CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Motion - Approval of Acknowledgment / Settlement Agreement for a First Violation of Tobacco Laws

DATE: **October 4, 2021**

FINANCIAL IMPACT: $600.00 (positive impact to City)

BACKGROUND:

Pursuant to state law, a $300.00 civil penalty is assessed against a tobacco permittee who sells tobacco products to a person less than 18 years of age at their respective places of business.

On or about the date referenced on attached Exhibit "A", employees of the permittees, also referenced on Exhibit "A", was cited for selling tobacco products to persons under 18 years of age. The City of West Des Moines Legal Department sent a notice of the violation to the permittees. Since that time, said permittees acknowledged the order and returned payment of the fine for its tobacco violation.

RECOMMENDATION:

It is recommended that the City Council approve the Acknowledgment / Settlement Agreement and accept payment of the fine regarding the above-referenced violations of tobacco laws.

Lead Staff Member: **Jessica Spoden, Assistant City Attorney** JDS

STAFF REVIEWS

Department Director	Richard Scieszinski, City Attorney
Appropriations/Finance	TS
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

EXHIBIT "A"

Licensee	D/B/A	Date of Violation	#Violation
Kum & Go, LC	Kum & Go #3035 7265 Vista Drive West Des Moines, IA 50266	06/02/2021	1st (minors) – paid $300 civil penalty
Riley Drive Entertainment I, Inc.	Tonic Bar 5535 Mills Civic Parkway, Suite 105 West Des Moines, IA 50266	06/03/2021	1st (minors) – paid $300 civil penalty