STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

AFFIDAVIT OF SERVICE BY U.S. MAIL

Riddhi Mistry, being first duly sworn, deposes and says that on the eighteenth day of March she served the attached **NOTICE OF VIOLATION AND REQUEST FOR REVOCATION OF LICENSE** and a correct copy thereof in an envelope addressed as follows:

Lynn M Gupta
d/b/a Lynn M Gupta
471 White Bear Ave N
St Paul, MN 55106
Attn: Lynn Gupta

Lynn Gupta
471 White Bear Ave N
St Paul, MN 55106

Foxworth Pryor Dunning/Jacqueline Dunning
471 White Bear Ave N
St Paul, MN 55106

Steve Thao, Executive Director
Southeast Community Organization
Sun Ray Shopping Center
2105 ½ Old Hudson Road
Saint Paul, MN 55119

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

Riddhi Mistry

Subscribed and sworn to before me
This 18th day of March 2025

Notary Public

CHRISTINE M. HAAS
Notary Public-Minnesota
My Commission Expires Jan. 31, 2028

SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

March 18, 2025

NOTICE OF VIOLATION AND
REQUEST FOR REVOCATION OF LICENSE

Lynn M Gupta
d/b/a Lynn M Gupta
471 White Bear Ave N
St Paul, MN 55106
Attn: Lynn Gupta

RE: Short-Term Rental (Non-Owner Occupied) license held by Lynn M Gupta d/b/a Lynn M Gupta for the premises located at 471 White Bear Ave N., in Saint Paul.
License ID #: 20200002384

Dear Licensee:

The Department of Safety and Inspections ("Department") has recommended adverse action against the Short-Term Rental (Non-Owner Occupied) license held by Lynn M Gupta ("Licensee") herein for the premises known as Lynn M Gupta located at 471 White Bear Ave N. (Licensed Premises").

Legal Basis for Action:

Saint Paul Legislative Code §310.01, defines Adverse Action as:

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code Section 310.04(b) states:

(b) "*Basis for action*. Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters."

The Saint Paul City Attorney's Office does not discriminate based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status in the delivery of services or employment practices.

OFFICE OF THE CITY ATTORNEY
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Saint Paul Legislative Code Section 310.04(14) states:

(14) "The licensee has failed to pay license fees within sixty (60) days of the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the licensee, evidence of violation of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of section 310.02 prohibiting re-application within one (1) year of revocation shall not apply to revocations under this paragraph."

Saint Paul Legislative Code Section 379.03(a) states:

(a) "The annual fees for the issuance of a short-term rental platform license and short-term rental host license shall be established by ordinance as provided in chapter 310.09 of the Legislative Code."

Saint Paul Legislative Code Section 379.03(b) states:

(b) "A short-term rental platform license and short-term rental host license shall expire one (1) year from the date the license is issued and must be renewed annually."

Adverse Action Recommendation:

The Department of Safety and Inspections will recommend a revocation of license for violating Saint Paul Legislative Code § 310.01, 310.04(b), 310.04(14), 379.03(a) and 379.03(b).

Factual Basis for revocation of license:

On January 23, 2025, Licensing Manager, Eric Hudak mailed you a letter to inform you that your license had expired and is now delinquent. You were requested to complete the renewal of your license by February 24, 2025; in failing to do so your delinquent/expired license would be submitted to the City Attorney's Office for adverse action. To complete the renewal process, you were advised to submit the renewal fee and all supporting documentation to the Department of Safety and Inspections. A copy of the renewal invoice was enclosed with this letter, for your reference. Your license expired on October 14, 2024. You also failed to pay your license renewal fee within sixty (60) days of the expiration date of your license.

The Saint Paul City Attorney's Office does not discriminate based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status in the delivery of services or employment practices.

