



CITY OF PROVIDENCE

Jorge O. Elorza, Mayor

November 25, 2019

Angelitos de Azucar, LLC
d/b/a Masheratti
334 Elmwood Avenue
Providence, RI 02909

Re: Incident of November 22, 2019 Case Report 19-119731

Dear Licensee:

The Board of Licenses has approved a request by the Providence Law Department for a Show Cause Hearing with respect to your license. A copy of the relevant report is enclosed.

Please be advised that pursuant to said procedures, a prehearing conference has been scheduled for this matter on **Wednesday, December 11, 2019 at 2:30 PM in the Licensing Office, 25 Dorrance Street, Room 104.**

Please note that any license held in the name of a corporation or LLC must be represented both at the prehearing conference as well as any show cause hearing by a licensed attorney.

Should you have any questions regarding any of the above, please contact me at 401-680-5208.

Sincerely,

A handwritten signature in black ink that reads "HKilkenny".

Heather Kilkenny
License Administrator

cc: Sgt. David Tejada, License Enforcement Unit
Mario Martone, Esq.
Thomas A. Hanley

Enclosure

THE CITY OF PROVIDENCE BOARD OF LICENSES
CITY HALL
25 DORRANCE STREET
PROVIDENCE, RI 02903

IN RE: Angelitos de Azucar, LLC
d/b/a Masheratti Lounge
334 Elmwood Avenue
Incident of November 22, 2019

Matter No.: 19-119731

**ORDER TO SHOW CAUSE WHY LICENSES SHOULD NOT BE
REVOKED OR SUSPENDED AND/OR OTHER PENALTIES
SHOULD NOT ISSUE**

Pursuant to its authority under Section 1102 of the City of Providence Home Rule Charter, and Sections 3-5-15, *et. seq.*, 5-22-1, *et seq.*, 5-23-1, *et seq.*, and 5-24-1, *et seq.* of the General Laws of the State of Rhode Island, and Sections 14-300, *et seq.* of the City of Providence Code of Ordinances, the Board of Licenses of the City of Providence (hereinafter the “Board”) hereby issues this ORDER TO SHOW CAUSE WHY LICENSES SHOULD NOT BE REVOKED OR SUSPENDED AND/OR OTHER PENALTIES SHOULD NOT ISSUE to

Angelitos de Azucar, LLC Masheratti Lounge
(hereinafter “Licensee”)

- BV
- Food Dispenser
- Holiday

requiring Licensee to appear before the Board and answer why the Board should not issue an order revoking or suspending all licenses held by Licensee and/or imposing other penalties for violation of the following:

1. **R.I. Gen. Laws § 3-5-21** - Breach by Licensee of the conditions on which license to sell alcoholic beverages was issued or for violation by the Licensee of any rule or regulation applicable;
2. **R.I. Gen. Laws § 3-5-23** - Permitting the house or place where Licensee is licensed to sell alcoholic beverages to become disorderly or otherwise permitting any of the laws of the State of Rhode Island to be violated in the neighborhood;
3. **Providence Code 14-193-** Entertainment without a license.

The incident(s) resulting in this Order to Show Cause were documented by Providence Police in Police Incident Report No.19-119731, attached hereto and made a part hereof as EXHIBIT A.

WHEREFORE, the City of Providence Board of Licenses hereby orders:

1. the Licensee to appear before the Board, at Providence City Hall, 25 Dorrance Street, Providence, Rhode Island, 02903 on

_____, **2019 at 12:30 P.M. in Probate Court**

and show cause why the Board should not revoke or suspend the license(s) held by the Licensee and/or why other penalties should not issue.

NOTE: LICENSEE MUST BE REPRESENTED BY COUNSEL AND MUST PRESENT HIS/HER LICENSES AT TIME OF APPEARANCE. FAILURE TO COMPLY WITH THIS ORDER AND APPEAR BEFORE THE CITY OF PROVIDENCE BOARD OF LICENSES ON THE DATES INDICATED ABOVE WILL BE DEEMED A FULL ADMISSION OF THE VIOLATIONS ENUMERATED HEREIN.

Dated this _____ day of _____, 2019.

