



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

December 6, 2018

NOTICE OF COUNCIL HEARING

Alex Abreu Rivero
A & M Auto Sales
845 Robert Street South
St. Paul, MN 55107

RE: Auto Repair Garage and Second-Hand Dealer–Motor Vehicle licenses held by A & M Auto Sales, Inc. d/b/a A & M Auto Sales for the premises located at 845 Robert Street South in Saint Paul
License ID #20110000794

Dear Licensee:

Please take notice that this matter has been set on the Public Hearing Agenda for a City Council meeting on **Wednesday, December 19, 2018 at 5:30 p.m.**, in the City Council Chambers, Third Floor, Saint Paul City Hall and Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, MN 55102.

Enclosed are copies of the email you sent on November 28, 2018, indicating that you were not contesting the facts related to the incident, but were requesting the opportunity to address the Council regarding the penalty, the resolution and any supporting documents. This information will be presented to City Council for their consideration.

This is an uncontested matter related to an inspection of the licensed premises on September 13, 2018 and a re-inspection on November 6, 2018, where an inspector from the Department of Safety and Inspections (DSI) observed and documented with photographs three (3) license condition violations.

Pursuant to Saint Paul Legislative Code § 310.05 (m) (1), the licensing office will recommend a \$500.00 matrix penalty.

Sincerely,

Therese Skarda
Assistant City Attorney

Cc: Bahieh Hartshorn, Community Organizer, West Side Community Organization, Baker Center
209 Page Street West, St. Paul, MN 55107

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 6th day of December she served the attached **NOTICE OF COUNCIL HEARING** and a correct copy thereof in an envelope addressed as follows:

Alex Abreu Rivero
A & M Auto Sales
845 Robert Street South
St. Paul, MN 55107

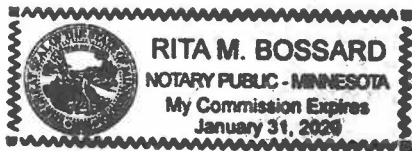
Bahieh Hartshorn
Community Organizer
West Side Community Organization
Baker Center
209 Page Street West
St. Paul, MN 55107

(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 6th day of December 2018

Rita M. Bossard
Notary Public



UNCONTESTED LICENSE MATTER

Licensee Name: A & M Auto Sales, Inc. d/b/a A & M Auto Sales

Address: 845 Robert Street South
St. Paul, MN 55107-3232

Council Date: Wednesday, December 19, 2018 at 5:30 p.m.

Violation: During an inspection of the licensed premises on September 13, 2018 and a re-inspection on November 6, 2018, an inspector from the Department of Safety and Inspections (DSI) observed and documented with photographs three (3) license condition violations.

Recommendation of Assistant City Attorney on behalf of client, Department of Safety and Inspections:

\$500.00 matrix penalty

Attachments:

1. Resolution
2. Inspection Report with photographs dated 9/13/2018 (3 pages)
3. Enforcement Notice dated 9/17/2018 (1 page)
4. Inspection Report with photographs dated 11/6/2018 (4 pages)
5. Notice of Violation with Affidavit of Service dated 11/20/2018 (4 pages)
6. Email from licensee requesting a public hearing dated 11/28/2018 (1 pages)
7. License Group Comments Text from ECLIPS system dated 11/19/2018 (5 pages)
8. License Group Conditions Text from ECLIPS system dated 11/19/2018 (1 page)
9. Site Plan for 845 Robert Street South dated 8/03/2011 (1 page)
10. STAMP – Ownership/Zoning Information (1 page)
11. Saint Paul Legislative Code § 310.05 (m)

WHEREAS, the Auto Repair Garage and Second-Hand Dealer-Motor Vehicle licenses held by A & M Auto Sales, Inc., d/b/a A & M Auto Sales (License ID#20110000794) for the premises located at 845 Robert Street South were the subject of a Notice of Violation dated November 20, 2018; and

WHEREAS, the Notice stated that during an inspection of the licensed premises on September 13, 2018 and a re-inspection on November 6, 2018, an inspector from the Department of Safety and Inspections (DSI) observed and documented with photographs three (3) license condition violations; and

WHEREAS, this was first violation so pursuant to Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation to request a public hearing which was held on December 19, 2018; now therefore be it;

RESOLVED, A & M Auto Sales, Inc. d/b/a A & M Auto Sales (License ID# 20110000794) for the premises located at 845 Robert Street South is hereby ordered to pay a matrix penalty of \$500.00 for three (3) license condition violations observed and documented by a DSI Inspector during an inspection of the licensed premises on September 13, 2018 and a re-inspection on November 6, 2018.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

Inspection Report

Date: 9/13/2018
Inspector: David Eide
License Address: 845 Robert St S
Licensee/ Violator: A &M Auto Sales d/b/a A & M Auto Sales
License Number: 20110000794
Violation: License Conditions 1, 3, and 4

1. All vehicles must be parked according to the site plan (with revisions) on file with DSI dated 08/3/2011. Vehicles, associated with the business, may not be stored in or project into the public sidewalk or into the street.

Vehicles were not parked according to the site plan dated 8/3/2011. See photos.

3. The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, five (5) "inventory" parking spaces fronting on Robert St, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).

No parking area in the southwest area was not striped no parking. Parking is not striped correctly- see photos.

4. Street access and internal traffic maneuvering lanes must remain unobstructed, as shown on the site plan, to allow safe vehicular access to the site. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street and/or sidewalk is prohibited.

Too many vehicles were parked facing Robert Street South. These extra vehicles block the maneuvering lanes and encourage vehicles to back over the sidewalk to exit.

