

CITY OF SAINT PAUL Mayor Melvin Carter

Civil Division 400 City Hall 15 West Kellogg Blvd. Saint Paul, Minnesota 55102

Telephone: 651 266-8710 Facsimile: 651 298-5619

April 18, 2019

NOTICE OF INTENT TO SUSPEND LICENSES

Gazta and Enhancement LLC – Licensee d/b/a Gazta and Enhancement LLC 928 7th Street #106 Saint Paul, MN 55102

RE:

Liquor On Sale-Sunday, Liquor On Sale-100 seats or less license held by Gazta and Enhancement LLC d/b/a Gazta and Enhancement LLC for the premises locate at 928 7th Street in Saint Paul

License ID #: 20180002846

Dear Licensee:

The Department of Safety and Inspections ("Department") will recommend suspension of the Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license held by Gazta and Enhancement LLC ("Licensee") d/b/a Gazta and Enhancement LLC located at 928 7th Street in Saint Paul ("Licensed premises").

The Department asserts the following facts along with attachments herein constitute proof of a violation of Legislative Code §310.05 (m) (8) by a preponderance of the evidence.

On February 19, 2019 you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections indicating your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license 2nd half fees were delinquent. You were told to complete the renewal of your licenses by March 12, 2019. As of today, we have not heard from you.

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 Monday, April 29, 2019, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the Wednesday, May 15, 2019 City Council Consent Agenda for approval of the proposed remedy.
- You can pay the delinquent license and late fees and submit the required information. If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the total amount now due. You may then send the payment and information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than Monday, April 29, 2019. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered a waiver of the hearing to which you are entitled.

Gazta and Enhancement LLC – Licensee d/b/a Gazta and Enhancement April 18, 2019
Page 2

- 3. If you wish to <u>admit</u> 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 no later than **Monday**, **April 29**, **2019**. The matter will then be scheduled before the City Council to determine whether to suspend your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license. 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 complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than Monday, April 29, 2019.

If you have not contacted me by Monday, April 29, 2019, I will assume that you do not contest the suspension of your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license. In that case, the matter will be placed on the May 15, 2019 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,

Therese Skarda

Assistant City Attorney

License No. 0240989

Cc: Haley Fritz, 14897 96th Avenue North, Maple Grove, MN 55369

Chuck Repke, Executive Director, District 2 Community Council, 1365 Prosperity Avenue

St. Paul, MN 55106

there Skuda S.m.

Schmidt Keg House Manager LLC, 565 Holly Avenue, St. Paul, MN 55102-2209

Attachments: Letter with renewal invoice sent to licensee February 19, 2019

LIEP Customer Transaction Detail Report dated April 12, 2019

Screenshots from DSI ECLIPS System dated April 15, 2019

REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

Saint Paul Legislative Code § 310.05(m)

) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 18TH day of April, he served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

Gazta and Enhancement LLC – Licensee d/b/a Gazta and Enhancement LLC 928 7th Street #106 Saint Paul, MN 55102

Haley Fritz 14897 96th Avenue North, Maple Grove, MN 55369

Chuck Repke, Executive Director District 2 Community Council, 1365 Prosperity Avenue St. Paul, MN 55106

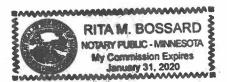
Schmidt Keg House Manager LLC 565 Holly Avenue St. Paul, MN 55102-2209

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

Shawn McDonald

Subscribed and sworn to before me this 18TH day of April 2019

Notary Public



) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 23nd day of April, he served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

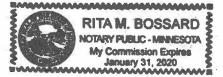
Emily Northey, Executive Director Fort Road Federation 974 West 7th Street St. Paul, MN 55102

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

Shawn McDonald

Subscribed and sworn to before me This 23nd day of April 2019

Notary Public





CITY OF SAINT PAUL

Mayor Melvin Carter

Civil Division 400 City Hall 15 West Kellogg Blvd. Saint Paul, Minnesota 55102

Telephone: 651 266-8710 Facsimile: 651 298-5619

April 23, 2019

NOTICE OF INTENT TO SUSPEND LICENSES

Gazta and Enhancement LLC – Licensee d/b/a Gazta and Enhancement LLC 928 7th Street #106
Saint Paul, MN 55102

RE:

Liquor On Sale-Sunday, Liquor On Sale-100 seats or less license held by Gazta and Enhancement LLC d/b/a Gazta and

Enhancement LLC for the premises locate at 928 7th Street in Saint Paul

License ID #: 20180002846

Dear Licensee:

The Department of Safety and Inspections ("Department") will recommend suspension of the Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license held by Gazta and Enhancement LLC ("Licensee") d/b/a Gazta and Enhancement LLC located at 928 7th Street in Saint Paul ("Licensed premises").