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CITY ATTORNEY

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Saint Paul, MN 55102
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You have four (3) options to proceed:

1. You may do nothing. If I have not heard from you by **March 28,2025**, I will presume that you have chosen not to contest the revocation of your Short-Term Rental (Non-Owner Occupied) license and the matter will be placed on the City Council Consent agenda for imposition of the proposed adverse action.

2. If you wish to admit the facts but you contest the revocation of your Short-Term Rental (Non-Owner Occupied) license, you may have a 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 Council hearing no later than **March 28,2025.** The matter will then be scheduled before the City Council to determine whether to revoke your license. You will have an opportunity to appear before the Council and make a statement on your own behalf.

3. 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 **March 28,2025.** 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 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 § 310.03 (k).

If you have not contacted me by March 28,2025, I will assume that you do not contest the revocation of your Short-Term Rental (Non-Owner Occupied) license. 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 contact my paralegal Riddhi Mistry at riddhi.mistry@ci.stpaul.mn.us , (651) 266-8835.

Sincerely,

Sly Onyia
Assistant City Attorney
License No. 0402320

The Saint Paul City Attorney's Office does not discriminate based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status in the delivery of services or employment practices.

SAINT PAUL
CITY ATTORNEY

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LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

Cc: Lynn Gupta, 471 White Bear Ave N., St Paul, MN 55106
Foxworth Pryor Dunning/Jacqueline Dunning, 471 White Bear Ave N., St Paul, MN 55106
Steve Thao, Executive Director, Southeast Community Organization, Sun Ray Shopping Center, 2105 ½ Old Hudson Road, Saint Paul, MN 55119

Attachments:

Letter from Licensing Manager, Eric Hudak to Lynn M Gupta– 01/23/2025
Renewal Invoice – 3/13/2025
Certificate of Compliance Minnesota Workers' Compensation Law
Saint Paul Legislative Code §310.01
Saint Paul Legislative Code §310.04(b)
Saint Paul Legislative Code §310.04(14)
Saint Paul Legislative Code §379.03(a)
Saint Paul Legislative Code §379.03(b)

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SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, PE(MN), CBO, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

January 23, 2025

LYNN M GUPTA
471 WHITE BEAR AVE N
ST PAUL, MN 55106-6001

RE: Short-Term Rental (Non-Owner Occupied) License ID #20200002384
@ 471 WHITE BEAR AVE N

Dear Licensee:

Our records indicate the above referenced license(s) which were issued to you have expired and are now delinquent. Renewal of the license(s) is required if you intend to engage in the licensed activity within the City of St Paul.

You must complete the renewal of your license(s) by February 24, 2025 or we may submit your delinquent/expired license(s) to the City Attorney's office for adverse action. To complete the renewal process, submit to this department payment of the renewal fee (including any late fees) and all required supporting documentation as stated on the enclosed invoice.

For your convenience, a copy of the referenced invoice and a self-addressed return envelope is enclosed. If you are no longer working within the City of Saint Paul, please advise our office of the information in writing. You may contact Licensing Inspector Luis Sanchez-Panadero at 651-266-9016 or luis.sanchez-panadero@ci.stpaul.mn.us

If you have questions regarding this notice or wish to dispute your license is delinquent/expired, please contact our office at 651-266-8989, Monday through Friday, between 8:00 AM and 4:30 PM.

Sincerely,

Eric Hudak
Licensing Manager
Department of Safety and Inspections

Enclosure(s)

LICENSE ID: 20200002384

Renewal Invoice

SAINT PAUL
MINNESOTA

☐ Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application.

