



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

November 1, 2012

NOTICE OF VIOLATION

Anton Maarouf
Tony's Amoco, Inc.
374 Lexington Parkway North
St. Paul, MN 55104

RE: All licenses held by Tony's Amoco, Inc. d/b/a Tony's Amoco, Inc. for the premises located at 374 Lexington Parkway North in Saint Paul.
License ID #: 20010001039

Dear Mr. Maarouf:

The Department of Safety and Inspections (DSI) has recommended adverse action against all licenses held by Tony's Amoco, Inc. d/b/a Tony's Amoco, Inc. for the premises located at 374 Lexington Parkway North in Saint Paul. The basis for the recommendation is as follows:

On October 23, 2012, at approximately 5:18 p.m., Saint Paul Police responded to a report of an auto theft near the area of 1514 Englewood Avenue (CN 12-252-818). When questioning the victim, she told the officer that she had been informed by Bank of America that her debit card had been used at your establishment around 5:30 p.m. for a purchase in the amount of \$1.00.

The officer came to your establishment and spoke with a cashier about the videotape. The cashier told the officer that you now have a new camera system and he was unable to operate it at this time.

This is a violation of license condition #2 which states: "Surveillance cameras must be installed and maintained inside and outside of the establishment to record all activities inside and outside of the establishment, with the placement of cameras made in accordance with Saint Paul Police Department (SPPD) recommendations. The cameras must be in operation and recording at all times. The establishment shall maintain these recordings for 30 days and they must be immediately available to the Saint Paul Police Department upon request and to the Office of License, Inspections and Environmental Protection within 24 hours of the receipt of written request for recordings. The quality of the recording shall be in compliance with orders of the Saint Paul Police Department. Comply by 2/28/2007".

Per Saint Paul Legislative Code § 310.05(m) (1), the licensing office will recommend a \$500.00 matrix penalty.

At this time, you have three options on how to proceed:


1. If you wish to admit to the violation you can pay the \$500.00 matrix penalty. You can send the payment to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Tuesday, November 13, 2012**. Information should be directed to the attention of Christine Rozek. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the \$500.00 matrix 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 **Tuesday, November 13, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter contesting the facts and requesting an administrative hearing. I will need to receive your letter by **Tuesday, November 13, 2012**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by Tuesday, November 13, 2012, I will assume that you are not contesting the 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,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Anton Maarouf, 2198 Marilyn Avenue, Eagan, MN 55122
Irna Landrum, Executive Director, Summit-University Planning Council, 627 Selby Avenue
St. Paul, MN 55104-6615

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 1st day of November she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Anton Maarouf
Tony's Amoco, Inc.
374 Lexington Parkway North
St. Paul, MN 55104

Anton Maarouf
2198 Marilyn Avenue
Eagan, MN 55122

Irna Landrum, Executive Director
Summit-University Planning Council
627 Selby Avenue
St. Paul, MN 55104-6615

(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 1st day of November, 2012


Notary Public