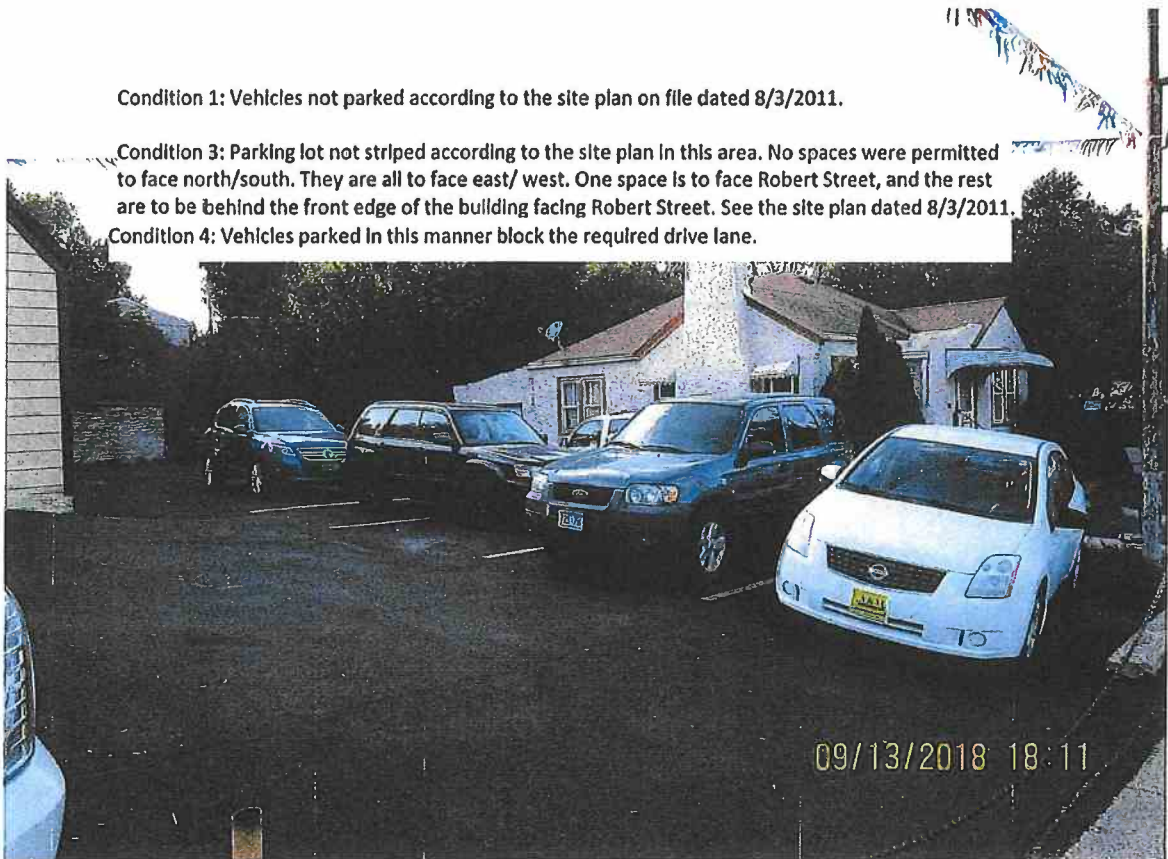
Visited site 9/13/2018 to inspect the property for compliance due to a complaint that was received. The licensee was in violation three of the conditions attached to the license. Vehicles were not parked according to the site plan, the parking lot was not striped according to the site plan, and the internal maneuvering space was constricted. The internal maneuvering space was constricted due to the incorrect striping and parking.



Condition 1: Vehicles not parked according to the site plan on file dated 8/3/2011.

Condition 3: Parking lot not striped according to the site plan in this area. No spaces were permitted to face north/south. They are all to face east/ west. One space is to face Robert Street, and the rest are to be behind the front edge of the building facing Robert Street. See the site plan dated 8/3/2011.

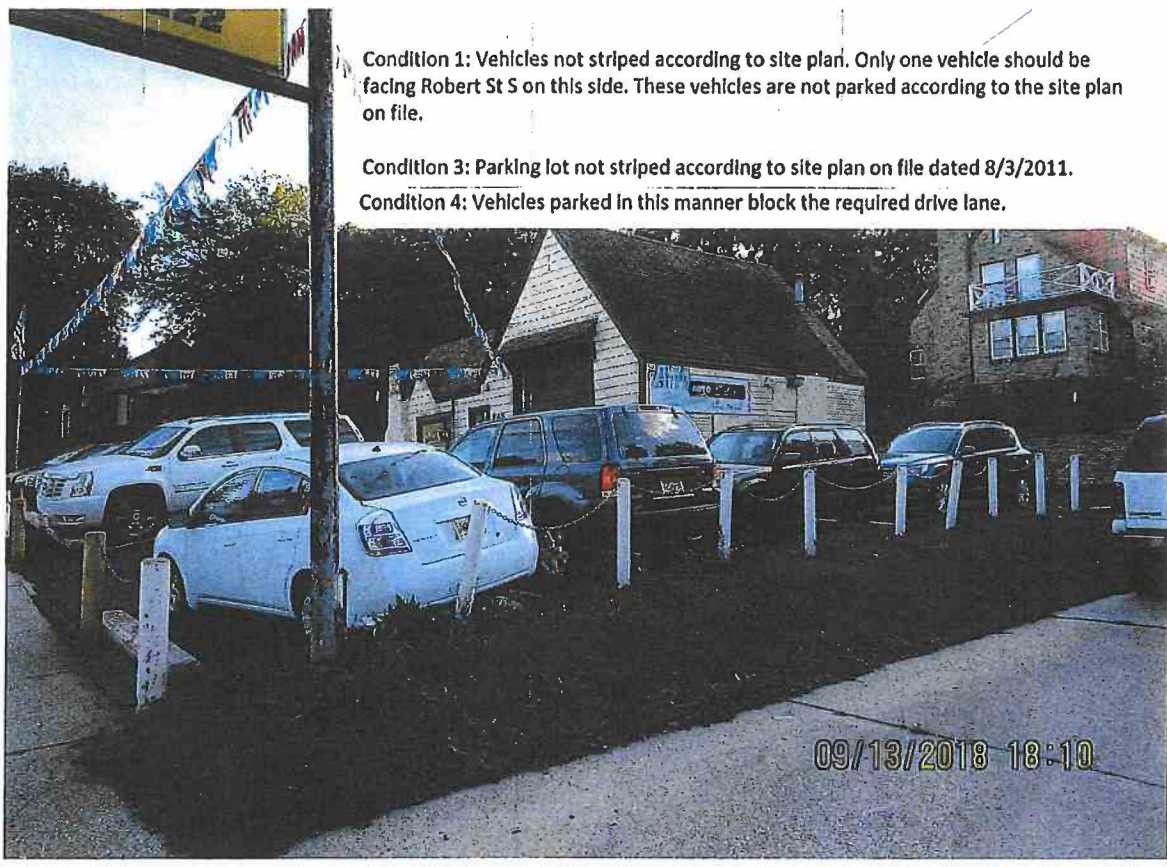
Condition 4: Vehicles parked in this manner block the required drive lane.



