



CITY OF GRASS VALLEY
ADMINISTRATION
125 East Main Street
Grass Valley, CA 95945
(530)274-4310

Council Members
Hilary Hodge, Mayor
Haven Caravelli, Vice Mayor
Jan Arbuckle
Tom Ivy
Joseph Bonomolo

April 1, 2025

Raja Sinsh
159 Joerschke Dr.,
Grass Valley, CA 95945

Subject: Notice of Decision for Appeal of Non-Renewal at Hot Spot Smoke Shop

Dear Mr. Sinsh,

Pursuant to Grass Valley Municipal Code Section 5.56.140, this letter serves as formal notice that the hearing officer has issued a written decision regarding your appeal concerning the denial of renewal of a tobacco retailer's license for Hot Spot Smoke Shop, located at 440 Colfax Ave. The decision has been filed with my office as of March 31st, 2025. A copy of the hearing officer's written decision is enclosed for your records.

Finality of Determination in accordance with Section 5.56.150:

- If this decision pertains to the denial of a renewal, suspension, or revocation of a tobacco retailer's license, it shall become final ten (10) days after service of this notice, unless a request for City Council review is filed within that period.

Right to Appeal; Under Section 5.56.160, you have the right to request a review by the City Council. To do so, you must file a written request with my office within ten (10) calendar days from the date of service of this notice. Your request must:

1. State in detail the reasons for your appeal and specify any errors alleged in the hearing officer's decision.
2. Include a copy of the hearing officer's decision.
3. Be accompanied by the required appeals processing fee, which is \$432.00.

Upon receipt of a valid request, a City Council review will be scheduled within thirty (30) calendar days, and you will be notified of the date and time at least ten (10) days in advance. The City Council may choose to uphold, modify, or overturn the hearing officer's decision, and their determination shall be final.

If you have any questions regarding this matter or the appeal process, please contact my office at 530-274-4716 or taylorw@cityofgrassvalley.com.

Sincerely,

Taylor Whittingslow, City Clerk
City of Grass Valley
Enclosure: Hearing Officer's Decision



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APPEAL HEARING OFFICER'S DECISION

Hot Spot Smoke Shop – Tobacco Retail License Renewal with City of Grass Valley

Hearing Date: March 27, 2025, at 1 pm

Date of Decision: March 31, 2025

I. Introduction

This matter came before the Hearing Officer on appeal by Hot Spot Smoke Shop regarding the City of Grass Valley's denial of the renewal of its Tobacco Retail License (TRL). The appeal was heard pursuant to the City of Grass Valley Municipal Code and applicable state law.

II. Findings of Fact

1. Hot Spot Smoke Shop's Tobacco Retail License expired on February 11, 2025.
2. The renewal application and required fees were due by January 11, 2025, in accordance with the City of Grass Valley Municipal Code.
3. The renewal application was not received by the City until February 24, 2025, more than 40 days past the deadline.
4. The application submitted was incomplete and did not include the required late fee.
5. On February 25, 2025, a compliance check conducted by a Grass Valley Police Officer at Hot Spot Smoke Shop found illegal tobacco products (flavored vape pens) being offered for sale, and hidden behind the sales counter in a bag, in violation of:
 - Grass Valley Municipal Code Section 5.56.030(A) & (B).
 - California Health and Safety Code Section 104559.5(b)(1).

III. Analysis

The City of Grass Valley Municipal Code clearly outlines the requirements for submitting a timely and complete renewal application, along with the necessary fees, for a Tobacco Retail License renewal. Hot Spot Smoke Shop failed to comply with these requirements by not submitting the renewal application and fees as specified. Additionally, the applicant submitted a late and incomplete application without the required late fees. Furthermore, the discovery of illegal tobacco products during a compliance check constitutes a serious violation of both municipal and state law.

The attempted sale of prohibited tobacco products demonstrates a failure to comply with regulatory requirements and further justifies the denial of the license renewal. The City's licensing regulations are designed to protect public health and ensure responsible retail practices, which Hot Spot Smoke Shop failed to uphold.

IV. Decision

Based on the above findings and analysis, the appeal of Hot Spot Smoke Shop is DENIED. The denial is upheld on the grounds that:

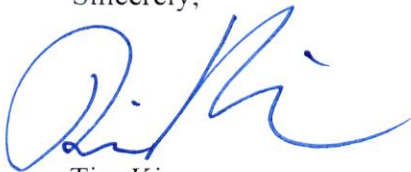
1. The renewal application was not submitted by the required deadline.
2. The application submitted was incomplete and did not include the required late fee.
3. The business was found in possession of and offering for sale illegal tobacco products, in violation of local and state law.

Accordingly, Hot Spot Smoke Shop's Tobacco Retail License shall remain expired and will not be renewed. The business is prohibited from selling tobacco products within the City of Grass Valley without a valid license.

V. Conclusion

This decision is final unless an appeal is made pursuant to the City of Grass Valley's appeal procedures. The City reserves the right to take further enforcement action if additional violations are discovered.

Sincerely,



Tim Kiser
City Manager
City of Grass Valley