March 13, 2025

CITY OF SAINT PAUL

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
PHONE: (651) 266-8989
FAX: (651) 266-9124
www.stpaul.gov

LYNN M GUPTA
471 WHITE BEAR AVE N
ST PAUL MN 55106

BUSINESS PHONE: 612-968-5349

Invoice #: 1175735
Invoice Due Date: Upon Receipt
Account Balance: $67.00
Pay this Amount: $67.00

Transaction Description	Transaction Total
Inv: 1163983 200002384 Short-Term Rental (Non-Owner Occupied) Expires: 10/14/2024 @ 471 WHITE BEAR AVE N	45.00
Inv: 1171951 Late Fee 7-30 days late (10%)	5.00
Inv: 1172668 Late Fee 31-60 days late (10%)	5.00
Inv: 1173691 Late Fee 61-90 days late (10%)	5.00
Inv: 1174542 Late Fee 91-120 days late (10%)	5.00
Late Fee 121+ days late (10%)	2.00

Requirements

Invoice Amount Due: $67.00

Your account is overdue. Please mail payment today!!
The following must be signed and returned with your payment for your license to be renewed:

AFFIDAVIT OF COMPLIANCE
* I certify or declare under penalty of perjury under the laws of the State of Minnesota, that the following is true and correct. I understand all information provided is subject to verification. I understand that the City of Saint Paul is authorized to suspend or revoke a license renewed in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any City ordinance or State statute.
* I will maintain liability insurance of no less than $300,000 dollars to cover the short-term rental use throughout the duration of the license or I will conduct each short-term rental transaction through a short-term rental platform that provides equal or greater coverage.
* I will maintain continued and full compliance with all Short-term rental host general provisions set forth in Saint Paul Legislative Code Sec. 379.07 throughout the duration of the license.
* I agree to provide the Department of Safety and Inspection with accurate information regarding the name and contact information for a Responsible Party. I understand that this Responsible Party must be available if I am outside of the 16 county metro area of Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, Lesuer, Mcleod, Ramsey, Rice, Scott, Sherburne, Sibley, Washington or Wright.
* If I am a renter – I hereby certify that I have the consent of the property owner to utilize this property as a Short-term rental.
* If I rent a non-owner occupied dwelling unit – I will ensure the property has a valid Certificate of Occupancy.

License Holder Name (printed) _____ Signature _____ Date _____

Your Taxpayer Identification is on file. Thank you.

Please give us your email address: _____

Please return this invoice with your payment!

Remit Payment to:

City of Saint Paul Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

Make Checks Payable to: The City of Saint Paul

Cardholder Signature (required for all charges): _____

Beginning April 1, 2021, a 2.49% convenience fee will be charged for credit card transactions and will appear as a separate transaction on your card statement. This fee is charged by the service provider the Department of Safety and Inspections uses to handle credit card transactions. The City will not receive any of the convenience fees. **Checks and cash payments will still be accepted at 375 Jackson St., #220.**

IF PAYING BY CREDIT CARD PLEASE COMPLETE THE FOLLOWING INFORMATION:

INVOICE # : 1175735 **CUSTOMER:** LYNN M GUPTA

☐ **American Express** ☐ **Discover**

☐ **MasterCard** ☐ **Visa** **Security Code:** ☐☐☐☐

Expiration Date: **Account Number:** **Amount:** $ _____

☐☐/☐☐ ☐☐☐☐ ☐☐☐☐ ☐☐☐☐ ☐☐☐☐

Certificate of Compliance
Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a $2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)

DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

☐ I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

☐ I have no employees.

☐ I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: .

☑ Other:

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	**TITLE**	**DATE**

NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

Ordinance Violations

Sec. 379.03 - License fee and license term.

(a) The annual fees for the issuance of a short-term rental platform license and short-term rental host license shall be established by ordinance as provided in chapter 310.09 of the Legislative Code.

(b) A short-term rental platform license and short-term rental host license shall expire one (1) year from the date the license is issued and must be renewed annually.

Sec. 310.01. Definitions.

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Sec. 310.04. Revocation; suspension; adverse actions; imposition of conditions.

(b) *Basis for action.* Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:

(14) The licensee has failed to pay license fees within sixty (60) days of the date the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the licensee, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of section 310.02 prohibiting re-application within one (1) year of revocation shall not apply to revocations under this paragraph.

