CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **April 17, 2023**

ITEM: Motion – Approval of Order for Violation of Alcohol Laws

FINANCIAL IMPACT: $500.00 (positive impact to City)

BACKGROUND:

Pursuant to state law, a municipality is entitled to assess a $500.00 fine for a first violation against alcohol permittees who have been found in violation of providing alcoholic beverages to persons under 21 years of age at their respective places of businesses. Failure to pay the civil penalty as ordered shall result in automatic suspension of the license or permit for a period of 14 days.

On or about the date referenced on attached Exhibit "A", an employee of the permittee, also referenced on Exhibit "A", was cited for providing alcoholic beverages to a person under 21 years of age. The City of West Des Moines Legal Department sent a notice of the violation to the permittee. Since that time, said permittee acknowledged the order/settlement agreement and returned payment of the fine for its alcohol violation.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION:

It is recommended that the City Council approve the Order/Settlement Agreement and accept payment of the fine regarding the alcohol violation of the permittee as referenced on the attached Exhibit "A".

Lead Staff Member: **Jessica Grove, Assistant City Attorney** JG

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation			

EXHIBIT "A"

Licensee	D/B/A	Date of Violation	#Violation
Silverwest–I WDM LLC 575 S. Prairie View Drive West Des Moines, IA 50266	Element Hotel 575 S. Prairie View Drive West Des Moines, IA 50266	8/11/22	1st (minors)