The Department asserts the following facts along with attachments herein constitute proof of a violation of Legislative Code §310.05 (m) (8) by a preponderance of the evidence.

On February 19, 2019 you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections indicating your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license 2nd half fees were delinquent. You were told to complete the renewal of your licenses by March 12, 2019. As of today, we have not heard from you.

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 Monday, April 29, 2019, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the Wednesday, May 15, 2019 City Council Consent 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 need to contact the Department of Safety and Inspections (651) 266-8989 to determine the total amount now due. You may then send the payment and information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than Monday, April 29, 2019. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered a waiver of the hearing to which you are entitled.

Gazta and Enhancement LLC – Licensee d/b/a Gazta and Enhancement April 23, 2019
Page 2

- 3. If you wish to <u>admit</u> 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 no later than Monday, April 29, 2019. The matter will then be scheduled before the City Council to determine whether to suspend your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license. 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 complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than Monday, April 29, 2019.

If you have not contacted me by Monday, April 29, 2019, I will assume that you do not contest the suspension of your Liquor on Sale-Sunday, Liquor on Sale-100 seats or less license. In that case, the matter will be placed on the May 15, 2019 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,

Therese Skarda

Assistant City Attorney

License No. 0240989

Cc: Haley Fritz, 14897 96th Avenue North, Maple Grove, MN 55369

re Skarda/s.m.

Emily Northey, Executive Director, Fort Road Federation, 974 West 7th Street, St. Paul, MN 55102

Schmidt Keg House Manager LLC, 565 Holly Avenue, St. Paul, MN 55102-2209

Attachments: Letter with renewal invoice sent to licensee February 19, 2019

LIEP Customer Transaction Detail Report dated April 12, 2019 Screenshots from DSI ECLIPS System dated April 15, 2019

REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

Saint Paul Legislative Code § 310.05(m)



CITY OF SAINT PAUL

375 Jackson Street, Suite 220 St Paul, Minnesota 55101-1806 Telephone:651-266-8989 Facsimile:651-266-9124 Web:www.stpaul.gov/dsi

February 19, 2019

Gazta And Enhancements LLC 14897 96th Ave N Maple Grove MN 55369

RE: License ID # 20180002846 @ 928 7th St W

Dear Licensee:

Our records indicate that the above referenced license(s) which were issued to you have expired and are now delinquent. Renewal of the license(s) is required if you intend to engage in the licensed activity within the City of St Paul.

You must complete the renewal of your license(s) by Mar 12, 2019 or we may submit your delinquent/expired license(s) to the City Attorney's office for adverse action. To complete the renewal process, submit to this department payment of the renewal fee (including any late fees) and all required supporting documentation as stated on the enclosed invoice.

For your convenience, a copy of the referenced invoice and a selfaddressed return envelope is enclosed. If you are no longer working within the City of Saint Paul, please advise our office of that information in writing.

If you have questions regarding this notice, or wish to dispute that your license is delinquent/expired, please contact our office at 651-266-8989, Monday through Friday, between 8:00 AM and 4:30 PM.

