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(retired)

MEMO

TO: Mayor Jensen, City Council and Manager
FROM: David S. Bruner, City Attorney
DATE: November 12, 2019

RE: Acceptance of tobacco Settlement Agreements

BACKGROUND

On June 1, 2019, tobacco retailer compliance checks by the Carroll Police Department resulted in a citation being issued to an employee of Carroll Municipal Golf Course for providing tobacco to a minor. In accordance with State law, the City must pursue a civil penalty against the tobacco permit holder. The civil penalty for a first offense is $300 for Carroll Municipal Golf Course.

The above retailer has made its payment of the civil penalty and submitted their Settlement Agreement.

RECOMMENDATION

Motion authorizing the Mayor to execute the Order accepting the Settlement Agreement from the above retailer for violation of the State's tobacco law.

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BEFORE THE CARROLL CITY COUNCIL

In Re:

Carroll Municipal Golf Course Golf Services LLC 2266 N West Street Carroll, IA 51401	ORDER ACCEPTING AGREEMENT (FIRST VIOLATION)

ON this _____ day of November, 2019, in lieu of a public hearing on the matter, the Carroll City Council approves the attached Agreement between the above captioned permittee and the City of Carroll.

THEREFORE, the Carroll City Council FINDS that the above captioned permittee has remitted to the City of Carroll a civil penalty in the amount of three hundred dollars ($300.00). This violation dated June 1, 2019, will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

_____
Eric P. Jensen, Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

cc: Connie M. Larson
Assistant Iowa Attorney General
Hoover Building
Des Moines, IA 50319

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