

AGREEMENT

This Agreement is made as of this 23rd day of February 2026, by and between Posh Puff LLC dba Posh Puff Tobacco, the holder of the license issued by the City of Northfield to sell tobacco at Posh Puff Tobacco, 2010 Jefferson Road, Suite D, Northfield, (Licensee) and the City of Northfield (the City).

Whereas, it is a violation of State and local law, City Code Sec. 30-32 and Minnesota Statutes 609.685 for a tobacco licensee or its employees to sell tobacco to persons under the age of 18; and

Whereas, under State and local law, tobacco licensees are responsible for the conduct in the licensed establishment and any sale of tobacco by an employee in the establishment is considered the act of the licensee (except for the purposes of the imposition of certain criminal sanctions); and

Whereas, as required by State law, the City has undertaken compliance checks of various establishments including Licensee to determine whether or not their employees were properly verifying that customers who proposed to purchase tobacco were of legal age to do so; and

Whereas, on the 13th day of November, 2025, in the course of a compliance check undertaken by the City, Ruben Torres Perez, an employee of the Licensee made a sale of tobacco to an under-aged person; and

Whereas, this current violation represents Licensees first offense within 24 months; and.

Whereas, City Code, Section. 30-28 of the Northfield City Code provides for imposition of civil penalties for tobacco license violations as follows:

- (a) Licensees. In addition to any other penalties that may be imposed under this article, any licensee found to have violated this article, or whose employee shall have violated this article, shall be charged an administrative fine, and suspension, as applicable, in the city clerk's notice of violation/citation in accordance with the following schedule:(1)First offense: \$250.00.(2)Second offense at the same licensed premises within a 24-month period: \$500.00 and a tobacco license suspension of at least three consecutive days.(3)Third offense at the same location within a 36-month period: \$2,000.00 and a tobacco license suspension of at least 18 consecutive days.(4)Fourth offense at the same location within a 60-month period: \$2,500.00 and a tobacco license revocation for a minimum of one year following a hearing pursuant to sections 30-27 and 30-73. For the purposes of this section, "within a 24-month period" means a period, two years in duration, which begins to toll on the date of the occurrence of the first violation, and ends two years from the date of the first violation.

Notwithstanding the foregoing and the penalties contained in the city clerk's notice of violation/citation, the hearing officer, following notice and a hearing as provided in section 30-27, may deviate from the administrative penalties provided above herein, by increasing or decreasing such imposed penalties, based upon the hearing officer's findings following consideration of the facts, circumstances, history and evidence presented and such other factors and evidence as the hearing officer deems relevant. A history of repeated violations extending beyond notwithstanding the time periods stated herein may be considered by the hearing officer to impose a longer suspension period or license revocation or non-renewal of a license as provided in this article.

Whereas, Licensee hereby expressly acknowledges and understands that Licensee has the right to a hearing before the Northfield City Council regarding imposition of a civil penalty for the above-referenced license violation at which evidence and testimony may be presented by both Licensee and the City before the City could impose any civil penalty against Licensee on account of the above-referenced license violation.

Now, therefore, it is hereby agreed as follows by the parties hereto:

1. Licensee acknowledges and agrees that on November 13, 2025, Ruben Torres Perez, an employee of Licensee, made a sale of tobacco to a person under the age of 18 for the violation of City Code Sec. 30-32 and Minnesota Statutes 609.685 and is now subsequently responsible for any civil tobacco license penalties which may be imposed by the City related thereto in accordance with City Code, Sec. 30-28.
2. Licensee hereby expressly waives any hearing with regard to the above-referenced license violation and the imposition of any civil penalty by the City against Licensee on account thereof.
3. Pursuant to City Code, Sec. 30-28, Licensee agrees to accept and pay a civil license penalty of \$250 for Licensee's first tobacco license violation within a twenty-four month period on account of the above-referenced license violation. Licensee agrees to make payment of the \$250 fine hereby imposed on or before March 10, 2026.
4. Licensee acknowledges, understands and agrees that failure by Licensee to comply fully with the terms of this Agreement will result in additional action by the City against Licensee, including but not limited to, the further suspension or revocation of Licensee's tobacco license.
5. Licensee acknowledges Licensee's obligation to instruct employees regarding lawful and unlawful sale of tobacco, and to monitor and enforce employees' compliance with State & local laws in that regard.
6. Licensee further acknowledges that any future violation of State or local tobacco laws by Licensee or its employee(s) will result in the imposition of more severe sanctions by the City, which may include higher fines, suspensions and/or revocation of Licensee's tobacco license.

LICENSEE:

CITY

By: 

By: 

Its: OWNER

Its: City Clerk

By: _____

By: 

Its: _____

Its: Police Chief