Sincerely,

Eric Hudak

Licensing Manager

Department of Safety and Inspections

Enclosure(s)

An Equal Opportunity Employer



Renewal Invoice

☐ Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application

April 11, 2019

CITY OF SAINT PAUL

Department of Safety and Inspections 375 Jackson Street, Suite 220 Saint Paul, MN 55101-1806 PHONE: (651) 266-8989 FAX: (651) 266-9124 An Equal Opportunity Employer

GAZTA AND ENHANCEMENTS LLC CONTACT: HALEY FRITZ 14897 96TH AVE N MAPLE GROVE MN 55369 Invoice #: 1052292

Invoice Due Date : Upon Receipt

Account Balance: \$3,117.50

Pay this Amount: \$3,117.50

HOME PHONE: 763-443-3760 BUSINESS PHONE: 612-568-5737

Transaction Description	Transaction Total
Inv: 1029991 180002846 Liq On Sale - 100 seats or less (Second F @ 928 7TH ST W Inv: 1048655 Late Fee 7-30 days late (10%) Inv: 1050222 Late Fee 31-60 days late (10%) Late Fee 61-90 days late (10%)	lalf) 2,397.50 240.00 240.00 240.00
Requirements	Invoice Amount Due: \$3,117.50
Your account is overdue. Please mail payment today!! Please complete the following information for your First Half renewal (disregard if Company & DBA Names (if different than above): Business Phone #s (include fax, cell, & pager if applicable): Applicant Name, Date of Birth, Home Address, & Phone #'s: Manager Name, Date of Birth, Address & Phone #'s: Liquor is served in the following rooms: Signature & Title of Applicant: Submit with First Half payment only: *State renewal certificate *Proof of current Ilquor liability insurance (expiration must coincide with your licen	
Your Taxpayer Identification is on file. Thank you.	
Please Give Us Your Email Address:	
Please Peturn this invoice with your navment	

4/12/2019 03:00 F	١Ŋ	И
-------------------	----	---

Grand Total for all pages:

5,715.00 -2,597.50

LIEP Customer Transaction Detail Report

Page 1 of 1

Patron Key	1	Patro	on Name	1		D	BA Name	Business Address				
377639	GAZTA A	GAZTA AND ENHANCEMENTS LLC			GAZTA AND ENHANCEMENTS LLC			C 928 7TH ST W ST PAU	928 7TH ST W ST PAUL MN 55102			
Tx Date	Invoice Key	Service Key	Detail Key	Sales Amt (DR)	Pmt Amt (CR)	Unapplied Balance	Tx Type	Description	Exp Date	Req unmet	Status	V
08/09/2018	1029990	827710	2056021	2,397.50		0.00	Sales	180002846 Liq On Sale - 100 seats or less	9/14/2019	0	Active	Y
08/09/2018	1029991	827710	2056022	2,397.50		2,397.50	Sales	180002846 Liq On Sale - 100 seats or less (Second H	9/14/2019	0	Active	Υ
08/09/2018	1029990	827711	2056023	200.00		0.00	Sales	180002846 Liquor On Sale - Sunday	8/9/2019	0	Active	Υ
08/09/2018			2056025		-2,597.50	0.00	Payment	Payment				Υ
02/16/2019	1048655		2105873	240.00		240.00	Penalty	Late Fee 7-30 days late (10%)				Υ
03/11/2019	1050222		2109635	240.00		240.00	Penalty	Late Fee 31-60 days late (10%)			Y	
04/10/2019	1052292		2115887	240.00		240.00	Penalty	Late Fee 61-90 days late (10%)				Y
	C	ustomer	Totals:	5,715.00	-2,597.50							
Customer Accoun				nt Balance:	3,117.50							

3,117.50

Licensee: GAZTA AND ENHANCEMENTS LLC

DBA:

GAZTA AND ENHANCEMENTS LLC

License #: 20180002846

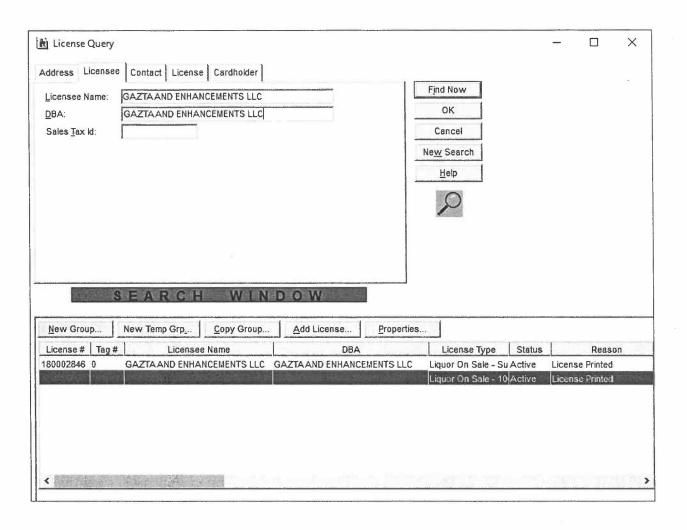
4/15/19 To CAO for unpaid 2nd 1/2. KS

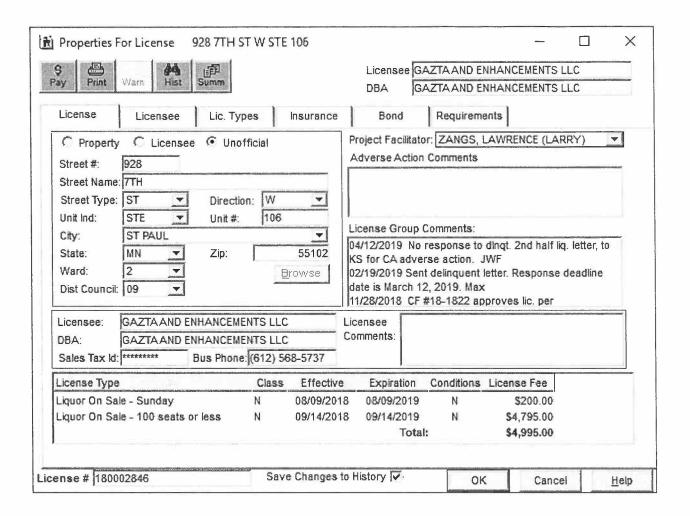
04/12/2019 No response to dlnqt. 2nd half liq. letter, to KS for CA adverse action. JWF

02/19/2019 Sent delinquent letter. Response deadline date is March 12, 2019. Max
11/28/2018 CF #18-1822 approves lic. per recommendation of LH. JWF
10/15/2018 Per LHO (needed due to objection being submitted) will recommend approval with no additional conditions. JWF

09/05/2018 Council file #18-1461 approves 45-day waiver for lic. issuance. JWF 08/23/2018 Lic. notice sent, 50M/35EM, response date 10/12/2018. JWF