Sec. 310.01. - Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section have the following meanings:

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Bond means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

Building official means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

Chapters and *these chapters* mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

Class R licenses means those licenses and certain permits which can be issued by the director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	**Fee**	**Class**	**Ordinance/ Legislative Code**
CLASS R			

Agricultural Vehicle Permit	$23.00	R	165
Amusement Rides—Annual	$85.00	R	317
Animal Boarding (Commercial)	$83.00	R	348
Animal Boarding (Home Occupation)	$83.00	R	348
Animal Day Care (Commercial)	$83.00	R	348
Animal Day Care (Home Occupation)	$83.00	R	348
Animal Foods Manufacturing and Distribution	$85.00	R	316
Bituminous Contractor	$210.00	R	320
Bowling Centers	$210.00	R	426
Building Contractors	$210.00	R	326
Building Trade Business License	$188.00	R	369
Building Trades Certificate of Competency	$24.00	R	370
Bulk Oil Storage	$210.00	R	342
Christmas Tree Sales	$85.00	R	323
Commercial Vehicle	$78.00	R	158
Commercial Vehicle—Exempt	$0.00	R	158
Courtesy Bench	$26.00	R	127
Courtesy Benches Transfer	$17.00	R	127
Finishing Shop	$85.00	R	371

Game Room	$210.00	R	406
House Sewer Contractor	$210.00	R	338
Laundry/Dry-cleaning Plant	$210.00	R	327
Laundry/Dry-cleaning Pick Up Station	$85.00	R	327
Lawn Fertilizer and Pesticide Applicator	$85.00	R	377
Liquid Fuel Dealer	$210.00	R	332
Liquid Fuel Dealer Vehicle	$85.00	R	332
Liquor Catering (State Cater/City Liq)	$192.00	R	409
Mechanical Amusement Device	$21.00	R	318
Massage Center—A (1 Practitioner)	$100.00	R	414
Massage Center—A (Commercial)	$262.00	R	412
Massage Center—B (Home Location)	$106.00	R	412
Massage Practitioner	$106.00	R	414
Massage Practitioner-Additional Location	$31.00	R	412
Mercantile Broker	$85.00	R	340
Mobile Retail Vehicle	$85.00	R	346
Pedal Car	$118.00	R	374
Pedal Car Business	$352.00	R	374
Pedal Car Driver	$51.00	R	374

Peddler	$85.00	R	345
Peddler—Fee Waived	$0.00	R	345
Pedicab Driver	$51.00	R	374
Pedicab Vehicle	$113.00	R	374
Pest Control	$210.00	R	334
Pet Grooming Facility	$85.00	R	382
Pet Shop	$210.00	R	347
Pool & Billiard Hall	$210.00	R	322
Recycling Collection Center	$210.00	R	408
Recycling Processing Center	$958.00	R	408
Rental of Hospital Equipment	$85.00	R	350
Rental of Hospital Equip-Vehicle	$85.00	R	350
Rental of Kitchenware	$85.00	R	351
Roller Rink	$85.00	R	353
Sanitary Disposal Vehicle	$405.00	R	354
Second-Hand Dealer	$85.00	R	355
Second-Hand Dealer (Comp/Elec)	$85.00	R	355
Second-Hand Dealer (Antiques/Comp/Elec)	$85.00	R	356
Second-Hand Dealer (Antiques)	$85.00	R	355

Second Hand Dealer—Motor Vehicle Parts	$507.00	R	355
Second-Hand Dealer—Multiple Dealers	$405.00	R	355
Short-Term Rental (Non-Owner Occupied)	$45.00	R	379
Short-Term Rental (Owner Occupied)	$45.00	R	379
Short-Term Rental Platform	$11,181.00	R	379
Sidewalk Cafe	$40.00	R	106
Sidewalk Contractor	$210.00	R	356
Solicitor	$85.00	R	345
Solid Fuel Dealer	$210.00	R	333
Solid Fuel Dealer Vehicle	$85.00	R	333
Solid Waste Hauler & Vehicle	$405.00	R	357
Solid Waste Hauler (Ea Add'l Veh)	$85.00	R	357
Solid Waste Transfer Station	$1,913.00	R	357
Sound Trucks & Broadcast Vehicle	$85.00	R	359
Swimming Pool—Public	$405.00	R	360
Tanning Facility	$106.00	R	380
Taxicab Driver	$51.00	R	376
Taxicab Vehicle	$469.00	R	376
Taxicab Vehicle (Reciprocity Event)	$37.00	R	376

