RESOLUTION NO. 23-123

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ORDERS ACCEPTING THE ACKNOWLEDGMENT/SETTLEMENT AGREEMENTS FROM THE FOLLOWING COUNCIL BLUFFS BUSINESSES FOR VIOLATIONS OF IOWA CODE SECTION 453A.2(1): ATHERTON AUTOMOTIVE, 2900 W. BROADWAY; SUPER CONVENIENCE STORE, LLC, 2547 2ND AVENUE AND TOBACCO VAPE & FOOD, LLC, 1531 2ND AVENUE.

WHEREAS, the Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs on January 30, 2023 resulted in a citation being issued to an employee of each of the following businesses:

1. Atherton Automotive, 2900 W. Broadway, Council Bluffs, IA 51503.
2. Super Convenience Store, LLC, 2547 2nd Avenue, Council Bluffs, IA 51501;
3. Tobacco Vape & Food Mart, LLC, 1531 2nd Avenue, Council Bluffs, IA 51501; and

WHEREAS, these violations are considered a 1st violation for each of the permit holders listed above and pursuant to Iowa Code Section 453A.22(2)(a), there is a $300.00 mandatory civil penalty; and

WHEREAS, each of the permit holders listed above have paid their civil penalty of $300.00 for these violations and returned their executed Acknowledgment/Settlement Agreements; and

WHEREAS, it is in the best interest of the City to execute an Order accepting each of these permit holder's Acknowledgment/Settlement Agreements and their civil penalty payment to finalize this violation with the permit holders.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgment/ Settlement Agreements from Atherton Automotive, Super Convenience Store, LLC and Tobacco Vape & Food Mart, LLC for violations of Iowa Code Section 453A.2.

ADOPTED
AND April 24, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk