Minneapolis City Ordinance 370.10, Minnesota Statute 340A.503 subd. 2(1), and the established compliance check policy and procedures of the City of Minneapolis. These compliance failures all occurred in a period of less than 24 months.

2. The licensee has paid the \$500.00 administrative fine related to the first above stated compliance check failure. The licensee has not paid the \$1000.00 administrative fine related to the second above stated compliance check failure.

Recommendations

1. The City of Minneapolis will impose a sanction, in the amount of \$1500, for failing two minor sales of alcohol compliance checks; \$1000 of the sanction will be stayed for a one-year period pending no same or similar violations within one year from the signing of this agreement. The remaining sanction of \$500 must be paid by January 31, 2013.

The outstanding administrative fine of \$ 1000.00 for the second compliance check failure on September 26, 2012 must be paid by January 31, 2013.

2. Easy Way Foods shall maintain the following policies concerning prevention of the sale of 3.2% alcohol to persons under the age of 21:
 - a. A calendar, at the point of sale locations, that lists the date the customer reaches the age of 21.
 - b. Currently the only employees are the owner and wife of the owner. In the event Easy Way Foods hires any additional employees they will establish a self-check program for age compliance using a secret shopper. A log will be kept outlining the conduct of each self-check and the outcome for review by Minneapolis Police and Business Licenses. Four (4) tests will be required within one year of the signing of this agreement.

Easy Way Food understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

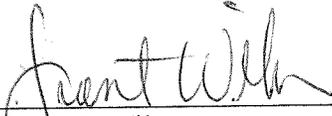
Easy Way Food.

By: 
(signature)

Its: owner
(title)

Dated: Dec 18, 2012

For the City of Minneapolis:


Grant J. Wilson
Manager

Dated: 12/18, 2012