



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 20, 2017

NOTICE OF INTENT TO SUSPEND LICENSES

Thomas F. Flanagan, Co-Owner
Mac's Fish & Chips
300 Snelling Avenue South, Ste. A
St. Paul, MN 55105

RE: Wine On Sale and Malt On Sale (Strong) licenses held by Mac's 300, LLC d/b/a Mac's Fish & Chips for the premises located at 300 Snelling Avenue South, Ste. A in Saint Paul
License ID #: 20160003775

Dear Licensee:

The Department of Safety and Inspections will recommend suspension of the Wine On Sale and Malt On Sale (Strong) licenses held by Mac's 300, LLC d/b/a Mac's Fish & Chips for the premises located at 300 Snelling Avenue South, Ste. A in Saint Paul. The recommendation is based on the following information:

On October 9, 2017, you were sent a LETTER and RENEWAL INVOICE from the Department of Safety and Inspections stating your Wine On Sale and Malt On Sale (Strong) licenses expired as of October 1, 2017 and you owed delinquent license and late fees. You were also required to submit the following information along with your license fee payment:

- Proof of current Liquor Liability insurance with a 10-day notice of cancellation
- A copy of your State Sales and Use Tax Statements for the previous 12 months from the Department of Revenue for verification of gross food and beverage sales
- A completed State of Minnesota Renewal of Liquor, Wine or Club License form
- A completed Certificate of Compliance Minnesota Workers' Compensation Law form

You were given until October 30, 2017 to pay the delinquent license and late fees and submit the required information listed above. As of today's date, neither has been received.

In addition to the suspension of your Wine On Sale and Malt On Sale (Strong) licenses, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office will recommend a \$500.00 matrix penalty for failure to submit required information to renew/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 **Thursday, November 30, 2017**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.

2. You can pay the delinquent late fees and submit the required information listed above. **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** and send the payment and required information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, November 30, 2017**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fee payment and submission of the required information will be considered 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 **Thursday, November 30, 2017**. The matter will then be scheduled before City Council to determine whether to suspend your Wine On Sale and Malt On Sale (Strong) licenses 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 complete and return the enclosed 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 **Thursday, November 30, 2017**.

If you have not contacted me by Thursday, November 30, 2017, I will assume that you do not contest the suspension of your Wine On Sale and Malt On Sale (Strong) licenses and imposition of a \$500.00 matrix penalty. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Julie Kraus, my Legal Assistant (651) 266-8710.

Sincerely,



Therese Skarda
Assistant City Attorney

Cc: Thomas F. Flanagan, 1768 Selby Avenue, St. Paul, MN 55104

Attachment: State of Minnesota Renewal of Liquor, Wine or Club License form
Certificate of Compliance Minnesota Workers' Compensation Law form
REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

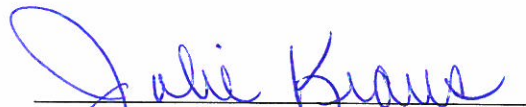
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 20th day of November she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Thomas F. Flanagan, Co-Owner
Mac's Fish & Chips
300 Snelling Avenue South, Ste. A
St. Paul, MN 55105

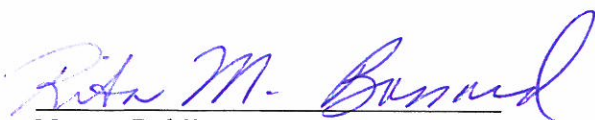
Thomas F. Flanagan
1768 Selby Avenue
St. Paul, MN 55104

(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 20th day of November, 2017



Notary Public