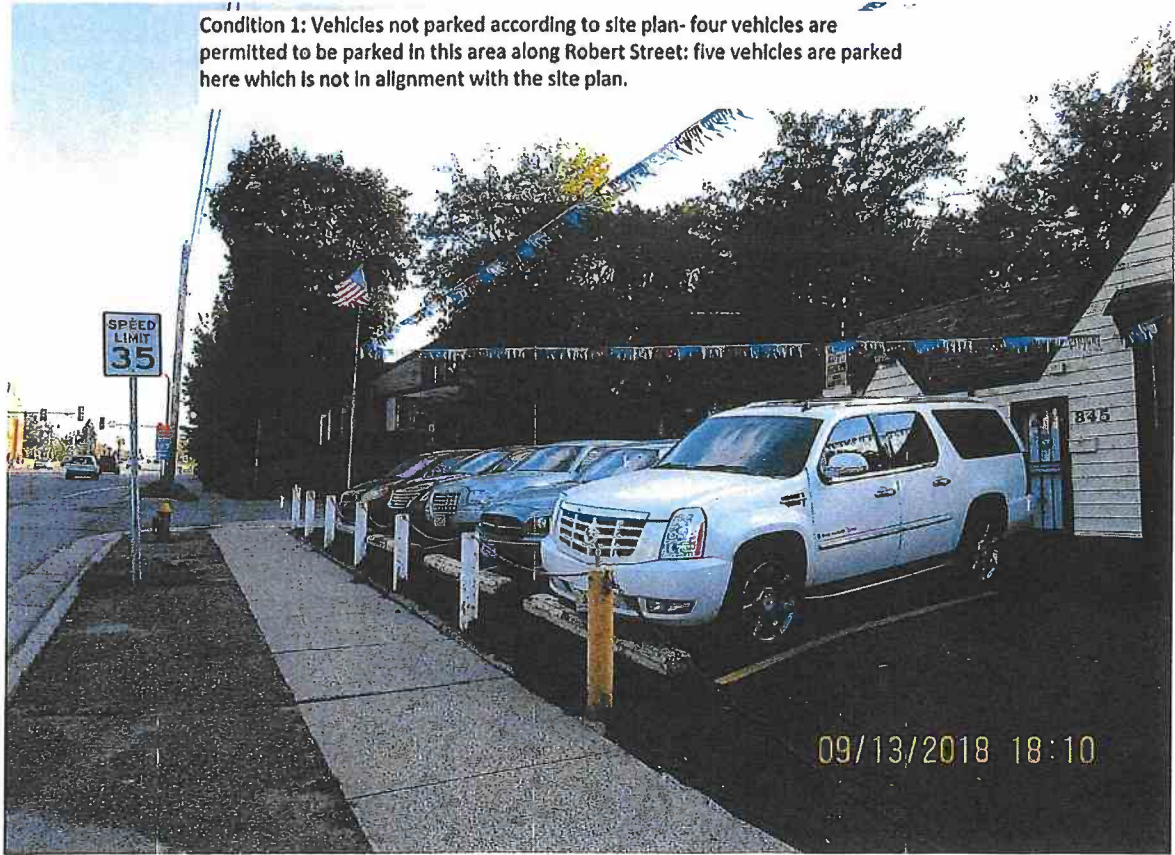
Condition 1: Vehicles not striped according to site plan. Only one vehicle should be facing Robert St S on this side. These vehicles are not parked according to the site plan on file.

Condition 3: Parking lot not striped according to site plan on file dated 8/3/2011.

Condition 4: Vehicles parked in this manner block the required drive lane.



Condition 1: Vehicles not parked according to site plan- four vehicles are permitted to be parked in this area along Robert Street: five vehicles are parked here which is not in alignment with the site plan.





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

September 17, 2018

Alexis Abreu & Ali Zahedi
A & M Auto Sales Inc
845 Robert St S
Saint Paul, MN 55107

Re: 845 Robert Street South- A & M Auto Sales- License #20110000794
Violation of License Conditions

ENFORCEMENT NOTICE

Dear Licensee:

On September 13, 2018, the Department of Safety and Inspections (DSI) performed an inspection at the above mentioned premises. During the inspection, it was observed that the property was not in compliance with conditions attached to the license. Specifically, condition 1, 3, and 4 were found to be in violation.

Condition one states that all vehicles must be parked according to the site plan (with revisions) on file with DSI dated 8/3/2011. During the site visit, it was noted that vehicles were not parked according to the site plan on file. Specifically, five vehicles were parked along Robert Street South on the southeast corner of the property. Only four vehicles are permitted to be in this location. In addition, vehicles were parked in a north/ south alignment along the southern property line. Vehicles are to be parked east/ west in that area. (See enclosed site plan.)

Condition three states that a no parking zone is to be striped in the southeast corner of the property. This "no parking" zone was not striped as such during this site visit. The spaces for customers and employees were not striped according to the site plan, as this condition requires.

Condition four states that drive lanes are not to be obstructed. During the inspection, it was noted that vehicles were parked in areas on the north side of the property that were not approved for parking. This obstructs the drive lane. Condition four requires that the drive lane be maintained.

You must correct all of these above violations by October 15, 2018. A re-inspection will occur on or after that date. If the property is found to be out of compliance at that time, this matter will be forwarded to the City Attorney's Office for adverse action.

For any questions, please contact me at (651) 266-9088 or david.eide@ci.stpaul.mn.us.

Sincerely,

David Eide

Licensing Inspector

C: Alexis Abreu, 3565 Bailey Ridge Bay, Woodbury, MN 55125
Ali Zahedi, 16748 Whittington Walk, Eden Prairie, MN 55346
enc: Site plan dated 8/3/2011 + license conditions

An Equal Opportunity Employer

Inspection Report

Date: 11/06/2018
Inspector: David Eide
License Address: 845 Robert St S
Licensee/ Violator: A &M Auto Sales d/b/a A & M Auto Sales
License Number: 20110000794
Violation: License Conditions 1, 3, and 4

1. All vehicles must be parked according to the site plan (with revisions) on file with DSI dated 08/3/2011. Vehicles, associated with the business, may not be stored in or project into the public sidewalk or into the street.

Vehicles were not parked according to the site plan dated 8/3/2011. Specifically, during this reinspection, seven vehicles were parked facing Robert Street South. The site plan allows five vehicles to be parked facing Robert Street South.

3. The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, five (5) "inventory" parking spaces fronting on Robert St, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).

No parking area in the southwest area was not striped no parking. Parking is not striped correctly- see photos.

4. Street access and internal traffic maneuvering lanes must remain unobstructed, as shown on the site plan, to allow safe vehicular access to the site. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street and/or sidewalk is prohibited.

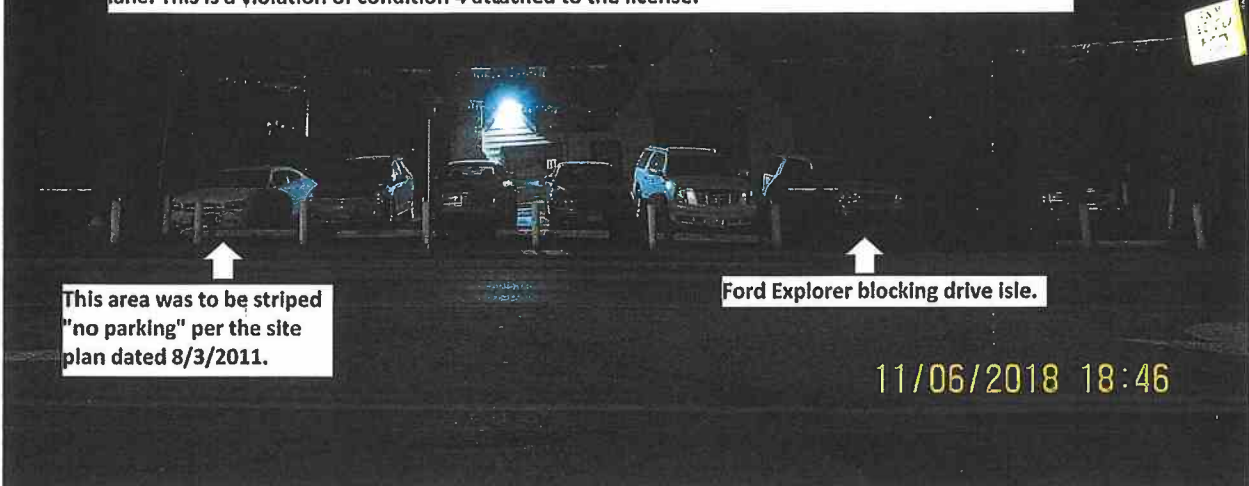
Too many vehicles were parked facing Robert Street South. These extra vehicles block the maneuvering lane, which encourages unsafe maneuvering of vehicles.

