CITY OF MINNEAPOLIS LICENSES AND CONSUMER SERVICES 350 SOUTH 5TH STREET, ROOM 1-C, CITY HALL MINNEAPOLIS, MN 55415

FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

In the Matter of License No. L206-50098 - LIQ ON-SALE E W/SS SERIES 3000

Held by:

TASTE OF THAILAND OF MINNEAPOLIS INC ATTN: LAMPHAY PHETPHRACHANH 11 7TH ST S MINNEAPOLIS, MN 55401

09-0680799

CITY OF MINNEAPOLIS CITY COUNCIL PUBLIC SAFETY & REGULATORY SERVICES COMMITTEE

This matter came before a License Settlement Conference hearing on Friday, February 20, 2009. Appearing for the licensee was Lamphay Phetphrachanh, President of Taste of Thailand. Appearing for the City of Minneapolis were Grant Wilson, Manager of Licenses & Consumer Services, Craig Eliason, Inspector for Licenses & Consumer Services and Lieutenant Travis Glampe, Commander of the Minneapolis Police License Investigative Division. Based on the evidence presented at the hearing, the following findings of fact are asserted:

FINDINGS OF FACT

- 1. The Minneapolis Police Department Licensing Division conducts Youth Alcohol Compliance checks in an effort to ensure retail alcohol license holders are not serving alcohol to persons under the age of 21 years.
- 2. On October 8, 2008, Minneapolis Police Officers conducted a Youth Alcohol Compliance check at Taste of Thailand. Without checking for identification or verifying the underage police shopper's age, the Taste of Thailand employee served the underage shopper beer. An Administrative Citation for sale of alcohol to a minor was issued to the Taste of Thailand in the amount of \$500. This citation has been paid.

3. On December 15, 2008, Minneapolis Police Officers conducted a second Youth Alcohol Compliance check at Taste of Thailand. Without first checking for identification or verifying the underage police shoppers' ages, the Taste of Thailand employee served the underage shoppers beer. An administrative citation for sale of alcohol to a minor-2nd violation was issued to Taste of Thailand in the amount of \$1,000. This citation has been paid.

CONCLUSIONS

- 1. On two separate occasions, employees of Taste of Thailand 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 occurred in a period of less than 24 months.
- 2. The licensee has paid both administrative citation fines relating to the above stated compliance failures.

RECOMMENDATIONS

Based on evidence presented at the hearing, the Department makes the following recommendations:

- 1. Taste of Thailand agrees to prominently post a sign on the premises stating their policy is to check identification of everyone ordering alcohol.
- 2. Taste of Thailand agrees to develop and implement a written policy for employees regarding age verification and the consequences for failing Youth Alcohol Compliance checks and to provide it to the Licenses Division at the time of signing this agreement.
- 3. Taste of Thailand agrees to have a trained manager present at all times the business is open.
- 4. Taste of Thailand will require all staff to attend alcohol server training within 30 days of signing of this agreement.
- 5. Taste of Thailand agrees to purchase an ID scanner for age verification and implement its use in accordance with their written policy within 30 days of signing this agreement.

- 6. Taste of Thailand will pay false alarm fees in the amount of \$330 at the conclusion of the LSC today.
- 7. Taste of Thailand agrees to pay a \$3,000 sanction, stayed for a period of two years on the condition that all of the above recommendations are followed and they have no same or similar violations.

I have read the above report and recommendations. I agree with the report and recommendations. I understand that failure on my part or on the part of the business to adhere to this agreement may lead to further action against the license. I understand that this report must be accepted by the Minneapolis City Council and signed by the Mayor. I understand that future violations may put the license in jeopardy.

For Taste of Thailand Minneapolis Inc	For the City of Minneapolis
DBA: Taste of Thailand	
By: Lawfay Photohe crail	By:
Lamphay Phetphrachanh	Ricardo Cervantes, Deputy Director
President	Licenses & Consumer Services
Date: 5/15/09	Date: June 9, 2009
1 / /	