



CITY OF SAINT PAUL
Mayor Christopher B. Coleman

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

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

May 14, 2015

NOTICE OF VIOLATION

Thomas Williams, Owner
Tavern On The Avenue
825 Jefferson Avenue
Saint Paul, MN 55102

RE: All licenses held by Jefferson Avenue Investments, Inc., d/b/a Tavern On The Avenue for the premises located at 825 Jefferson Avenue in Saint Paul
License ID: 20060003441

Dear Mr. Williams:

The Department of Safety and Inspections (DSI) has recommended adverse action all licenses held by Jefferson Avenue Investments, Inc. d/b/a Tavern On The Avenue for the premises located at 825 Jefferson Avenue in Saint Paul. The basis for the recommendation is as follows:

On April 25, 2015, at approximately 11:00 p.m., Saint Paul Police were called to 825 Jefferson Avenue on a noise disturbance complaint (CN #15-083-026). The complaint stated that there was a constant loud noise coming from your establishment.

When the officer arrived he heard amplified music playing outside the building in violation of license condition #7: "There will be no amplification of music or broadcasted events outside the building. Speakers on the patio will be removed...."

As a result of this violation, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing department will recommend a \$500.00 matrix penalty.

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 **Monday, May 25, 2015**, I will presume that you have chosen not to contest the proposed adverse, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You can pay the recommended \$500.00 matrix penalty. If this is your choice, you should send the payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, May 25, 2015**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 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, May 25, 2015**. The matter will then be scheduled before the City Council for a public hearing 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 **Monday, May 25, 2015**. 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 or DSI by Monday, May 25, 2015, I will assume that you do not contest the imposition of the \$500.00 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,



Geoffrey Karls
Assistant City Attorney

Cc: Dan Niziolek, DSI Deputy Director
Thomas Williams, 1605 Atwater Path, Inver Grove Heights, MN 55077-1201
Betty Moran, Community Organizer, West Seventh/Fort Road Federation, 974 West Seventh Street
Saint Paul, MN 55102-3520
Beverly A. Stickney, Trustee, 9844 Diamond Head Lane, Fort Myers, FL 33919-7370

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 14th day of May she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

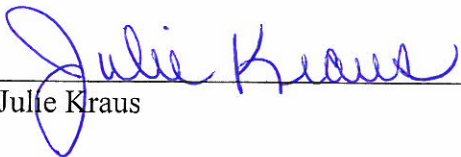
Thomas Williams, Owner
Tavern On The Avenue
825 Jefferson Avenue
Saint Paul, MN 55102

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1605 Atwater Path
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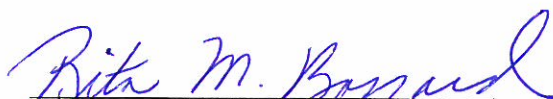
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9844 Diamond Head Lane
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(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
this 14th day of May, 2015


Notary Public

