CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Motion - Approval of Order for Violation of Alcohol Laws **DATE:** **December 18, 2023**

FINANCIAL IMPACT: $500 (positive impact to City)

BACKGROUND:

Pursuant to state law, a municipality is entitled to assess a civil penalty against an alcohol permittee(s) who has been found in violation of providing alcoholic beverages to persons under 21 years of age at their respective places(s) of business(es). 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(s) of the permittee(s), also referenced on Exhibit "A", was cited for selling 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(s). Since that time, said permittee(s) returned payment of the fine for its alcohol violation.

The penalty for a first violation is a $500 civil penalty against the Alcohol Permittee.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION:

It is recommended that the City Council approve the Order and accept payment of the fine(s) regarding the above-referenced violation(s) of alcohol law.

Lead Staff Member: Jessica Grove, Assistant City Attorney JG

STAFF REVIEWS

Department Director	
Appropriations/Finance	
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
New York Style Pizza, Inc. 2800 University Ave., Suite 450 West Des Moines, IA 50266	OPA! Italian & Greek Dining 2800 University Ave., Suite 450 West Des Moines, IA 50266	10/06/2023	1st (minors) – paid $500 civil penalty