



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

October 20, 2015

NOTICE OF INTENT TO SUSPEND LICENSE

Donuette M. Smith, Owner
Got 2 Tan
1087 Arcade Street
St. Paul, MN 55106

RE: Tanning Facility license held by Donuette M. Smith d/b/a Got 2 Tan for the premises located at 1087 Arcade Street in Saint Paul.
License ID #: 20140000351

Dear Licensee:

The Department of Safety and Inspections (DSI) has recommended suspension of the Tanning Facility license held by Donuette M. Smith d/b/a Got 2 Tan for the premises located at 1087 Arcade Street in Saint Paul. The basis for the recommendation is as follows:

On September 22, 2015, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Tanning Facility license fee payment was past due.

You were also asked to submit the following information with your license fee payment: 1) a list of tanning equipment including: manufacturer's name, model #, type (booth, bed, canopy, etc....) year manufactured and number in the establishment) and 2) a completed Certificate of Compliance Minnesota Worker's Compensation Law form (attached).

You were given until October 13, 2015 to pay the delinquent license and late fees and submit the required information. As of today's date, neither has been received.

In addition to the suspension of your Tanning Facility license, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit the required information in order to maintain your license.

At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Friday, October 30, 2015**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Agenda for approval of the proposed remedy.

2. You can pay your delinquent Tanning Facility license fee payment and submit the required information. If this is your choice, you should contact the Department of Safety and Inspections (DSI) to determine the total amount due and send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, October 30, 2015**. A self-addressed envelope is enclosed for your convenience. Submission of the delinquent license fee payment and required information will be considered to be a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Friday, October 30, 2015**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your Tanning Facility license and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, October 30, 2015**. Information should be directed to the attention of Dan Niziolek.

If you have not contacted me or DSI by Friday, October 30, 2015, I will assume that you do not contest the suspension of your Tanning Facility license and imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Geoffrey Karls
Assistant City Attorney

cc: Dan Niziolek, Deputy Director of DSI
Donuette M. Smith, 2518 – 6th Street North, Minneapolis, MN 55411

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

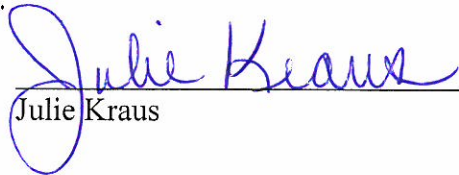
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 20th day of October she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

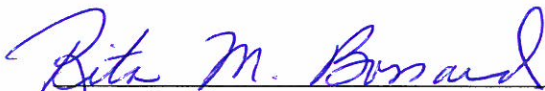
Donuette M. Smith, Owner
Got 2 Tan
1087 Arcade Street
St. Paul, MN 55106

Donuette M. Smith
2518 – 6th Street North
Minneapolis, MN 55411

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
this 20th day of October, 2015


Notary Public

