



City of Minneapolis
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. L190 50150 ICEHOUSE
 for LIQ ON-SALE B W/SS SERIES 2000

Held by:
ICEHOUSE INC
2528 NICOLLET AVENUE
MINNEAPOLIS, MN 55404

16-1161405

This matter came before a license settlement conference on Monday, March 28, 2016. Appearing for the Licenses and Consumer Services Division were Manager Grant Wilson and Lead License Inspector Julie Casey. Appearing for the Minneapolis Police Department were Lt. Amelia Huffman and Officer Chris Leum. Appearing for Icehouse, Inc. was Brian Libeck. Based on the information presented at the conference, the department makes the following findings of fact.

FINDINGS OF FACT

1. The Minneapolis Police Department (MPD) conducts alcohol compliance checks in an effort to verify that retail-alcohol license holders are not serving alcohol to persons under the age of 21.
2. On November 23, 2015 the MPD conducted an alcohol compliance check at Icehouse. Two 20 year old female shoppers were sent into the business in an attempt to purchase alcohol. The shoppers each ordered a bottle of beer. The bartender did not check their identification and the beers were served to the shoppers. The beer was paid for and the transaction was considered complete. As a result of the alcohol compliance failure, an Administrative Citation was issued to Icehouse in the amount of \$500.00. This fine has been paid.

3. On February 1, 2016 the MPD conducted an alcohol compliance re-check at Icehouse using one 20 year old female shopper. The shopper ordered a can of beer. The bartender did not ask for her identification and the beer was served to the shopper. The beer was paid for and the transaction was considered complete. As a result of this alcohol compliance failure, an Administrative Citation was issued to Icehouse in the amount of \$1000.00 for failing two checks. This fine has been paid.
4. From the first compliance check failure on November 23, 2015, the bartender has been charged. From the second failure on February 1, 2016, the case has been charged and a court date is set for April 14th.
5. On March 16, 2016 an alcohol compliance re-check was conducted and the check was passed.

CONCLUSION

1. On two separate occasions, employees from Icehouse 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 both occurred in a period of less than 24 months.
2. All fines have been paid by Icehouse.

RECOMMENDATIONS

1. The City of Minneapolis will impose a sanction in the amount of \$1500.00 for failing two minor sales of alcohol compliance checks. \$1500.00 of the sanction will be stayed for a one year period pending no same or similar violations upon agreement that the business will impose the following conditions:
 - a. The business shall retrain all staff on an annual basis.
 - b. The business will post materials daily that indicate the birthdate of a person that can legally consume alcohol in several places throughout the business.
 - c. The business will conduct self-checks on a quarterly basis. The business will record the dates these self-checks occur and will provide them upon request of the City of Minneapolis.

Icehouse 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:

For the Business

By: _____
(signature)

Its: _____
(title)

Dated: _____, 20__

For the City of Minneapolis:

Grant J. Wilson
Manager

Dated: _____, 20__