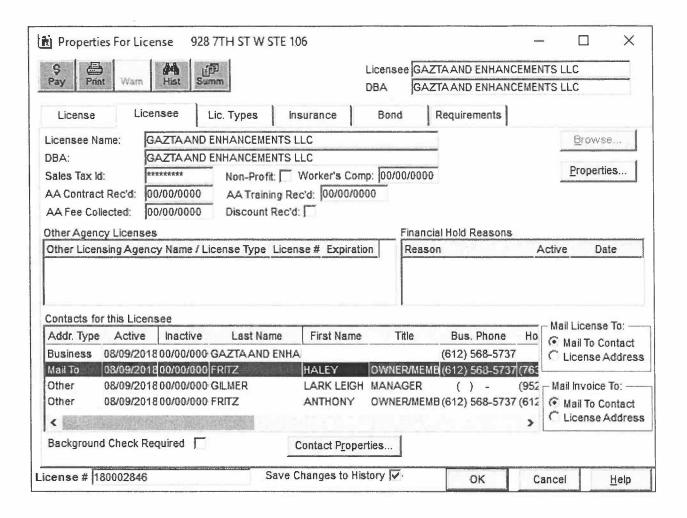
08/17/2018 To KS/EH for review. JWF

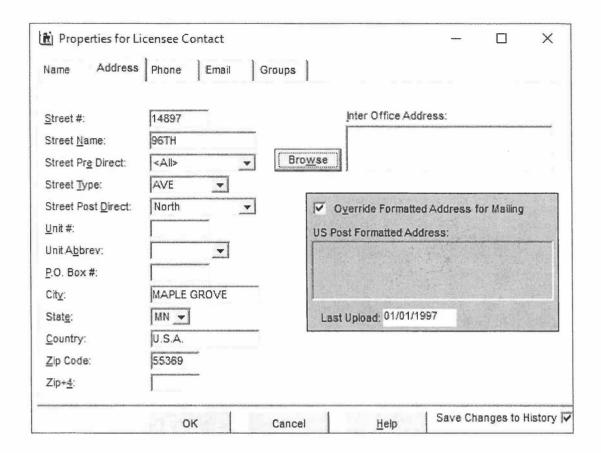




Properties For l	License 92	8 7TH ST W STE 1	06			_		×
\$ 4	44	P		Licensee G	AZTA AND ENHANC	EMENTS L	LC	
Pay Print War	n Hist St	umm		DBA G	AZTA AND ENHANC	EMENTS L	LLC	
License !	Licensee	Lic. Types In	surance	Bond	Requirements			
Licensee Name:	GAZTAAND	ENHANCEMENTS I	LC				Browse.	
DBA:	GAZTAAND	ENHANCEMENTS	_LC					
Sales Tax ld:	******	Non-Profit:	Worker's Con	ip: 00/00/00	000		Properties	
AA Contract Rec'd:	00/00/0000	AA Training Re	c'd: 00/00/00	00				
AA Fee Collected:	00/00/0000	Discount Rec'd						
Other Agency Licen	ISES			Fins	ncial Hold Reasons			
Contacts for this Lie	CARRA							
Addr. Type Activ	re Inactive	Last Name	First Name	Title	Bus Phone	Ho	il License T	
7,7			First Name	Title	Bus. Phone (612) 568-5737	Ho 🌀	Mail To Con	tact
Business 08/09/2		GAZTA AND ENHA			(612) 568-5737	Ho C		tact
Business 08/09/2 Mail To 08/09/2	2018 00/00/000	GAZTA AND ENHA	4	OWNER/M	(612) 568-5737 EMB (612) 568-5737	Ho (**)	Mail To Con	tact dres
Business 08/09/2 Mail To 08/09/2 Other 08/09/2	2018 00/00/000 2018 00/00/000	GAZTA AND ENHA FRITZ GILMER	HALEY	OWNER/M MANAGER	(612) 568-5737 EMB (612) 568-5737	(763 C) (952 Ma	Mail To Con License Ad	tact dres:
Business 08/09/2 Mail To 08/09/2 Other 08/09/2	2018 00/00/000 2018 00/00/000 2018 00/00/000	GAZTA AND ENHA FRITZ GILMER	HALEY LARK LEIGH	OWNER/M MANAGER	(612) 568-5737 EMB (612) 568-5737	(763 (952 Ma) (612 (612 (763 Ma) (612 (763 Ma) (Mail To Con License Ad	tact dress : tact
Business 08/09/2 Mail To 08/09/2 Other 08/09/2 Other 08/09/2	2018 00/00/000 2018 00/00/000 2018 00/00/000 2018 00/00/000) GAZTA AND ENHA) FRITZ) GILMER) FRITZ	HALEY LARK LEIGH	OWNER/M MANAGER OWNER/M	(612) 568-5737 EMB (612) 568-5737	(763 C) (952 Ma) (612 C)	Mail To Con License Ad ail Invoice To Mail To Con	tact dress :tact