Taxicab Service Company	$456.00	R	376
Theaters and Movie Theaters	$210.00	R	416
Tire Recapping Plant	$85.00	R	372
Tobacco Products Shop	$535.00	R	324
Tobacco Shop	$535.00	R	324
Tow Truck/Wrecker (Operator)	$405.00	R	361
Tow Truck/Wrecker (Vehicle)	$85.00	R	361
Trade Worker Registration—Tier 1	$37.00	R?	370
Trade Worker Registration—Tier 2	$70.00	R	370
Trade Worker Registration—Tier 3	$59.00	R	370
Trailer Rental	$210.00	R	352
Tree Trimmer & 1 Vehicle	$210.00	R	362
Tree Trimmer—Each Add'l Vehicle	$85.00	R	362
Vehicle Immobilization Service	$405.00	R	383
Veterinary Hospital	$210.00	R	364
Window Cleaning	$210.00	R	365
Wrecking of Buildings	$65.00	R	368

Class T licenses means those licenses which can be approved or denied by the director, if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class T Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation

and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(3). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
CLASS T			
Amusement Rides—Temporary	$32.00	T	317
Bingo/Rfls/P-Tabs/Tpbrds/Pdlwhls	$59.00	T	402
Close Out Sale	$85.00	T	325
Entertainment—Temporary	$35.00	T	411
Liquor Catering (State Cater Only)	$59.00	T	409
Liquor—Extension of Service Area	$68.00	T	410
Liquor—Under Age Access (Temporary)	$35.00	T	409
Liquor On Sale—Temporary	$59.00	T	409
Malt On Sale (3.2)—Temporary	$59.00	T	410
Massage Practitioner—Temporary	$50.00	T	412
Second Hand Dealer—Exhibition	$210.00	T	355
Tag Days	$26.00	T	391
Temp On Sale Malt Brewery/Distillery	$59.00	T	410
Transient Merchant	$85.00	T	345

Wine On Sale-Temporary	$59.00	T	409
Winery Annual Festival—Temporary	$59.00	T	409

Class N licenses means those licenses which must be approved or denied by the council. Class N Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(2). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	**Fee**	**Class**	**Ordinance/ Legislative Code**
CLASS N			
Auto Body Repair Shop	$507.00	N	423
Auto Body Repair/Painting Shop	$507.00	N	423
Auto Repair Garage	$507.00	N	423
Bingo Hall	$229.00	N	403
Cabaret—Class A	$210.00	N	322
Cabaret—Class B	$210.00	N	426
Conversation/Rap Parlor(A)	$405.00	N	413
Conversation/Rap Parlor (B)	$405.00	N	413
Culinary On Sale—Wine/Malt	$255.00	N	409
Dance or Rental Halls	$497.00	N	405

Dance Halls—Exempt	$0.00	N	405
Entertainment—Extension	$0.00	N	411
Entertainment (A)	$278.00	N	411
Entertainment (B)	$672.00	N	411
Entertainment (C)	$3,191.00	N	411
Firearms	$405.00	N	225
Gambling Hall	$445.00	N	278
Gambling Location	$84.00	N	225
Gas Station	$154.00	N	424
Health/Sport Club	$405.00	N	427
Health/Sport Club—Adult	$405.00	N	427
Health/Sport Club-Exercise Only Facility	$405.00	N	427
Infectious Waste Processing Facility	$1,913.00	N	427
Liquor-Extension of Service Hours	$405.00	N	409
Liquor—Microdistillery Cocktail Room	$712.00	N	409
Liquor—Off Sale Micro Distillery	$205.00	N	409
Liquor Off Sale	$1,500.00	N	409
Liquor On Sale—100 seats or less	$5,361.00	N	409
Liquor On Sale—101-180 Seats	$5,937.00	N	409

