



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

April 12, 2011

NOTICE OF INTENT TO REVOKE LICENSE

John Norris
E J Liquidation
315 Larch Street
St. Paul, MN 55117

RE: Recycling Collection Center license held by E J Liquidation d/b/a EJ Liquidation for the premises located at 315 Larch Street in Saint Paul
License ID #: 19980004928

Dear Mr. Norris:

The Department of Safety and Inspections will recommend revocation of the Recycling Collection Center license held by E J Liquidation d/b/a EJ Liquidation for the premises located at 315 Larch Street in Saint Paul. The basis for the recommendation is as follows:

On May 10, 2010, during an inspection of your property, the Fire Inspector indicated that the entire premises was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life and a Condemnation Placard was posted on the building.

On May 17, 2010, you were sent a NOTICE OF CODEMNATION UNSAFE BUILDINGS ORDER TO VACATE letter from the Fire Inspections Division of the Department of Safety and Inspection (DSI). This letter listed twenty-nine (29) deficiencies that needed to be corrected or the building vacated by the May 27, 2010 re-inspection date.

On May 27, 2010, a re-inspection of the property found you were working to address the deficiencies listed in the letter; however, the inspector noted that Ramsey County Hazardous Waste had also issued orders due to the hazardous conditions found at the property.

On June 1, 2010, a Legislative Hearing was held regarding your appeal. The Legislative Hearing Officer reviewed the photographs of the conditions found at your property from the May 10, 2010, inspection and recommended denial your appeal. She requested that customers not be allowed inside the building and any business would have to be conducted at least three (3) yards away from the building if the license permitted for an extension of service.

On June 16, 2010, a public hearing was held before the Saint Paul City Council regarding the denial of your appeal by the Legislative Hearing Officer. At the public hearing, the City Council also voted 5-0 to deny your appeal.

On April 8, 2011, the building was designated a Category 3 Vacant Building and the Certificate of Occupancy was revoked.

As a result of the condemnation and revocation of the Certificate of Occupancy, you are no longer allowed to occupy this space. A Certificate of Occupancy required by Saint Paul Legislative Code §40.01 which states: *"All existing buildings in the city are required to have and maintain a fire certificate of occupancy issued by the fire marshal. The certificate shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building's occupants and the general public. It shall be a misdemeanor to rent or lease, or permit occupancy of, a building or structure or portion thereof which does not have a fire certificate of occupancy."*

Operating your business in a condemned building is also a violation of Saint Paul Legislative Code § 310.06 (b) (8) which states: *"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."*

In addition, DSI records show that your Recycling Collection Center license fees have been delinquent since July 27, 2010. You now owe \$267.00 in delinquent license and late fees.

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

1. If you wish to admit the facts but you contest the revocation of your license, 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 **Friday, April 22, 2011**. The matter will then be scheduled before the City Council for a public hearing 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.
2. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). 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. If this is your choice, please advise me no later than **Friday, April 22, 2011**, and I will take the necessary steps to schedule the administrative hearing.

If you have not contacted me by Friday, April 22, 2011, I will assume that you do not contest the revocation of your 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 feel free to contact me at 266-8710.

Sincerely,



Kyle Lundgren
Assistant City Attorney

cc Christine Rozek, Deputy Director of DSI
John Norris, 2218 Doswell Street, St. Paul, MN 55108-1703
Kerry Antrim, Executive Director, District 6 Planning Council, 171 Front Avenue, St. Paul, MN 55117

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

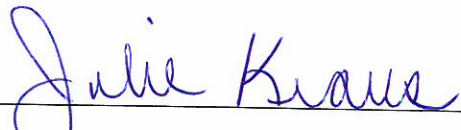
Julie Kraus, being first duly sworn, deposes and says that on the 12th day of April, she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and correct copy thereof in an envelope addressed as follows:

John Norris
E J Liquidation
315 Larch Street
St. Paul, MN 55117

John Norris
2218 Doswell Street
St. Paul, MN 55108-1703

Kerry Antrim, Executive Director
District 6 Planning Council
171 Front Avenue
St. Paul, MN 55117

(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 12th day of April, 2011



Notary Public