THE CITY OF PROVIDENCE BOARD OF LICENSES, _____
By: Dylan Conley
Its: Chairperson

EXHIBIT A

Providence Incident Report

Summary

Print Date/Time: 11/23/2019 01:31
Login ID: dtejada
Case Number: 2019-00119731

ORI Number: Providence Police Department
 RI0040900

Case

Case Number: 2019-00119731	Incident Type: License Violation
Location: 334 ELMWOOD AVE Providence, RI 02907	Occurred From: 11/22/2019 22:42
Reporting Officer ID: 7729 - Tejada	Occurred Thru: 11/22/2019 22:42
	Disposition:
	Disposition Date:
	Reported Date: 11/22/2019 22:42 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
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Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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City of Providence - Board of Licenses

Jorge O. Elorza, Mayor

Heather Kilkenny, License Administrator

Monday, November 25, 2019

1 Owner Angelitos De Azucar LLC **Capacity(1)**
DBA Masheratti Lounge and Grill **Capacity(2)**
Address 334 ELMWOOD AVE **Capacity(3)**
Class BV **BX** **EDX** **N** **Entertainment Lic**
Comment TRANSFERRED FROM SABOR LATINO LLC ON 4/17/17

VIOLATION 1

Violation Date 8/20/2017 **Type** Multiple **Counts** 13

Detail

Hearing Date 10/31/2017 **Type** For Decision

Action Multiple **Fine** \$3,250.00 **Days Closed** 5

Detail Conley; sec Rodriguez-\$3250 fine; 5 day suspension; 12:AM closing nightly; any subsequent tob violations to receive max penalty for ent w/o lic; public smoking; sale tobacco w/o lic (10 counts) permit laws to be violated; vote 5-0

VIOLATION 2

Violation Date 3/3/2018 **Type** Multiple **Counts** 6

Detail 18-23291

Hearing Date 5/16/2018 **Type** Pre-Hearing Conference

Action Fine Imposed **Fine** \$1,950.00 **Days Closed** 2

Detail Motion made and passed to impose \$325 per count (6) = \$1950.00 for Permitting Smoking in public place w/2 day closure on June 1 & 23 2018 for Prov Ord 14-193 Ent w/o License and 14-301 Sale of Tobacco w/o lic; vote 4-0 Comm Batista absent

VIOLATION 3

Violation Date 12/16/2018 **Type** Multiple **Counts** 1

Detail Case Report 18-130451 Ent w/o license, smoking in public place, hrs of op and patrons self serving

Hearing Date 2/11/2019 **Type** Pre-Hearing Conference

Action License Suspended **Fine** \$1,000.00 **Days Closed** 4

Detail

VIOLATION 4

Violation Date 1/4/2019 **Type** Multiple **Counts** 1

Detail Case Report 19-955 Ent w/o lic, smoking in public place, hrs of op

Hearing Date 2/11/2019 **Type** Pre-Hearing Conference

Action **Fine** **Days Closed**

Detail See violation #3

VIOLATION 5

Violation Date 1/6/2019 **Type** Hours of Operation **Counts** 1
Detail Case Report 19-2070

Hearing Date 2/11/2019 **Type** Pre-Hearing Conference
Action **Fine** **Days Closed**
Detail See violation #3

VIOLATION 6

Violation Date 10/26/2019 **Type** Multiple **Counts** 3
Detail CR 19-109628 Ent w/o lic; bottle service & smoking permitted in public place:
routine compliance check, DJ, carafe with Scotch identified by patron,
smoking hookah

Hearing Date 11/13/2019 **Type** Pre-Hearing Conference
Action Fine Imposed **Fine** **Days Closed** 2
Detail To be served on Nov 28 and 29

POLICE DETAIL

Date Mandated	Num Officers	Reason
Stipulations		
Comment		

Number of Records: 0

Total Fine Amount \$6,200

Total Days Closed 13

Original Report

On 11-22-2019 at approximately 22:42 hrs, Sgt. Tejada of the License Enforcement Unit responded to Masherati Lounge and Grill located at 334 Elmwood Ave. on a routine compliance check. Upon arrival Police exited their vehicle which was parked at the corner of Elmwood Ave and Burnett St. and could hear loud music emanating from the interior of Masherati Lounge and Grill. Police then entered the establishment and observed that there was a DJ playing music that was extremely loud inside the establishment. (Police took photos and video of the DJ in action). Police then spoke with the Manager for the evening, later identified as Carlos Fernandez. It should be noted that Fernandez was not on the premises upon Police arrival and had to be summoned by phone to the establishment by a female staff member. Police informed Fernandez that Masherati did not have an entertainment license and was in violation by having a DJ and excessively loud music. Fernandez was ordered to lower the music to a reasonable level and to have the DJ stop.

It should be noted that The R.I. State Fire Marshal were on the premises with Police and conducted an Operational Review. The State Fire Marshal Inspectors issued a summons for violations at Masherati Lounge.

A Copy of the report will be forwarded to the Law Department for referral to the Board of Licenses