Liquor On Sale—181-290 Seats	$6,360.00	N	409
Liquor On Sale—291 or more Seats	$6,448.00	N	409
Liquor On Sale—2 AM Closing	$59.00	N	409
Liquor On Sale—Exempt	$0.00	N	409
Liquor On Sale—Over 100 seats (B)	$5,022.00	N	409
Liquor On Sale—Over 200 seats (A)	$5,454.00	N	409
Liquor On Sale—Sunday	$200.00	N	409
Liquor On Sale—Sunday—Exempt	$0.00	N	409
Liquor On Sale—Theater	$1,914.00	N	409
Liquor On Sale—Additional Family Members	$62.00	N	409
Liquor On Sale (Government Agencies)	$0.00	N	409
Liquor On Sale (Small Brewery—128 oz)	$30.00	N	409
Liquor On Sale-Club under 200 Mbrs—A	$300.00	N	409
Liquor On Sale-Club 201-500 Mbrs—B	$500.00	N	409
Liquor On Sale-Club 501-1000 Mbrs—C	$650.00	N	409
Liquor On Sale-Club 1001-2000 Mbrs—D	$800.00	N	409
Liquor On Sale-Club 2001-4000 Mbrs—E	$1,000.00	N	409
Liquor On Sale-Club 4001-6000 Mbrs—F	$2,000.00	N	409
Liquor On Sale-Club over 6000 Mbrs—G	$3,000.00	N	409

Liquor-Outdoor Service Area (Patio)	$85.00	N	409
Liquor-Outdoor Service Area (Sidewalk)	$40.00	N	409
Malt Off Sale (Brewery)	$205.00	N	410
Malt Off Sale (Growler)	$205.00	N	410
Malt Off Sale	$225.00	N	410
Malt On Sale (3.2)	$712.00	N	410
Malt On Sale (3.2)—Fee Waived	$0.00	N	410
Malt On Sale (3.2)—2 AM Closing	$0.00	N	410
Malt On Sale (Brewery Taproom)	$712.00	N	410
Malt On Sale (Strong)	$712.00	N	410
Massage Center—C (Adult)	$405.00	N	412
Mini Motion Picture Theater-Adult (C)	$405.00	N	415
Minnesota Currency Exchange	$405.00	N	381
Motor Vehicle Dealer—New Vehicles	$405.00	N	401
Motor Vehicle Salvage Dealer	$405.00	N	422
Motorcycle Dealer	$210.00	N	401
Parking Lot	$405.00	N	417
Parking Lot/Parking Ramp	$405.00	N	417
Parking Ramp (Government)	$0.00	N	417

Parking Ramp	$405.00	N	417
Parking Ramp/Garage (Private)	$396.00	N	417
Pawn Shop	$3,191.00	N	344
Second Hand Dealer—Motor Vehicle	$507.00	N	344
Steam Room/Bath House (A)	$405.00	N	428
Steam Room/Bath House (B)—Adult	$405.00	N	428
Theaters and Movie Theaters-Drive In	$210.00	N	416
Transportation Network Company	$41,115.00	N	373
Wine On Sale	$2,000.00	N	409
Wine On Sale (Government Agencies)	$0.00	N	409

Department means the department of safety and inspections.

Director means the director of the department of safety and inspections and/or the director's designee or designees.

Fee means and includes both the license fee and application fee unless otherwise provided.

License means and includes all licenses and permits provided for or covered by these chapters.

License also includes licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of such licenses, for the purposes of making procedures in chapter 310 of the Legislative Code applicable to the approval or disapproval of such licenses.

