



# REPORT

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## Licensing Board

To: Common Council

From: Ald. Fred Smith

Date: April 25, 2025

Subject: Suspension of Tequila Nights, LLC Liquor License

## Introduction

On April 3, 2025 the Watertown Police Department provided notice and a copy of a Complaint to Mike Martin, owner of Tequila Nights, LLC and his attorney Vincent J. Bobot regarding the suspension of Tequila Nights, LLC Liquor License. A copy of the Complaint is attached hereto as Exhibit A. A hearing was held by the Licensing Board on April 9, 2025 regarding the Complaint. Present for the hearing was Chief David Brower representing the Watertown Police Department and Mike Martin and Attorney Vincent J. Bobot appeared on behalf of Tequila Nights, LLC. Chief Brower presented the Complaint and Attorney Bobot and Mr. Martin were provided an opportunity to respond. Based upon admission on behalf of Tequila Nights, LLC and for reasons stated at the hearing, the Licensing Board has directed that this report be completed and submitted to the Common Council.

## Findings of Fact

The Watertown Police Department and Tequila Nights, LLC stipulated that the following violations have occurred at Tequila Nights, LLC premises and the corresponding points should be assessed against Tequila Nights, LLC.

1. **9/28/24 - Watertown Police Department Incident #2024-13546**

A citation was issued for underage alcohol sales. The defendant was found guilty, and the fine has been paid in full. **80 points** were assessed.

2. **11/4/24 - Watertown Police Department Incident #2024-15181**

A citation was issued for violating closing hours. The defendant was found guilty by default, and the fine has been paid in full. **45 points** were assessed.

3. **2/22/25 - Watertown Police Department Incident #2025-2219**

A citation was issued for underage alcohol sales. The citation remains open, and a pretrial conference is scheduled for 5/1/25. **80 Points** were assessed.

The Parties further agree that the citations below were issued, and defendant was found guilty regarding noise at Tequila Nights, LLC. However, Tequila Nights, LLC has alleged that some of the noise violations could have been challenged in court if the bartender who received the citation had notified Tequila Nights, LLC of the citation before judgment. Tequila Nights, LLC believes some of the citations arose due to a misunderstanding in that a police officer spoke with Tequila Nights, LLC and had agreed that a maximum volume of 40 was sufficient to avoid causing a noise disturbance. The Police Department believes this was a misunderstanding in that the level of volume at 40 may be appropriate for some songs and devices but does not translate for every song or device used and that the ultimate requirement is that noise remain at a level that would not disturb a reasonable person which may require a lower level of volume than 40.

1. **11/29/24 - Watertown Police Department Incident #2024-16272**

A citation was issued for noise. The defendant was found guilty, and the citation has been paid in full. **50 points** were assessed.

2. **12/27/24 - Watertown Police Department Incident #2024-17320**

A citation was issued for noise. The defendant was found guilty, and the citation has been paid in full. **50 points** were assessed.

3. **1/29/25 - Watertown Police Department Incident #2025-1286**

A citation was issued for noise. The defendant was found guilty by default, and the citation remains unpaid. **50 points** were assessed.

The Parties also stipulated that Tequila Nights, LLC had three employees successfully complete the Bartender Awareness Course held by the Watertown Police Department on March 25, 2025 which would reduce their points by 50.

On Tuesday April 8, 2025 the Watertown Police Department filed a supplemental update to the Complaint noting that from August 18, 2024 – April 5, 2025 they had had 33 contacts with Tequila Nights, LLC. That at a majority of these contacts no issues were observed regarding Tequila Nights, LLC. The supplemental report also noted that a new incident occurred on April 5, 2025. However, that incident was still under investigation. Tequila Nights, LLC's representatives were unaware of the incident that occurred on April 5, 2025 and so it was not considered in resolving the current issues regarding the premises.

## Conclusion of Law

The City of Watertown has created a procedure for revocation and suspension of licenses based upon a point system under Watertown Ordinance 220-11. Depending on the citations that a licensee is convicted of various points are assessed to their license. Upon reaching certain point amounts, the City may suspend or revoke a license. Based on the stipulated citations without consideration of the noise violations, a total of 205 points were issued to Tequila Nights, LLC within a 12-month period. Giving credit to Tequila Nights, LLC for a 50-point deduction results in Tequila Nights, LLC having at least 155 points assessed within a 12-month period. Watertown Ordinance 220-11(D)(3)(b) provides for suspension of a liquor license for a period of 5 – 90 days if a licensee has 150 – 199 points within a 12-month period.

## Recommendation

The Licensing Board recommends that the Common Council suspend the license for Tequila Nights, LLC for 30 days to be served within 90 days from the Common Council's decision. For a day to count as part of the suspension, Tequila Nights, LLC will need to close for a minimum of seven (7) consecutive days and provide notice to the Watertown Police Department of its schedule of closed days at least one (1) week prior to closing.