	es For Li	4	.8 7TH ST W ST	E 106				_			×
\$		44	P		Licensee G	AZTAANI	ENHAN	CEMEN	ITS LL	_C	
Pay Print	t VVarn	Hist S	nww		DBA G	AZTAANI	ENHAN	CEMEN	TS LL	_C	
License	Li	censee	Lic. Types	Insurance	Bond	Requir	ements				
Licensee Na	ıme:	GAZTAANI	ENHANCEMEN	TS LLC						Browse	
DBA:		GAZTAANI	ENHANCEMEN	TS LLC					2000		
Sales Tax Id	:	******	Non-Profit:	Worker's Con	np: 00/00/00	00				Propertie	\$
AA Contract	Rec'd:	00/00/0000	MARKET .	Rec'd: 00/00/00							
AA Fee Colle	ected:	00/00/0000	the same of the sa								
		,									
Other Agenc	v Licens	es			Finar	icial Hold	Reasons				
	-		License Type L	icense # Expirati		ncial Hold son	Reasons		ctive	Dat	е
Other Licens	sing Age	ncy Name /			on Rea	son		Δ	- Mail	License	To: —
Other Licens Contacts for Addr. Type	sing Age r this Lic Active	ensee Inactive	Last Name	e First Name	on Rea	son Bus	. Phone	Но	- Mail ⓒ M	License (ail To Co	To: —
Other Licens Contacts for Addr. Type Business	this Lic Active	ensee Inactive	Last Name	e First Name	Title	Bus (612)	. Phone 568-573	Ho 7	- Mail ⓒ M	License	To: —
Other Licens Contacts for Addr. Type Business Mail To	this Lic Active 08/09/20	ensee Inactive	Last Name O GAZTAAND E O FRITZ	e First Name NHA HALEY	Title OWNER/ME	Bus (612)	. Phone 568-573 568-573	Ho 7 7 (763	- Mail ⊙ M ○ L	License lail To Co icense A	To: — ntact ddres
Contacts for Addr. Type Business Mail To Other	this Lic Active 08/09/20 08/09/20	ensee Inactive	Last Name 0 GAZTA AND E 0 FRITZ 0 GILMER	e First Name NHA HALEY	Title OWNER/ME I MANAGER	Bus (612) MB (612)	. Phone 568-573 563-573	Ho 7 (763 (952	- Mail ⊙ M ○ L - Mail	License lail To Co icense A	To: — ntact ddres
Contacts for Addr. Type Business Mail To Other	this Lic Active 08/09/20 08/09/20	ensee Inactive 18 00/00/00 18 00/00	Last Name 0 GAZTA AND E 0 FRITZ 0 GILMER	e First Name NHA HALEY LARK LEIGH	Title OWNER/ME	Bus (612) MB (612)	. Phone 568-573 563-573	Ho 7 (763 (952	Mail Mail Mail	License lail To Co icense A	To: — ntact ddres To: — ntact
Contacts for Addr. Type Business Mail To Other Other	this Lic Active 08/09/20 08/09/20 08/09/20	ensee Inactive 18 00/00/00 18 00/00	Last Name O GAZTA AND E O FRITZ O GILMER O FRITZ	e First Name NHA HALEY LARK LEIGH	Title OWNER/ME MANAGER OWNER/ME	Bus (612) MB (612)	. Phone 568-573 563-573	Ho 7 (765 (952 7 (612	Mail Mail Mail	License Iail To Co icense A Invoice	To: — ntact ddres To: — ntact





Sec. 310.05. - Hearing procedures.

(m) Presumptive penalties for certain violations. The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, and shall apply to all license types, except that in the case of a violation involving a liquor license § 409.26 shall apply where a specific violation is listed. In the case of an adverse action filed for a violation of chapter 331A, the licensee shall be given a fine for each individual violation of chapter 331A. The total fine amount for violations of chapter 331A may exceed the maximum fine outlined below due to multiple violations in one (1) appearance. All penalty recommendations for chapter 331A violations shall be based on the food penalty guideline referred to in chapter 331A. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.

Type of Violation	Appearance					
Type of violation	1st	2nd	3rd	4th		
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation		
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation		
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation		
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation		
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00	\$1,500.00	5-day suspension	Revocation		
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00	Revocation	n/a	n/a		

(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Critical violations under 331A	\$250.00	\$500.00	\$1,000.00, 5-day suspension	Revocation
(10) Non-critical violation under 331A	\$150.00	\$250.00	\$500.00	\$1,000.00
(11) Taxi fail to display driver's license as required by 376.16(f)	\$100.00	\$250.00	\$500.00	Revocation
(12) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00	\$250.00	\$500.00	Revocation
(13) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00	\$400.00	\$800.00	Revocation

(i) Fines payable without hearing.

- A. Notwithstanding the provisions of section 310.05(c), a licensee who would be making a first or second appearance before the council may elect to pay the fine to the department of safety and inspections without a council hearing, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive fine amount. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.
- B. For adverse action initiated under chapter 331A of this Code, a fine may be paid without a hearing regardless of how many prior appearances that licensee has made before the council. The above council hearing requirement applies to violations under chapter 331A unless the fine recommended by the department of safety and inspections is equal to or less than the fine amount outlined in the above matrix. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations. A non-critical violation under chapter 331A shall not be considered an "appearance" for purposes of determining presumptive penalties for non-331A violations. A council hearing is required if the department of safety and inspections recommends a fine that is an upward departure for the amount outlined above.