Class N License District Council Notification Form means the form, provided by the Department to the license applicant as part of the Class N License application packet, which must be mailed or personally delivered to the district council by the license/applicant prior to the submission of the application for a license.

Person means and includes any person, firm, corporation, partnership, company, organization, agency, club or any group or association thereof. It shall also include any executor, administrator, trustee, receiver or other representative appointed by law.

Zoning administrator means the official in the department of safety and inspections charged with responsibility for enforcement of the zoning code.

(Ord 22-46, § 2, 11-9-22; Ord 23-32, § 2, 9-6-23)

Sec. 310.04. - Revocation; suspension; adverse actions; imposition of conditions.

(a) *Council may take adverse action.* The council is authorized to take adverse action, as defined in section 310.01 above, against any or all licenses or permits, licensee or applicant for a license, as provided in and by these chapters. Adverse actions against entertainment licenses issued under chapter 411 of the Legislative Code may be initiated for the reasons set forth in subsection (b) below, or upon any lawful grounds which are communicated to the license holder in writing prior to the hearing before the council. Such actions must be initiated and carried out in accordance with the procedures outlined in section 310.03; provided, however, that the formal notice of hearing must be used to initiate the adverse action.

(b) *Basis for action.* Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:

(1) The license or permit was procured by misrepresentation of material facts, fraud, deceit or bad faith.

(2) The applicant or one acting in his or her behalf made oral or written misstatements or misrepresentations of material facts in or accompanying the application.

(3) The license was issued in violation of any of the provisions of the zoning code, or the premises which are licensed or which are to be licensed do not comply with applicable health, housing, fire, zoning and building codes and regulations.

(4) The license or permit was issued in violation of law, without authority, or under a material mistake of fact.

(5) The licensee or applicant has failed to comply with any condition set forth in the license, or set forth in the resolution granting or renewing the license.

(6) a. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;

b. The licensee or applicant has been convicted of a crime that may disqualify said applicant from holding the license in question under the standards and procedures in Minn. Stat.s chapter 364; or

c. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.

(7)

The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.

(8) The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.

(9) Failure to keep sidewalks or pedestrian ways reasonably free of snow and ice as required under chapter 114 of the Saint Paul Legislative Code.

(10) The licensee or applicant has shown by past misconduct or unfair acts or dealings: physical abuse, assaults or violent actions done to others, including, but not limited to, actions meeting the definition of criminal sexual conduct pursuant to Minn Stats. §§ 609.342 through 609.3451; sexual abuse, physical abuse or maltreatment of a child as defined in Minn. Stats. § 626.556, subdivisions 2 and 10e, including, but not limited to, acts which constitute a violation of Minn. Stats. §§ 609.02, subdivision 10; 609.321 through 609.3451; or 617.246; neglect or endangerment of a child as defined in Minn. Stats. § 626.557, subdivision 2; the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minn. Stats. chapter 152; the possession of a controlled substance as defined in Minn. Stats. chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others; or by the abuse of alcohol or other drugs, that such licensee or applicant is not a person of the good moral character or fitness required to engage in a licensed activity, business or profession.

(11) The licensee or applicant has materially changed or permitted a material change in the design, construction or configuration of the licensed premises without the prior approval of the city council in the case of Class N licenses, the director in the case of Class T licenses, and the director in the case of Class R licenses, or without first having obtained the proper building permits from the city.

(12) The licensee or applicant has violated section 294.01 of the Legislative Code, or has made or attempted to make a prohibited ex parte contact with a council member as provided in section 310.03 (c-2) of the Legislative Code.

(13) The licensee violated the law or any license condition and that violation is related to a death or great bodily harm, as defined in Minn. Stats. § 609.02, subd. 8, in or near the establishment.

(14) The licensee has failed to pay license fees within sixty (60) days of the date the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the

licensee, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of section 310.02 prohibiting re-application within one (1) year of revocation shall not apply to revocations under this paragraph.

