



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

August 22, 2012

**NOTICE OF INTENT TO DENY LICENSE  
NOTICE OF INTENT TO REVOKE LICENSES**

Owner/Manager  
Capitol Gateway  
236 Grand Avenue  
Saint Paul, MN 55102

RE: Gas Station license application submitted by and Cigarette/Tobacco and Retail Food (B) Grocery 101-1000 sq. ft. licenses held by Nahal Tananim, LLC d/b/a Capitol Gateway for the premises located at 236 Grand Avenue in Saint Paul  
License ID #20110003685

Dear Sir/Madam:

The Department of Safety and Inspections (DSI) recommended denial of the Gas Station license application submitted by and revocation of the Cigarette/Tobacco and Retail Food (B) Grocery 101-1000 sq. ft. licenses held by Nahal Tananim, LLC d/b/a Capitol Gateway for the premises located at 236 Grand Avenue in Saint Paul. The basis for the recommendation is as follows:

**On May 24, 2012, you were sent a REVOCATION OF FIRE CERTIFICATE OF OCCUPANCY AND ORDER TO VACATE from the Department of Safety and Inspections, Fire Inspection Division. The letter stated that your building was determined to be unoccupied as of May 24, 2012 and as a result the Certificate of Occupancy had been revoked.**

**On July 31, 2012, according to DSI records your business was closed. On August 8, 2012, the property at 236 Grand Avenue was then placed on the vacant building list. In order to operate a business in the City of Saint Paul a Certificate of Occupancy is required per Saint Paul Legislative Code § 40.01 which states: "All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the fire marshal."**

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

1. 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 no later than **Monday, September 3, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Gas Station license and revoke your Cigarette/Tobacco and Retail Food (B) Grocery 101-1000 sq. ft. licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.

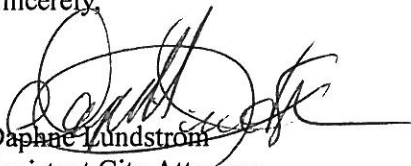
2. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter no later than **Monday, September 3, 2012**, disputing the facts and requesting an administrative hearing. At that hearing both you and the City will appear 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 contacted me regarding a public or administrative hearing by Monday, September 3, 2012, I will assume that you do not contest the denial of your Gas Station license and revocation of your Cigarette/Tobacco and Retail Food (B) Grocery 101-1000 sq. ft. licenses. 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  
Marcus Ritland, 314 – 4<sup>th</sup> Street, SE, Minneapolis, MN 55414  
Betty Moran, Community Organizer, West Seventh/Fort Road Federation, 974 West Seventh Street  
Saint Paul, MN 55102-3520

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 22nd day of August she served the attached **NOTICE OF INTENT TO DENY LICENSE and NOTICE OF INTENT TO REVOKE LICENSES** and correct copy thereof in an envelope addressed as follows:

Owner/Manager  
Capitol Gateway  
236 Grand Avenue  
Saint Paul, MN 55102

Marcus Ritland  
314 – 4<sup>th</sup> Street, SE  
Minneapolis, MN 55414

Betty Moran, Community Organizer  
West Seventh/Fort Road Federation  
974 West Seventh Street  
Saint Paul, MN 55102-3520

(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  
Julie Kraus

Subscribed and sworn to before me  
this 22nd day of August, 2012

Rita M. Bossard  
Notary Public

