



Request for City Council Committee Action from the Department of

Date: June 3, 2009

To: Public Safety and Regulatory Services Chair Don Samuels

Subject: Denial of the Renewal Application of the Grocery, Meat Market, and Wine with Strong Beer licenses for Tacqueria Don Blass, Inc. , dba Taco Blass, located at 3722 Chicago Avenue South.

Recommendation

The Business License Division recommends that the grocery, meat market, and wine with strong beer license renewals be denied for failure to pay the pollution control annual billing in the amount of \$222.00, an administrative citation in the amount of \$550.00, and violations of the alcohol ordinances.

Department Information

Prepared by: Julie Casey

Approved by:

Ricardo Cervantes, Deputy Director

Burt Osborne, Director of Licenses

Rocco Forte, Assistant City Coordinator

Presenters in Committee: Julie Casey and Ricardo Cervantes

Financial Impact *(delete all lines not applicable to your request)*

- No financial impact

Supporting Information

Evidence cover under a separate cover.

a. MCO 363.320. Qualifications of applicant. No license shall be issued to any applicant who does not meet the following qualifications:

(c) If the applicant is an individual, he or she must be a resident of the State of Minnesota. If the applicant is a partnership, the managing partner must be a resident of the State of Minnesota. If the applicant is a corporation, the manager or person in charge must be a resident of the State of Minnesota or reside within seventy-five (75) miles of Minneapolis City Hall. Such residency requirements shall mean being a resident continuously while the license is in effect.

We have been notified by Cynthia Blas and police authorities that Francisco Blas no longer resides in the State of Minnesota and allegedly is fleeing authorities in response to a warrant for first degree assault. Cynthia Blas is not a qualified applicant to satisfy this ordinance requirement as she not applied as a manager and been approved by the City Council.

b. MCO 363.120. Contents of application. In addition to the information which may be required by the state liquor control commissioner's form, the application shall contain the following:

(o) Name and address of every person who shall have charge, management or control of the place licensed.

Jesus Jacobo signed the license renewal application on March 23, 2009. He stated that he was the new manager for Taco Blass. Mr. Jacobo has not submitted a new manager application and is not a qualified manager for Taco Blass. A power of attorney was received stating Cynthia Blas Lopez was the attorney in fact for Francisco Blas. Ms. Blas has not submitted a new manager application and is not a qualified manager for Taco Blass.

c. MCO 259.15 Payment of taxes prerequisite to issuance, renewal of license. No license shall be granted, maintained, or renewed, for operation on any premises, on which taxes, assessments or other financial claims of the city or of the state are due, delinquent or unpaid.

Evidence will be presented that Taco Blass owes \$550 to the Minneapolis Police Department for a youth alcohol compliance failure. Evidence will also be presented that Taco Blass has failed to pay \$222 for the Pollution Control Annual Billing.

d. MCO 362.10 No person shall sell, exchange, barter, dispose of or keep for sale any liquor, as defined in section 360.10, without first having obtained a license as herein provided.

Evidence will be presented that during an inspection on June 2, 2009, liquor was found in the refrigerator in violation of your wine and strong beer license. A \$500 citation was issued and is due on June 23, 2009.