BEFORE THE CITY COUNCIL
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Palm Beach Vapors
142 W. Broadway, Ste. 140
Council Bluffs, IA 51503

ORDER ACCEPTING THE ACKNOWLEDGMENT/SETTLEMENT AGREEMENT (FIRST VIOLATION)

ON this 21st day of May, 2018, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgment/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

The City Council FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on February 6, 2018 and that the mandatory sanction for this violation is a $300.00 civil penalty. The permit holder has submitted a check in the amount of $300.00 with the executed Agreement.

IT IS THEREFORE ORDERED that the Acknowledgment/Settlement Agreement be approved. This sanction is consistent with the Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

CITY OF COUNCIL BLUFFS
Date / Time : 04/26/18 15:33
Payment : $ 300.00
Receipt # : 301650
Check/Credit Card #: 1607
Clerk : Tammy
Paid By : AVEY, INCORPORATED

IN RE:

Palm Beach Vapors
142 W. Broadway, Ste. 140
Council Bluffs, IA 51503

ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

I/We hereby knowingly and voluntarily acknowledge that we have received the **Complaint and Hearing Notice** in the above case. I/We hereby knowingly and voluntarily acknowledge the facts and allegations contained in the complaint, attached hereto and incorporated herein by reference, and knowingly and voluntarily admit that the same are true and correct. I/We hereby knowingly and voluntarily waive hearing, and submit to the statutory penalties prescribed by Iowa law. I/We understand that this penalty will count as an official "First Violation" of Iowa Code Section 453A.2 pursuant to Iowa Code Section 453A.22. I/We have enclosed a check in the amount of $300.00, made payable to the City of Council Bluffs, Iowa, to settle the above-referenced complaint. The above-captioned permit holder hereby waives all jurisdictional claims.

DATED this 25 day of April, 2018.

John Avey, Owner
Printed Name and Job Title

John Avey
Signature

NOTE: This must be signed by an individual cigarette permittee or, in the case of another business entity, by individual(s) who have authority to bind the entity.

If you decide to sign this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document (properly signed and dated), along with your $300.00 check made payable to the City of Council Bluffs, Iowa, should be returned to:

Council Bluffs City Attorney's Office
City Hall-Legal Dept
209 Pearl Street
Council Bluffs, IA 51503