



Legislation Text

File #: RES PH 22-193, **Version:** 1

Approving adverse action against the Auto Repair Garage license held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing, for the premises located at 977 Front Avenue.

WHEREAS, the Auto Repair Garage license (the "License") held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing (the "Licensee"), under License ID #20190000933 for the premises located at 977 Front Avenue in Saint Paul (the "Licensed Premises") was the subject of a Notice of Violation (the "Notice") dated June 10, 2022; and

WHEREAS, the Notice stated that, during a complaint-based inspection of the Licensed Premises on May 12, 2022, an inspector from the Department of Safety and Inspections ("DSI") observed and documented with photographs two (2) license condition violations; and

WHEREAS, under the penalty matrix contained in section 310.05(m) of the Saint Paul Legislative Code, the presumptive penalty for a third time violation of license conditions within a period of eighteen (18) months is a fine of \$2000.00 and a 10-day license suspension; and

WHEREAS, because the Licensee's violations of their license conditions were their third time within a period of eighteen (18) months, DSI recommended that a \$2000.00 fine and a 10-day suspension be imposed against the Licensee; and

WHEREAS, the Notice stated that if the Licensee failed to pay the \$2000.00 fine or request a public or administrative hearing by June 24, 2022, the matter would be placed on the next available consent agenda to impose the recommended penalty; and

WHEREAS, on June 23, 2022, the Licensee responded to the Notice via electronic delivery and requested a public hearing, which was held on July 20, 2022; now, therefore, be it

RESOLVED, that the City Council issues this decision based upon consideration of the record of the entire proceedings herein, including the oral argument from the Licensee from the July 20, 2022 public hearing; and be it

FURTHER RESOLVED, that the Auto Repair Garage license held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing, under License ID #20190000933 for the premises located at 977 Front Avenue in Saint Paul is hereby suspended for 10 days for the aforementioned two (2) license condition violations; and be it

FURTHER RESOLVED, that the Licensee is hereby ordered to pay a fine of \$2000.00 for the aforementioned

two (2) license condition violations.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.