

**Approving the adoption of an Administrative Enforcement Fine Schedule for violations enforced by Officers assigned to the Police Department License Investigation Division.**

Whereas, the Minneapolis City Council has adopted an Amendment to Title 1 of the Minneapolis Code of Ordinances by adding therein a Chapter 2 relating to an Administrative Enforcement and Hearing Process; and

Whereas, Section 2.60 of the Minneapolis Code of Ordinances provides for the imposition of a civil fine for violations of certain Articles of the Minneapolis Code of Ordinances; and

Whereas, Section 2.70 of the Minneapolis Code of Ordinances provides that the City Council shall adopt by Resolution a schedule of fines for administrative offenses; and

Whereas, the License Investigation Division of the Police Department has submitted a proposed civil fine schedule for consideration by the City Council;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the proposed civil fine schedule presented for consideration by the License Investigation Division of the Police Department be adopted, as set forth in Petn No \_\_\_\_\_ on file in the Office of the City Clerk.

## **ADMINISTRATIVE ENFORCEMENT Proposed Fine Schedule**

Except under conditions specified below, city ordinances enforced by the License Inspection Division of the Police Department will be subject to a standard fine of \$100.00.

Violations of a more serious nature will be considered “Major Violations” and be subject to a higher penalty. Violations of a lesser nature will be considered “Minor Violations” and a lesser fine imposed.

As a rule, violators will be given a “Notice of Violation” prior to a citation. The notice will include information about the violation and a reasonable time frame in which to abate the violation.

A second or subsequent violation of the same type by the same person or entity in a twenty-four (24) month period of time shall be subject to a fine that is double the amount of fine imposed for the previous violation, up to a maximum of \$2,000 per violation.

### **Minor Violations with \$50 Fines**

#### **Gambling**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Failure to display ID tag.	268.80T	\$50
Failure to post house rules.	268.80BB	\$50
Failure to display compulsive gambling hotline.	268.80CC	\$50

### **Standard Violations with \$100.00 Fines**

#### **General**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Security camera required.	259.230	\$100
Failure to maintain minimum walkway, sidewalk café.	265.290	\$100

#### **Liquor, Wine or Beer**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Liquor establishment litter within 100 ft. of lot lines.	360.95	\$100
No glass outside after 9 PM in downtown.	360.100 188.540	\$100

Failure to post required sign.	360.110	\$100
All liquor licenses shall be posted in a conspicuous place.	362.460	\$100
No ropes/stanchions for sidewalk café with liquor.	360.15 (3)	\$100
Music emanating beyond confines of business.	360.55	\$100

### **Gambling**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Failure to accurately complete prize receipt.	268.80U	\$100
Failure to keep a sketch of leased area on site.	268.80EE	\$100
Prohibited sales of items other than pull-tabs.	268.80FF	\$100
Tangible divider between lessor and organizations equipment.	268.80GG	\$100
Failure to provide distributor invoices on-site.	268.80HH	\$100
Failure to deface winning pull- tab tickets.	268.80V	\$100
Failure to complete prize receipt on winning ticket of \$50.00 or more and last sale of \$20.00 or more.	268.80W	\$100
Failure to post gambling hotline number.	268.80CC	\$100
Failure to display statement that illegal gambling is prohibited.	268.80DD	\$100

### **Significant Violations with \$250.00 Fines**

#### **Noise**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
No amplified sound permit.	389.105	\$250

#### **Liquor, Wine or Beer**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Unauthorized persons on premises between 1:15 and 5 AM.	364.100 368.70	\$250
Sales to incompetents or drunkards.	364.30	\$250
“Spiking” prohibited.	368.20	\$250
No sale of beer to non-club members in bottle club.	368.50	\$250

## Gambling

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Separate cash banks kept for each game in play.	268.80X	\$250
Failure to display state registration stamp on pull-tab dispensing device.	268.80SS	\$250
Failure to maintain lease for dispensing device on site.	268.80TT	\$250
Mechanical meter in dispensing device not displaying accurate /current information.	268.80KK	\$250
Gambling employees prohibited from purchasing pull-tabs on site.	268.80Y	\$250
Employees of the lessor and his immediate family prohibited from purchasing pull-tabs on site.	268.80Z	\$250
Failure to deposit receipts within 4 days of date the game closed.	268.80JJ	\$250
Failure to provide current inventory list on site.	268.80II	\$250

## Major Violations with \$500.00 Fines

### CRITERIA FOR MAJOR VIOLATIONS

- Potentially critical impact on public health or environment
- Potentially dangerous to human life or safety
- Continuing nature of the violation\*
- Cost of restitution, repair or remediation exceeds \$1,000

Whenever a specifically listed violation meets one or more of the above criteria, the fine will be \$500. However, the issuing officer must specify and describe the conditions observed which support this determination.

\*An Inspector may also indicate that it is a continuing violation and issue a fine for each day the violation continues unabated. Continuing violations are those where (1) the violation caused a serious threat of harm to public health, safety or welfare, or (2) the violator intentionally and unreasonably refused to comply with the code requirement.

## Liquor, Wine or Beer

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Furnishing liquor to minors.	259.250(2), 364.10	\$500
Sale of liquor to minors.	259.250(2), 370.10	\$500
No business license - license required.	Chap. 362.10, 363.20 and 366.10	\$500
Premises to be open to inspection.	362.490	\$500
No consumption of liquor on premises between	364.85	\$500

1:15 and 8 AM.		
“On-sale” premises without special licenses to close certain hours.	364.100	\$500
Sales or service by minors.	370.20	\$500

### **Gambling**

<b>Violation</b>	<b>Cite</b>	<b>Fine</b>
Persons under age 18 prohibited from purchasing pull-tabs.	268.80LL	\$500
Serial numbers of game in play and flare do not match.	268.80MM	\$500
The flare does not display the MN symbol and/or the bar code.	268.80NN	\$500
All last sale prizes offered are posted, by the distributor, on pull-tab deal's flare.	268.80OO	\$500
Sale of pull-tabs cash only.	268.80PP	\$500
Refuse inspection by police license inspector.	268.80QQ	\$500
All fines paid must not originate from organization's general fund.	268.80RR	\$500
Failure to maintain valid gambling manager's license.	268.80AA	\$500