Visited site 11/06/2018 to reinspect the property for compliance. This inspection was a reinspection following up on an enforcement notice dated September 17, 2018. The licensee was given until October 15, 2018 to make the corrections. The licensee was in violation three of the conditions attached to the license. Vehicles were not parked according to the site plan, the parking lot was not striped according to the site plan, and the internal maneuvering space was constricted. The internal maneuvering space was constricted due to the incorrect striping and parking. Ample time was given to make the corrections, and they were not completed.

Condition 1: All vehicles must be parked according to the site plan (with revisions) on file with DSI dated 8/3/2011.

Condition 3: The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, **five (5) "Inventory" parking spaces fronting on Robert St**, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).

Condition 4: Street access and internal traffic maneuvering lanes must remain unobstructed, as shown on the site plan, to allow safe vehicular access to the site. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street and/or sidewalk is prohibited. **Two vehicles in this photo are not parked according to the site plan. The vehicle to the far left is parked in a way that would require backing over the sidewalk to leave the site through the one-way drive isle. The Ford Explorer is blocking the maneuvering lane. This is a violation of condition 4 attached to the license.**



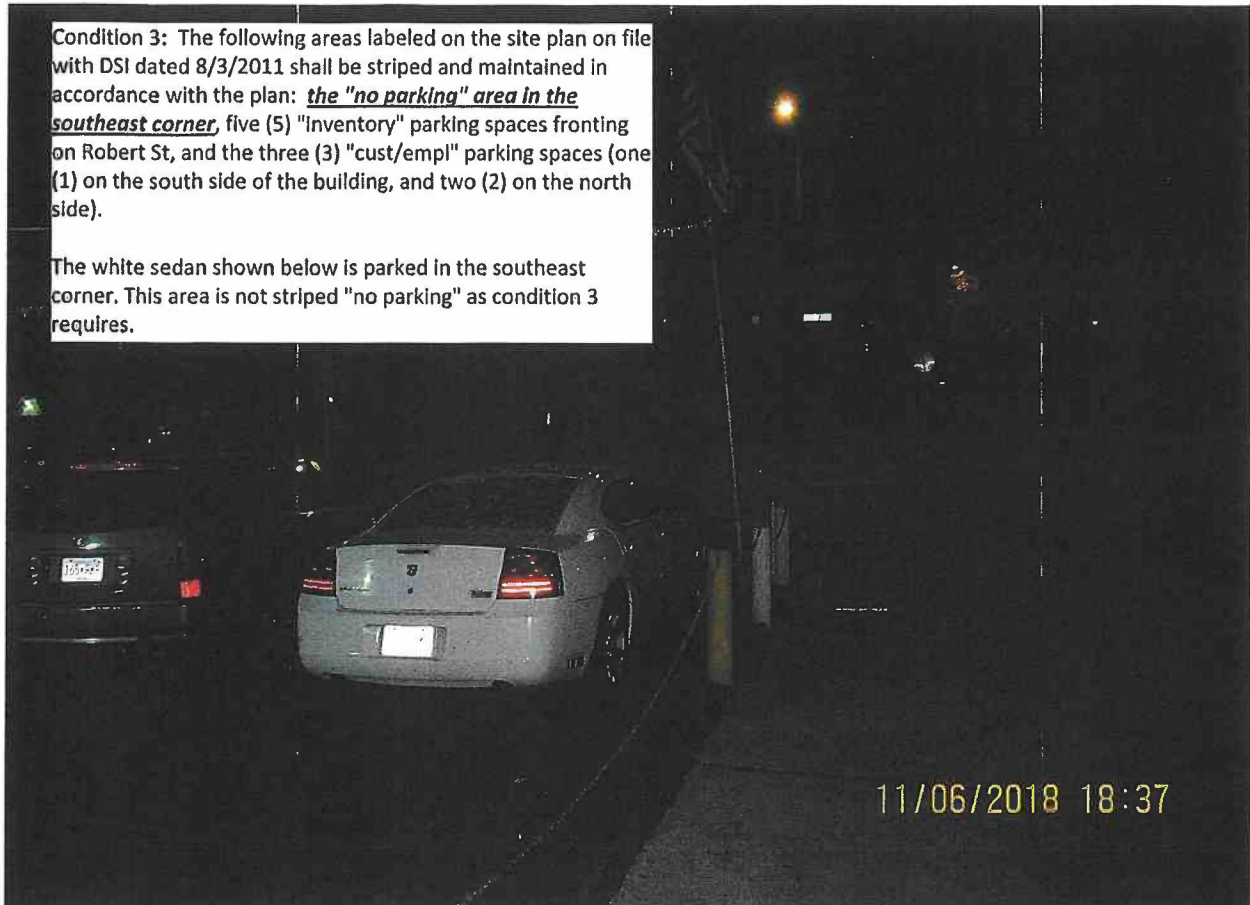
This area was to be striped "no parking" per the site plan dated 8/3/2011.

Ford Explorer blocking drive isle.

