



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

May 22, 2015

NOTICE OF VIOLATION

John Vojtech, Owner
Twin City Fleet Repair
290 Larch Street
Saint Paul, MN 55117-5307

RE: Auto Repair Garage license and Alarm Permit (Renew) held by Afterhours Mobile Service, Inc. d/b/a Twin City Fleet Repair for the premises located at 290 Larch Street in Saint Paul
License ID #2070003991

Dear Mr. Vojtech:

The Department of Safety and Inspections will recommend adverse action against the Auto Repair Garage license held by Auto Repair Garage license and Alarm Permit (Renew) held by Afterhours Mobile Service, Inc. d/b/a Twin City Fleet Repair for the premises located at 290 Larch Street in Saint Paul. The basis for the recommendation is as follows:

On March 3, 2015, you were sent a Violation Notice from the Department of Safety and Inspections (DSI) – Zoning concerning a site plan inspection on February 28, 2015. During that inspection, the inspector found the licensed premises did not comply with the approved site plan they have on file (#07-145589) dated November 5, 2007. According to DSI records, you agreed to make all necessary improvements by June 1, 2012 and bring the property into compliance with the approved site plan.

You were given until May 15, 2015 to bring the licensed premises into compliance. An inspector came to your establishment for a site follow-up inspection today and found that you are still in violation of the approved site plan.

As a result, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office will recommend a \$500.00 matrix penalty.

At this time, you have four (4) options on how 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, June 1, 2015**, I will presume that you have chosen not to contest the proposed adverse action, 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 make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, June 1, 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, June 1, 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, June 1, 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, June 1, 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, Deputy Director of DSI
John Vojtech, 1423 County Road E West, Arden Hills, MN 55112
Kerry Antrim, Executive Director, District 6 Planning Council, 171 Front Avenue, Saint Paul, MN 55117
Twincity Property Holdings LI, 290 Larch Street, Saint Paul, MN 55117-5307