- (ii) Multiple violations. At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.
- (iii) Violations occurring after the date of the notice of hearing. Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council. The same procedures shall apply to a second, third or fourth appearance before the council.
- (iv) Subsequent appearances. Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance. However, non-critical violations of chapter 331A shall not be counted as an "appearance" before the council in relation to any violation other than another violation of chapter 331A.
- (v) Computation of time.
 - (1) Second appearance. A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.
 - (2) Third appearance. A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.
 - (3) Fourth appearance. A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.
 - (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen-, or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
 - (5) Notwithstanding subsections (iv)(1), (2), (3) or (4) above, a second appearance before the council regarding a death or great bodily harm in a licensed establishment that is related to a violation of the law or license conditions shall be counted as a second appearance, regardless of how much time has passed since the first appearance if the first appearance was also regarding a death or great bodily harm in a licensed establishment. A third appearance for the same shall be counted as a third appearance regardless of how much time has passed since the first or second appearance.
 - (6) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (m) or a violation of section 409.26(b).

(Code 1956, § 510.05; Ord. No. 17551, § 2, 4-19-88; Ord. No. 17559, §§ 1, 2, 5-17-88; Ord. No. 17659, § 1, 6-13-89; Ord. No. 17911, § 1, 3-10-92; C.F. No. 94-46, § 7, 2-2-94; C.F. No. 94-898, §§ 2, 3, 7-13-94; C.F. No. 94-1340, § 2, 10-19-94; C.F. No. 95-473, § 4, 5-31-95; C.F. No. 05-180, § 1, 4-6-05; C.F. No. 06-954, § 1, 11-8-06; C.F. No. 06-1072, § 1, 12-27-06; C.F. No. 07-149, § 73, 3-28-07; C.F. No. 07-1053, § 1, 11-28-07; C.F. No. 08-1208, § 1, 12-17-08; C.F. No. 10-665, § 1, 7-28-10; Ord. No. 11-93, § 1, 9-28-11; Ord. No. 11-94, § 1, 10-12-11; Ord 12-42, § 1, 8-22-12; Ord 12-85, § 1, 1-23-13)



974 West 7th St.

St. Paul, MN 55102 (map)

http://www.fortroadfederation.org

P: (651) 298-5599

Board Chair: Becky Yust

Staff

Emily Northey, Executive Director

STAMP - Ownership / Zoning Information

New Search

Help using this report

Run Date:

04/17/19 09:25 AM

House#:

928

Last updated from Ramsey County data on: 07/07/2018

Street

7th

Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

928 7th St W - Keg House - Schmidt Brewery - 55102-3641 - Other Applications

PIN: 122823230137

Census Track:

Census Block:

Council **District Council: 9**

Ward: 2

Year Built:

Foundation Sq

Loan Company:

Land Value: 0 Building Value: 0

Feet:

Units: 0

Existing Primary Use: I- Legality of Use:

Food/Bev. Processing/Mfg.

Occupancy Group

Type: A-2

Zoning: T3 / HPL-JSB

Heritage Preservation: HP Property Name: Keg House / HP Architect/Builder: W.W. Magee / HP Date Built:

1937

Legal Desc: Schmidt Brewery Addition Lot 1 Blk 1

Owner:

Schmidt Keg House Manager Llc 565 Holly Ave St Paul MN 55102-2209

Certificate of Occupancy Responsible Party:

Martha or Jane Anderson Anderson Property Management 6205 Parkwood Road Edina MN 55436 952-931-9538

595 Randolph Ave - 55117-4606 - Other Applications

PIN: 122823230126

Census

Census Block: 2015

Council

ISP:

District Council: 9

Track: 36900

Loan Company:

Ward: 2

Land Value: 0 Building Value: 0

Units:

Year Built:

Foundation Sq Feet:

Unverified Usage:

Zoning: T3 / HPL-JSB / T2

Legal Desc: Av Browns Sub Of W1/2b30 Stins Ex Sts; Lots 1 Thru Lot 12 Lying Nly Of Rr

Owner:

M Frantz Llc 11605 47th Ave N

Plymouth MN 55442-2448