



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

May 19, 2015

NOTICE OF INTENT TO SUSPEND LICENSE

Christopher Frank, Owner
Perfect Tan
2180 Marshall Avenue
Saint Paul, MN 55104

RE: Tanning Facility license held by Phoenix Acquisitions, Inc., d/b/a Perfect Tan for the premises located at
2180 Marshall Avenue in Saint Paul
License ID #20140000909

Dear Mr. Frank:

The Department of Safety and Inspections (DSI) has recommended suspension of the Tanning Facility license held by Phoenix Acquisitions, Inc. d/b/a Perfect Tan for the premises located at 2180 Marshall Avenue in Saint Paul. The basis for the recommendation is as follows:

On April 15, 2015, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Tanning Facility license expired as of April 7, 2015 and you owed delinquent license and late fees.

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 Workers' Compensation Law form.

You were given until May 6, 2015, to pay the delinquent license and late fees and submit the required information listed above. As of today's date, neither the license fee payment nor the required information 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, May 29, 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 the delinquent license and late fees 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. You can then send the payment and information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, May 29, 2015**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license fees and submission of the 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 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 the facts and requesting a public hearing. I will need to receive your letter by **Friday, May 29, 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, May 29, 2015**. Information should be directed to the attention of Dan Niziolek.

If you have not contacted me or DSI by Friday, May 29, 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, DSI Deputy Director
Christopher Frank, 1510 Upper Afton Road, Saint Paul, MN 55106

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 19th day of May she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and correct copy thereof in an envelope addressed as follows:

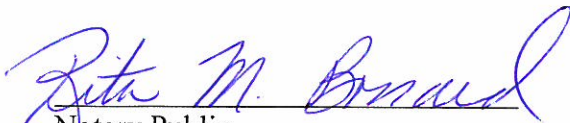
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(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
this 19th day of May, 2015


Notary Public

