

January 20, 2005

**In the Matter of the On-Sale
Liquor License Class B w/Sunday Sales
Of
NAT Joseph Catering, Inc.
222 First Street NE
Minneapolis, MN 55401**

**Findings of Fact,
Conclusions of Law, and
Recommendation**

This matter came before the Minneapolis Licenses and Consumer Services Division (LCS) on January 20, 2005 in a Technical Advisory Committee meeting (TAC) as a result of violations of law relating to the operation of a licensed beverage alcohol establishment. Present at the TAC meeting were the following persons: Kenneth Ziegler and Phil Schliesman of the License Division; Burt Joseph from NAT Joseph Catering, Inc.; and Steven B. Nosek, attorney for Nat Joseph Catering, Inc. Based upon the evidence presented at the TAC meeting, the committee makes the following:

FINDINGS OF FACT

- 1) That the licensee violated Minneapolis Ordinance 362.500 on or about December 20, 2004 in that numerous brands and types of beverage alcohol were found in the licensed premises to be purchased at retail; and
- 2) That the licensee violated Minneapolis Ordinance 362.50(b) from on or about October 1, 2004 until December 16, 2004 in that the applicant failed to make a timely payment for license fees owed.

CONCLUSIONS

- 1) Joseph Catering purchased beverage alcohol at retail from on or about 11/20/03 until on or about 12/20/04. At the hearing, Burt Joseph fully admitted to purchasing beverage alcohol product at retail and accepts all terms and recommendations of this Agreement.
- 2) Joseph Catering failed to remit the payment of license fees as required. Mr. Joseph fully admitted the fees should have been paid for in a timely manner.

RECOMMENDATIONS

Based upon the recurring nature of the violations enumerated in these Findings, the TAC members recommend the following :

- 1) That this report be referred to the Minneapolis Standing Committee on Public Safety and Regulatory Services for action on a recommendation that the following sanction be approved; and

- 2) That the licensee pay an administrative fine of \$5000.00 for the violation of Minneapolis Ordinance 362.500 that occurred from on or about 11/20/03 to on or about December 20, 2004; and that the licensee receives a stay of \$4500.00 of the fine with the condition that the licensee remains in good standing for one year from the approval of this agreement.

This agreement is approved by:

Burt Joseph, Officer
NAT Joseph Catering, Inc.

Date

James Moncur, Deputy Director
Licenses and Consumer Services

Date