

APPENDIX A

November 19, 2003

TO LICENSED BEVERAGE ALCOHOL RETAILERS:

Youth Access to Alcohol Compliance Checks were first conducted in Minneapolis in 1998. That year, nearly half of the businesses checked failed and sold alcohol to a minor. Over the next five years, and nearly 1,600 more compliance checks, the odds of a minor being sold alcohol have dropped from 1 in 2 to nearly 1 in 6, a 66% reduction. As a result of these findings, the City Council has determined the need and value of on-going alcohol compliance checks.

The Minneapolis Police License Investigation Division will begin conducting alcohol compliance checks the week of November 9, 2003 and continue them throughout 2004. The use of re-checks will also continue and any businesses that have failed in the preceding twenty-four (24) months will be re-checked.

The checks will be conducted in a similar manner as those conducted in previous years, using minors between eighteen (18) and nineteen (19) years of age. The underage shoppers will attempt to purchase alcoholic beverages at your establishment. They will not have fake identification and will present their own valid identification if asked for one. The minors will be instructed to respond truthfully to questions and will not be allowed to trick, deceive, or lie about their age.

As the owner or operator of a licensed establishment, you may face criminal and civil actions if you allow the sale of alcoholic beverages to a minor. These actions may include a criminal complaint and/or the imposition of a civil fine.

Upon completion of each compliance check, the MPD investigators will immediately issue the licensed establishment a copy of an Alcohol Sales Age Compliance Report. Investigators will indicate whether the business was in compliance or in violation of Chapter 340A.503 Subd. 1 of the State of Minnesota Liquor Statutes and Rules, which relates to the sale of alcohol to persons under the age of twenty-one (21) years. If the underage shopper is served, the seller will be provided a copy of the Seller's Identification and Information Sheet that states the case will be forwarded to the City Attorney for charging as a gross misdemeanor.

Please be aware that the fine schedule initiated last year and listed below will be used again in 2003-2004.

If the underage shopper is served, an administrative fine will be imposed on the licensee. Based on the history of similar violations during the preceding twenty-four (24) months, the administrative fines will be:

- First violation - An administrative fine of five hundred dollars (\$500.00);
- Second violation - An administrative fine of one thousand dollars (\$1000.00);
- Third violation - An administrative fine of two thousand dollars (\$2000.00);
- Fourth violation – Refer to City Council.

Revocation is no longer automatic after four fails within 24 months. However, the City Council has the authority to fine, suspend or revoke your license whenever circumstances might warrant it.

The City of Minneapolis encourages your continued cooperation in preventing access to alcohol by youth. As the owner or operator of a licensed establishment, your support to this program is invaluable. You can help insure your establishment is in compliance by providing thorough and on-going server training and implementing a mandatory proof of age policy for all alcoholic beverage sales.

If you have further questions, please contact this office at 612 673-3002.

Sincerely,

Sgt. Kent B. Warnberg

Investigator
License Investigation Division

Date

Business Name

Attn: Store Owner/Manager

Business Address

Minneapolis, MN Zip

Dear Store Owner/Manager:

Congratulations! On behalf of the residents of the City of Minneapolis, I would like to thank you for your efforts leading to your recent success in passing the alcohol sales compliance check.

On (date of compliance), an underage decoy was sent inside your business in an attempt to purchase alcohol. The decoy was carded by an employee and was unsuccessful in this attempt. Hiring, training, and supervising responsible staff is essential to keeping your business in compliance with the laws and ordinances regulating the sale of alcohol. We appreciate the work you have put into this important part of your business.

Responsible alcohol sales are a respected part of our business community, and your efforts to help keep alcohol out of the hands of youth are appreciated. We will be continuing to use alcohol compliance checks as a tool in our efforts to keep the city of Minneapolis safe. By working together with the business community, we can make a difference. Keep up the good work!

For further information you can contact me at 612 673-3803.

Sincerely,

Sgt. Kent Warnberg

Police Liquor Inspector

CC: file

Minneapolis Police Department
 License Investigation Division
 350 South 5th Street, Room 1A
 Minneapolis, MN 55415
 (612) 673-3002

Alcohol Sales Age Compliance Report

Date: _____ Time: _____

Licensee: _____
 D/B/A: _____
 License Type: _____
 Address: _____
 Precinct # _____ Ward # _____

A compliance check for the sale of alcoholic beverages to a minor was conducted at the above listed address on the date and time indicated. The licensee was found to be:

- IN COMPLIANCE – CONGRATULATIONS! KEEP UP THE GOOD WORK.**
- NOT IN COMPLIANCE –** Your business was in violation of Chapter 340A.503 Subd.2 of the State of Minnesota Liquor Statutes and Rules which relates to the sale, barter, furnishing or giving of alcoholic beverages to persons under the age of twenty-one (21) years.

Our records indicate this is your _____ violation within the past 24 months. An administrative citation will be mailed to you. Instructions for payment of the fine are located on the back of the citation.