The terms "licensee" or "applicant" for the purpose of this section means and includes any person who has any interest, whether as a holder of more than five (5) percent of the stock of a corporation, as a partner, or otherwise, in the premises or in the business or activity which are licensed or proposed to be licensed.

With respect to any license for activities entitled to the protection of the First Amendment, notwithstanding the foregoing provisions, neither the lack of good moral character or fitness of the licensee or applicant nor the content of the protected speech or matter must be the basis for adverse action against the license or application.

(c) *Imposition of reasonable conditions and/or restrictions.* When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:

(1) A limitation on the hours of operation of the licensed business or establishment, or on particular types of activities conducted in or on said business or establishment;

(2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;

(3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;

(4) A requirement to provide off-street parking in excess of other requirements of law;

(5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;

(6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance.

The director may recommend the imposition of such reasonable conditions and/or restrictions as an adverse action against the license or licenses. The council may impose such conditions with the consent of the license holder, as an adverse action against the license or licenses following notice and hearing as may be required. Such conditions may be imposed on a license or licenses upon issuance or renewal thereof, or upon and as part of any adverse action against a license or licenses, including suspension. Conditions imposed on a license or licenses will remain on such licenses when renewed and must continue thereafter until removed by the council.

(d) Restrictions on intoxicating liquor, nonintoxicating and malt liquor licenses. When a reasonable basis is found by the council to impose restrictions or conditions upon an intoxicating liquor license held under this chapter, the council, upon issuing a new license or renewing a license or approving a transfer of a license, may impose reasonable conditions and restrictions pertaining to the manner and circumstances in which the business to preserve the public peace and protect and promote good order and security. These reasonable conditions or restrictions may pertain to:

(1) The hours when intoxicating liquor may be sold and/or consumed on the licensed premises;

(2) The exact location within a building where intoxicating liquor will be served and/or sold and/or consumed;

(3) The means of ingress to or egress from the licensed establishment;

(4) A requirement that certain off-street parking facilities be provided;

(5) A condition that the license will be in effect only so long as the establishment remains a drugstore, restaurant or hotel as defined by the state liquor act or regulations adopted pursuant thereto;

(6) The means and methods of advertising the sale of intoxicating liquor on the building and/or on the premises adjacent thereto;

(7) Reasonable conditions limiting the operation of the licensed premises so as to ensure that the licensed business will comport with the character of the district in which it is located and/or to the end that nuisances will be prevented; and

(8) Additional conditions upon hotels and restaurants which may in the discretion of the council tend to ensure that the sale of liquor will take place only in conjunction with the sale and service of food.

(e) *Standards for multiple license determination.* In any case in which the council is authorized to take adverse action against less than all of the licenses held by a licensee, or applied for by an applicant, the following standards may be used:

(1) The nature and gravity of the grounds found by the council to exist upon which the adverse action would be based;

(2)

The policy and/or regulatory goals for the particular licenses involved, either as embodied in the Legislative Code or as found and determined by the council;

(3) The interrelationship of the licenses and their relative importance to the overall business enterprise of the licensee or applicant;

(4) The management practices of the licensee or applicant with respect to each of such licenses;

(5) The extent to which adverse action against less than all of the licenses or applications would result in difficulty in enforcing and monitoring the adverse action taken;

(6) The hardship to the licensee or applicant that would be caused by applying adverse action to all licenses or applications; and

(7) The hardship and/or danger to the public, or to the public health and welfare, that would result from adverse action against less than all of the licenses or applications.

(Ord 22-46, § 5, 11-9-22)

Sec. 379.03 - License fee and license term.

(a) The annual fees for the issuance of a short-term rental platform license and short-term rental host license shall be established by ordinance as provided in chapter 310.09 of the Legislative Code.

(b) A short-term rental platform license and short-term rental host license shall expire one (1) year from the date the license is issued and must be renewed annually.

(c) Short-term rental platform licenses and short-term rental host licenses are non-transferable.