11/06/2018 18:46

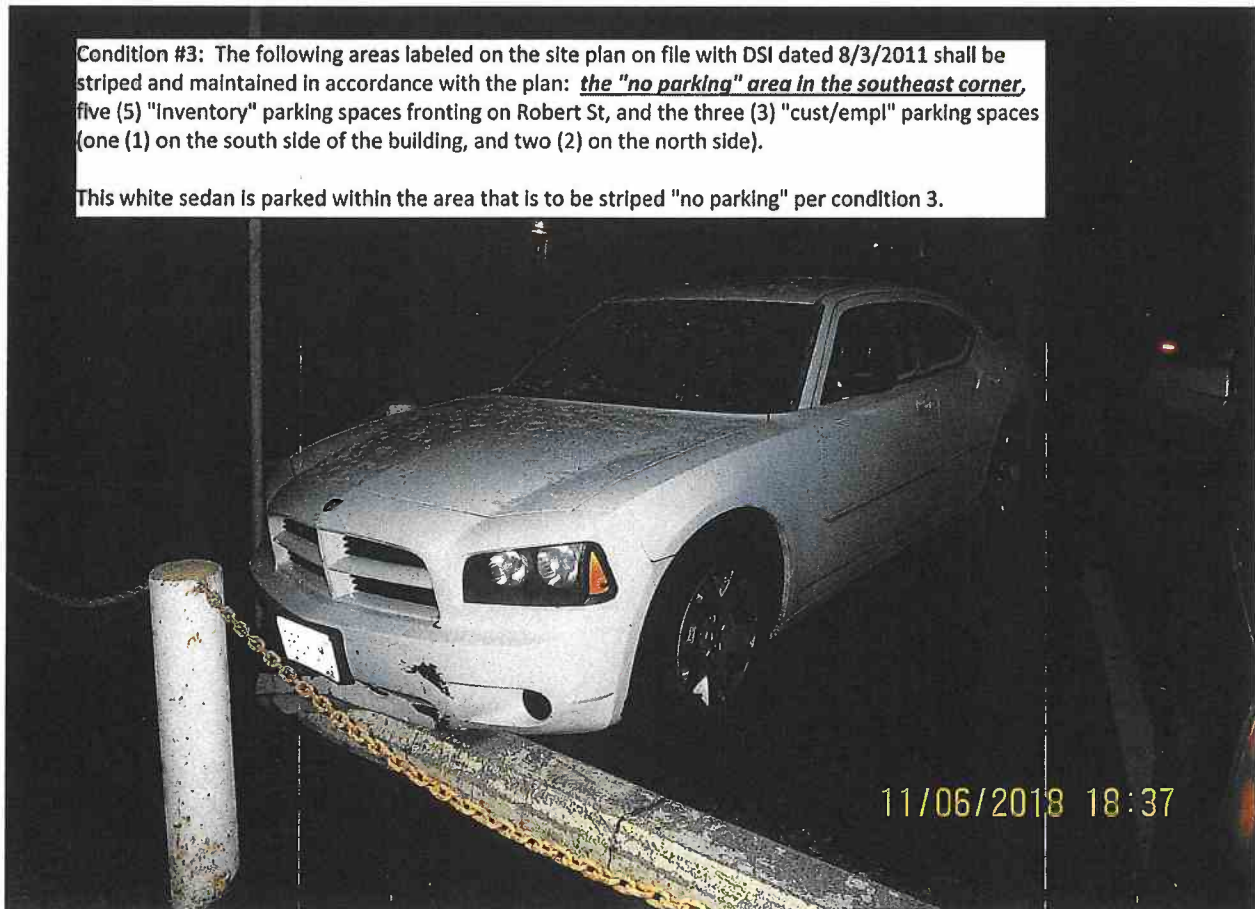
Condition 3: The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, five (5) "Inventory" parking spaces fronting on Robert St, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).

The white sedan shown below is parked in the southeast corner. This area is not striped "no parking" as condition 3 requires.

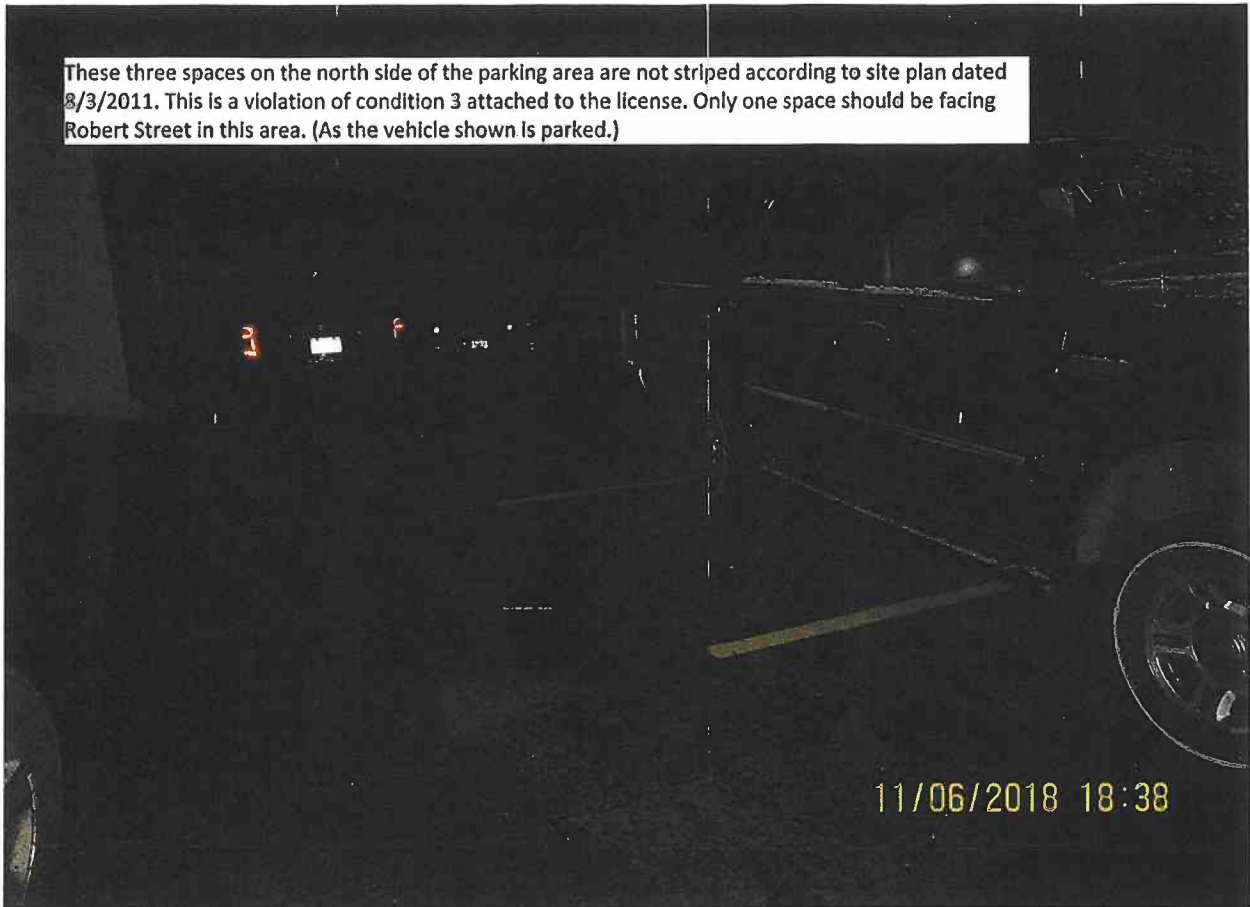


Condition #3: The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, five (5) "Inventory" parking spaces fronting on Robert St, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).

