



## 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

February 23, 2017

## NOTICE OF VIOLATION

Alfredo Salgado, Owner  
Affordable Tire  
1118 – 7<sup>th</sup> Street East  
Saint Paul, MN 55106

RE: Auto Repair Garage and Second Hand Dealer – Motor Vehicle Parts licenses held by AAA Enterprise, Inc. d/b/a Affordable Tire for the premises located at 1118 – 7<sup>th</sup> Street East in Saint Paul  
License ID #: 20120004026

Dear Licensee:

The Department of Safety and Inspections will recommend adverse action against the Auto Repair Garage and Second Hand Dealer – Motor Vehicle Parts licenses held by AAA Enterprise, Inc. d/b/a Affordable Tire for the premises located at 1118 – 7<sup>th</sup> Street East in Saint Paul. The basis for the recommendation is based on the following information:

On February 2, 2017, an Inspector from the Department of Safety and Inspections (DSI) came to the licensed premises and took photographs documenting the following license condition violations:

1. Tires piled up outside along the building in violation of the approved site plan and license condition #3: *“...and there shall be no exterior storage of any vehicle parts, tires, oil, batteries, or similar items...”*
2. Tires displayed and stored in areas that are in violation of the approved site plan and license condition #19: *“Tires displayed outdoors for sale must be stored inside the building when the business is closed. Outdoor display of tires is restricted to the area shown on the approved site plan on file with DSI dated 12/27/2012 (against the east side of the building at the northeast corner of the building).”*
3. Eleven (11) vehicles parked on the property in violation of the approved site plan and license condition #8: *“All customer and employee vehicles must be parked in the area designated on a DSI approved site plan dated 12/27/2012. There shall be no more than six (6) total vehicles parked on the property at any time (maximum of four (4) customers and up to two (2) employees).”*
4. Vehicles parked in the driveway or public right of way in violation of approved site plan and license condition #10: *“At no time shall vehicles be parked in the driveway or in the public right-of-way (street or alley). Vehicles awaiting repair may not be parked or stored in the public right-of-way (street or alley).”*
5. Evidence of vehicles being stored on the property to be used for salvage in violation of license condition #11: *“The storage of vehicles for the purpose of salvaging parts is expressly forbidden. All vehicles parked outdoors must appear to be completed assembled with no major body parts missing. Vehicle salvage is not permitted.”*

This is the second (2<sup>nd</sup>) incident of violations to your approved site plan and license conditions within the past twelve (12) months; therefore, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office will recommend a \$1,000.00 matrix penalty.

At this time, you have four (4) options on how 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, March 6, 2017**, 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 recommended \$1,000.00 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 6, 2017**. A self-addressed envelope is enclosed for your convenience. Payment of the \$1,000.00 matrix penalty 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 **Monday, March 6, 2017**. The matter will then be scheduled before the City Council to determine whether to impose the \$1,000.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. 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 disputing the facts and requesting an administrative hearing no later than **Monday, March 6, 2017**. 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 Monday, March 6, 2017, I will assume that you do not contest the imposition of the \$1,000.00 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,



Therese Skarda  
Assistant City Attorney

cc: Alfredo Salgado, 1951 Nortonia Avenue, Saint Paul, MN 55119  
Deanna Abbott-Foster, Executive Director, Dayton's Bluff District 4 Community Council, East Side Enterprise Center  
804 Margaret Street, Saint Paul, MN 55106  
Hill Properties, Inc., 488 Wabasha Street North, Unit 208, Saint Paul, MN 55102-1165

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 23<sup>RD</sup> day of February she served the attached **NOTICE OF VIOLATION** and a correct copy thereof in an envelope addressed as follows:

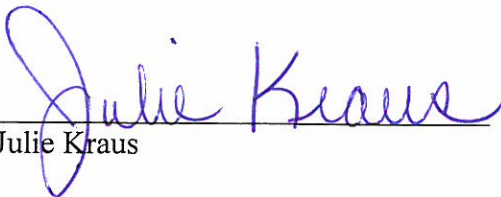
Alfredo Salgado, Owner  
Affordable Tire  
1118 – 7<sup>th</sup> Street East  
Saint Paul, MN 55106

Alfredo Salgado  
1951 Nortonia Avenue  
Saint Paul, MN 55119

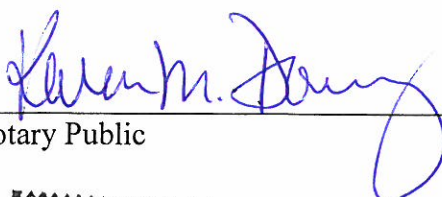
Deanna Abbott-Foster, Executive Director  
Dayton's Bluff District 4 Community Council  
East Side Enterprise Center  
804 Margaret Street  
Saint Paul, MN 55106

Hill Properties, Inc.,  
488 Wabasha Street North, Unit 208  
Saint Paul, MN 55102-1165

(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 23<sup>RD</sup> day of February, 2017

  
\_\_\_\_\_  
Notary Public