- Our records indicate this is your fourth violation within 24 months. You will be notified by mail of the date, time, and location to appear before the City Council where actions against your license will be considered.**

↓ Signatures ↓

Sales Person/Clerk: _____ CCN: _____
 Licensee/Manager: _____ # Booked: _____
 MPD Investigator: _____ Buyer #: _____

Has Sales Person/Clerk attended a server-training program within the past 12 months? Yes: _____ No: _____
If yes, who conducted the training? Employer? _____ Outside/professional Instructor _____

DISTRIBUTION: Original-MPD File; Yellow-To Licensee

ADMINISTRATIVE CITATION

APPENDIX C-2

This citation charges you with a violation of Minneapolis City Code of Ordinances.
For information on how to respond to this citation, see the reverse side of this form.

City of Minneapolis
Police Department
350 South 5th Street, Room 1A, City Hall
Minneapolis, MN 55415-1319
(612) 673-3002

CCN # _____

Violator Information			
Name (last, first, middle)			
Street Address, City, State, ZipCode			
Drivers License Number			State
Date of Birth (mo/day/year)	Sex Male <input type="checkbox"/> Female <input type="checkbox"/>	Phone number	
Business/Organization Information (if applicable)			
Name of Business			
Address of Business			
Circle one: Owner/Licensee Property Owner Manager Other(explain)			
Violation Information			
Violation date	Violation time AM <input type="checkbox"/> PM <input type="checkbox"/>	Repeat Violation <input type="checkbox"/>	Continuing Violation <input type="checkbox"/>
Address of Violation			
Ordinance Number		Fine Amount	
Description			
Officer	Badge Number	Phone Number	
Comments			

Warning – Failure to respond to this citation within twenty (20) days will result in increased penalties and fees assessed.

Served: In Person By Mail Certified Mail

White – Department Copy Canary – Officer's Copy
Pink – Violator's Copy Goldenrod – Violator's Copy (to be returned with payment of request for appeal)

- **Responding To The Citation**

You must pay the scheduled civil fine or request a hearing with twenty (20) days after service of this administrative citation. Failure to respond to this citation will result in increased penalties and fee assessed.

- **Pay The Fine** – *By paying the fine, you are admitting to the violation.*

To Pay By Mail: Send the check or money order with the goldenrod copy of the administrative citation to License Investigation Division. The check or money order should be made out to the **Minneapolis Finance Department.**

If you are a charitable gambling organization you must pay the fine from you general account, not your gambling account (under Mpls. Code of Ordinances 268.80 RR).

- **Contesting The Violation – Requesting A Hearing**

To contest the violation and request a hearing, you must mail or deliver in person a written request to License Investigation Division.

You will be notified of a hearing date and the name of a hearing officer with 60 days from the receipt of the request.

- **Repeat Violations**

If the citation indicates that this is a repeat violation within a 24-month period, the fine will be doubled that of the last fine imposed, up to a maximum of \$2,000 per violation.

- **Continuing Violations**

If the citation indicates that this is a continuing violation, fines can be assessed on a daily basis until compliance occurs.

- **Questions**

If you have questions concerning the actual violation noted on the front of this form, please call the number listed next to the name of the officer.

For more information about the payment of your fine or on the hearing process, please call the License Investigation Division at (612) 673-3002.

**MAIL PAYMENT AND CORRESPONDENCE TO:
MINNEAPOLIS POLICE DEPARTMENT
LICENSE INVESTIGATION DIVISION
350 SOUTH 5TH STREET, ROOM 1A
MINNEAPOLIS, MN 55415**

- Owner
 Manager

Minneapolis Police Department **APPENDIX C-3**
Youth Access to Alcohol Compliance Program

SELLER'S IDENTIFICATION AND INFORMATION SHEET

DRIVER'S LICENSE NO:						STATE
LAST NAME			FIRST NAME			MIDDLE/MAIDEN
RESIDENCE ADDRESS						APT NO:
CITY				STATE	ZIP	
DATE OF BIRTH	EYES	HEIGHT	WEIGHT	SEX	HOME PHONE ()	
DATE OF OFFENSE	TIME	PRECINCT	WARD	CCN:		
BUSINESS NAME					WORK PHONE ()	
BUSINESS ADDRESS				CITY/STATE MPLS, MN	ZIP	
OFF-SALE LICENSE <input type="checkbox"/> LIQUOR <input type="checkbox"/> BEER		ON-SALE LICENSE <input type="checkbox"/> LIQUOR <input type="checkbox"/> WINE W/BEER <input type="checkbox"/> BEER		ASKED FOR ID? <input type="checkbox"/> YES <input type="checkbox"/> NO	ASKED AGE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
OFFICER				BADGE NO:	DETAIL NO:	

Minnesota State Statute 340A.503 Subd. 2 makes it a gross misdemeanor to *sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age*. Conviction of a gross misdemeanor can result in a maximum fine of \$3,000.00 and a maximum sentence of one (1) year.

As the result of an underage decoy operation conducted at the above licensed business, you have been identified as the person who sold an alcoholic beverage to an underage decoy. This case will be referred to the Minneapolis City Attorney for charging.

You will be notified by mail at the above address if, and when, the City Attorney issues charges against you.

DISTRIBUTION WHITE: City Attorney YELLOW: License Division PINK: Seller