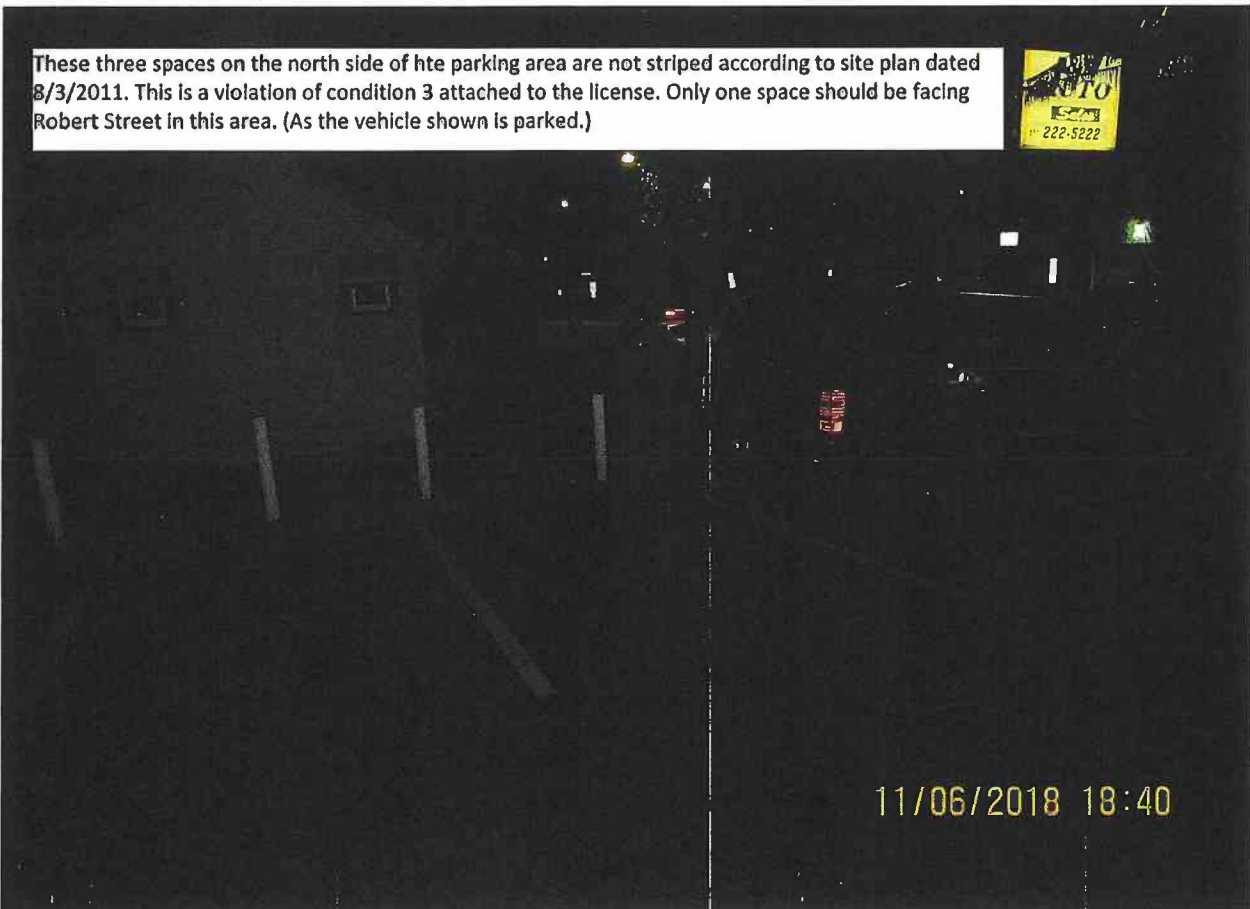
This white sedan is parked within the area that is to be striped "no parking" per condition 3.



These three spaces on the north side of the parking area are not striped according to site plan dated 8/3/2011. This is a violation of condition 3 attached to the license. Only one space should be facing Robert Street in this area. (As the vehicle shown is parked.)



These three spaces on the north side of the parking area are not striped according to site plan dated 8/3/2011. This is a violation of condition 3 attached to the license. Only one space should be facing Robert Street in this area. (As the vehicle shown is parked.)



OFFICE OF THE CITY ATTORNEY

Lyndsey M. Olson, City Attorney



CITY OF SAINT PAUL

Mayor Melvin Carter

Civil Division
400 City Hall and Court House
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102

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

November 20, 2018

NOTICE OF VIOLATION

Alex Abreu & Ali Zahedi
A & M Auto Sales
845 Robert Street South
St. Paul, MN 55107

RE: Auto Repair Garage and Second Hand Dealer – Motor Vehicle licenses held by A & M Auto Sales, Inc. d/b/a A & M Auto Sales for the premises located at 845 Robert Street South in Saint Paul
License ID #20110000794

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against the Auto Repair Garage and Second Hand Dealer – Motor Vehicle licenses held by A & M Auto Sales, Inc. d/b/a A & M Auto Sales for the premises located at 845 Robert Street South in Saint Paul. The basis for this recommendation is as follows:

On September 13, 2018, a DSI Inspector conducted an inspection of the licensed premises based on a complaint. During the inspection, he observed and documented the following three (3) license condition violations:

- 1. Five (5) vehicles were parked along Robert Street South on the southeast corner of the property when only four (4) vehicles are permitted in this location. In addition, vehicles were parked in a north/south alignment along the southern property line. Vehicles are to be parked east/west in that area. License condition #1 states: “All vehicles must be parked according to the site plan (with revisions) on file with DSI dated 8/3/2011. Vehicles associated with the business may not be stored in or project into the public sidewalk or into the street.”**
- 2. The “No Parking” area in the southeast corner of the property was not striped and other areas were not striped correctly in violation of license condition #3: “The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the “no parking” area in the southeast corner, five (5) “inventory” parking spaces fronting on Robert Street and the three (3) “cust/empl” parking spaces (one (1) on the south side of the building, and two (2) on the north side.”**

3. Vehicles were parked in areas on the north side of the property that which not approved for parking because it obstructs the drive lane. This is a violation of license condition #4: *“Street access and internal traffic maneuvering lanes must remain unobstructed, as shown on the site plan, to allow safe vehicular access to the site. Provide maneuvering space on the property to allow vehicles entering and exiting the site to priced forward. Backing from the street or on to the street and/or sidewalk is prohibited.”*

On September 17, 2018, you were sent an ENFORCEMENT NOTICE from the Department of Safety and Inspections detailing the violations observed and giving you until October 15, 2018 to bring your property into compliance with your license conditions. The letter also informed you that a re-inspection would occur on or after that date to check for compliance.

On November 6, 2018, the same DSI Inspector conducted a re-inspection of the licensed premises to check for compliance. He observed and documented the same three (3) license condition violations he found during his previous inspection on September 13, 2018:

1. Vehicles were not parked according to the site plan on file with DSI dated 8/3/2011 in violation of license condition #1.
2. The parking lot was not striped according to the site plan in violation of license condition #3.
3. Maneuvering space was constricted due to incorrect striping and extra vehicles blocking the maneuvering lane in violation of license condition #4.

In accordance with Saint Paul Legislative Code § 310.05 (m) (1), the licensing office will recommend a \$500.00 matrix penalty.

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, November 30, 2018**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the **December 19, 2018** City Council Consent Agenda for approval of the proposed remedy.
2. You can pay the \$500.00 matrix penalty. If this is your choice, send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, November 30, 2018**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty 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 a letter with a statement admitting the facts and requesting a public hearing by **Friday, November 30, 2018**. The matter will then be scheduled before the City Council to determine whether to 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 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 **Friday, November 30, 2018**. 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 Friday, November 30, 2018, I will assume that you do not contest the imposition of a \$500.00 matrix penalty. In that case, the matter will be placed on the December 19, 2018 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact Julie Kraus my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney
License No.: 0240989

Cc: Ali Zahedi, 16748 Whittington Walk, Eden Prairie, MN 55346
Bahieh Hartshorn, Community Organizer, West Side Community Organization, Baker Center
209 Page Street West, St. Paul, MN 55107
Alexis A. Rivero, 845 South Robert Street, St. Paul, MN 55107-3231

Enc. Site Plan dated 8/3/2011
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 VIOLATION** a correct copy thereof in an envelope addressed as follows:

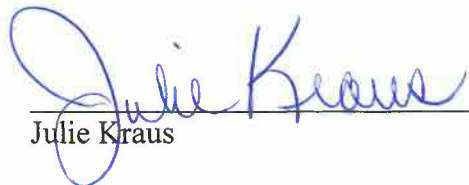
Alex Abreu & Ali Zahedi
A & M Auto Sales
845 Robert Street South
St. Paul, MN 55107

Ali Zahedi
16748 Whittington Walk
Eden Prairie, MN 55346


Bahieh Hartshorn, Community Organizer
West Side Community Organization
Baker Center
209 Page Street West
St. Paul, MN 55107

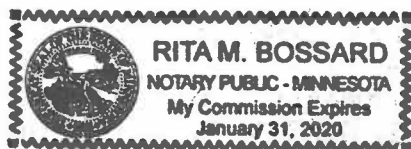
Alexis A. Rivero
845 South Robert Street
St. Paul, MN 55107-3231

(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 2018


Notary Public



Kraus, Julie (CI-StPaul)

From: Ariver2121 <arivero2121@yahoo.com>
Sent: Wednesday, November 28, 2018 2:03 PM
To: Kraus, Julie (CI-StPaul)
Subject: Re: Test

I wish to admit to the facts but would like leniency due to the fact that the same day I had called the inspector and let him know that I would have a new architect over to draw new plans which I would submit to the city and get approved for my parking spaces and he found it fit to send the inspector at the same day to catch me out of compliance I'm a small business I've never had no issues with the city I've always done what I needed to do and would just like leniency on this matter In regards to the \$500 penalty thank you Alex A Rivero Aand Mauto sales

Sent from my iPhone

On Nov 28, 2018, at 1:18 PM, Kraus, Julie (CI-StPaul) <julie.kraus@ci.stpaul.mn.us> wrote:

Mr. Rivero:

Please reply to this email and attach the letter indicating which option you have chosen from the Notice of Violation sent to you on 11/20/2018.

Thank you.

Julie Kraus
City Attorney's Office
400 City Hall & Court House
15 W. Kellogg Boulevard
Saint Paul, MN 55102
(651)266-8776

julie.kraus@ci.stpaul.mn.us

Licensee: A & M AUTO SALES INC

DBA: A & M AUTO SALES

License #: 20110000794

11/16/2018 - Sent to CAO for adverse action. Violations to license conditions #1, #3 and #4 documented by a DSI Inspector during an inspection on 6/28/2018. JAK

Adverse Action Comments Text

11/20/2018

Licensee: A & M AUTO SALES INC

DBA: A & M AUTO SALES

License #: 20110000794

Lic. group comments and lic. type comment boxes not working- placing comments in adv. action comment box. DSE

11/15/2018 To CAO for adverse action. JWF

11/06/2018 Inspected site- in violation of condition 1, 3, and 4. Not parked according to site plan. Drive land obstructed. Not striped according to site plan. DSE

09/17/2018 Sent enforcement notice for parking and striping with Oct 15, 2018 compliance deadline. DSE

09/13/2018 Inspected site- not striped according to site plan, not parking according to site plan. To send enforcement notice. DSE

08/13/2018 Enforcement notice sent for violations of conditions 1, 4, 5 + 13 with compliance date of August 27, 2018. DSE

06/28/2018 Inspected site in response to complaint. Signs without permits, vehicles not parked according to site plan and obstructing drive lane, and parts stored outside. DSE


10/31/2018 Sent enf. notice regarding condition 1 violation. DSE

10/27/2017 Inspected site due to complaint. Found violation of license condition #1. DSE

Address Licensee Contact License Cardholder

Licensee Name: A & M AUTO SALES INC
 DBA: A & M AUTO SALES
 Sales Tax Id:

Find Now
 OK
 Cancel
 New Search
 Help



SEARCH WINDOW

New Group... New Temp Grp... Copy Group... Add License... Properties...

License #	Tag #	Licensee Name	DBA	License Type	Status	Reason
110000794	0	A & M AUTO SALES INC	A & M AUTO SALES	Auto Repair Garage	Active	License Printed
				Second Hand Dealer - Motor Vehicle	Active	License Printed

Properties For License 845 ROBERT ST S

Licensee: A & M AUTO SALES INC
 DBA: A & M AUTO SALES

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Property
 Licensee
 Unofficial
 Street #: 845
 Street Name: ROBERT
 Street Type: ST Direction: S
 Unit Ind: Unit #:
 City: ST PAUL
 State: MN Zip: 55107
 Ward: 2
 Dist Council: 03

Project Facilitator: ZANGS, LAWRENCE (LARRY)

Adverse Action Comments
 Lic. group comments not working- placing comments in adv. action or lic. grp cmnts. comments box or lic. type comments.

License Group Comments:
 11/16/2018 - Sent to CAO for adverse action. Violations to license conditions #1, #3 and #4 documented by a DSI Inspector during an inspection on 6/28/2018. JAK

Licensee: A & M AUTO SALES INC Licensee Comments:
 DBA: A & M AUTO SALES
 Sales Tax Id: ***** Bus Phone: (651) 222-5222

License Type	Class	Effective	Expiration	Conditions	License Fee
Second Hand Dealer - Motor Vehicle	N	10/11/2011	10/11/2019	N	\$453.00
Auto Repair Garage	N	10/11/2011	10/11/2019	N	\$453.00
Total:					\$906.00

License # 110000794 Save Changes to History

Properties For License 845 ROBERT ST S

Licensee: A & M AUTO SALES INC
 DBA: A & M AUTO SALES

Licensee Name: A & M AUTO SALES INC
 DBA: A & M AUTO SALES
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 04/16/2019
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration		Reason	Active	Date

Contacts for this Licensee

Addr. Type	Active	Inactive	Last Name	First Name	Title	Bus. Phone	Ho
Business/M	03/14/2011	00/00/0000	ABREU	ALEXIS	PRESIDENT	(651) 222-5222	(651
Other	03/14/2011	00/00/0000				() -	(651
Other	03/14/2011	00/00/0000	ZAHEDI	ALI	VICE PRESIDE	() -	(612

Mail To Contact
 License Address

Mail To Contact
 License Address

Background Check Required

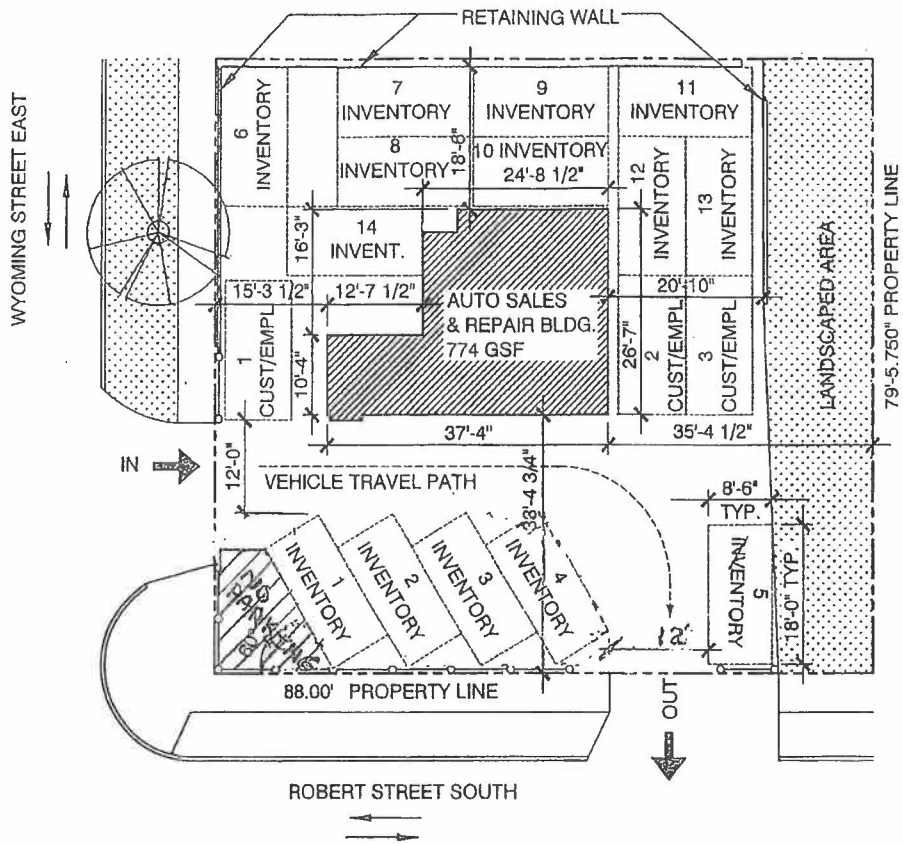
License # 110000794

Licensee: A & M AUTO SALES INC

DBA: A & M AUTO SALES

License #: 20110000794

1. All vehicles must be parked according to the site plan (with revisions) on file with DSI dated 08/3/2011. Vehicles, associated with the business, may not be stored in or project into the public sidewalk or into the street.
2. A maximum of seventeen (17) vehicles may be parked on the property at any time. This includes fourteen (14) for-sale vehicle parking spaces, and three (3) customer/employee vehicle parking spaces.
3. The following areas labeled on the site plan on file with DSI dated 8/3/2011 shall be striped and maintained in accordance with the plan: the "no parking" area in the southeast corner, five (5) "inventory" parking spaces fronting on Robert St, and the three (3) "cust/empl" parking spaces (one (1) on the south side of the building, and two (2) on the north side).
4. Street access and internal traffic maneuvering lanes must remain unobstructed, as shown on the site plan, to allow safe vehicular access to the site. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street and/or sidewalk is prohibited.
5. There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associated with the business. Trash will be stored in a covered dumpster.
6. The auto repair operation shall be an accessory use to the used car dealership.
7. The repair of any vehicle outdoors is prohibited. All repair work shall be conducted within an enclosed building.
8. Storage and handling of hazardous waste shall be in accordance with the Ramsey County Hazardous Waste regulations.
9. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
10. Vehicle salvage is not permitted. All vehicles parked outdoors on the lot must be completely assembled with no parts missing.
11. Auto body work and painting is not permitted.
12. For-sale, employee, and/or customer vehicles shall not be parked or stored on the street, sidewalk, alley, and/or public right-of-way. Vehicles throughout the lot must stay completely within the lot. Vehicles must not encroach upon the right-of way.
13. Prior written approval and the necessary permit(s) shall be obtained from DSI before the installation of any signage. This shall include both permanent and temporary signage.
14. It shall be the responsibility of the licensee to ensure that snow removed from the property is not placed on the sidewalk, street, alley, or public right-of-way.
15. The licensee must comply with all federal, state, and local laws.



PARKING CODE REQUIREMENTS

BUILDING 774 GSF/400 SF : 2
 OUTDOOR SALES AREA 4998 SF/5000 SF : 1
 (BLDG. FOOTPRINT & LANDSCAPING NOT INCLUDED)
 ONE AUTO SERVICE STALL /1 PER SPACE: 1
TOTAL REQUIRED: 4

PARKING SUMMARY

CUSTOMER/EMPLOYEE REQUIRED PARKING SPACES: *A 3*
 INVENTORY PARKING SPACES: 14
GRAND TOTAL : 18 *17*

PROPERTY ADDRESS: 845 ROBERT STREET SOUTH ST. PAUL, MN 55107
 PROPERTY ID: 08-28-22-33-0049
 LEGAL DESCRIPTION: AUDITOR'S SUBDIVISION OF LOT 6, BIDWELL'S ADDITION
 TO WEST ST. PAUL LOT 25 AND EX W 31 5/10 FT OF N 9FT LOT 26



SITE PLAN 08-09-2011 8-3-2011 <i>(Signature)</i>	Glenhurst Design Group 14665 109th Street North Stillwater, MN 55082 GDG 2011.4 Scale: 1"=20'-0"	D: 612.275.1041 F: 612.275.0651 www.glenhurstdesign.com	A
A & M AUTO SALES			1

[New Search](#)

Run Date: 11/19/18 02:28 PM
House#: 845
Street Name: Robert

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

845 Robert St S - 55107-3231 - [Other Applications](#)

PIN: 082822330049

Census Tract: 37200

Year Built:

Foundation Sq Feet:

Unverified Usage: 10- GENERAL RETAIL & SVC- B- Commercial

Zoning: B2

Legal Desc: AUDITOR'S SUB OF L6 BIDWELLS LOT 25 AND EX W 31 5/10 FT OF N 9 FT LOT 26

Owner:

Alexis A Rivero
845 S Robert St
St Paul MN 55107-3231

Certificate of Occupancy Responsible Party:

Alexis Rivero
845 Robert St S
St Paul MN 55107

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			
	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)