



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

September 16, 2014

NOTICE OF VIOLATION

Fredys Aristides Quintanilla Villalobos, Officer  
Fredy Auto Repair  
931 Atlantic Street  
Saint Paul, MN 55106

RE: Auto Repair Garage license held by Fredy Auto Repair, LLC d/b/a Fredy Auto Repair for the premises located at 931 Atlantic Street in Saint Paul.  
License ID #: 20090000169

Dear Mr. Villalobos:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Auto Repair Garage license held by Fredy Auto Repair, LLC d/b/a Fredy Auto Repair for the premises located at 931 Atlantic Street in Saint Paul. The basis for the recommendation is as follows:

**On August 28, 2014, A DSI inspector conducted an inspection of your establishment and found several license condition violations:**

1. Tires and other refuse stored outside the dumpster in violation of license condition #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."*
2. There were too many cars parked on the premises according to the site plan in violation of license condition #4: *"Eight off-street parking spaces shall be maintained in the area shown on the site plan for the auto repair business occupying the licensed area. Any changes to the site plan must be approved by the Zoning Administrator."*

As a result of these license condition violations, per Saint Paul Legislative Code § 310.05(m), the licensing department will recommend a \$500.00 matrix penalty and add the following new condition:

**"Licensee will place laminated placards that are impervious to weather; in each car's dashboard clearly identifying the cars they have in their possession in order to distinguish one business from another."**

At this time, you have three options to proceed:

1. 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 **Friday, September 26, 2014**. A self-addressed envelope is enclosed for your convenience.

You will also need to sign and return the enclosed license condition affidavit no later than **Friday, September 26, 2014**. Payment of the \$500.00 matrix penalty and return of the signed license condition affidavit will be considered to be a waiver of the hearing to which you are entitled.

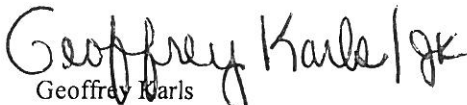
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Friday, September 26, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty and new license condition. 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 **Friday, September 26, 2014**. 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, September 26, 2014, I will assume that you do not contest the imposition of the \$500.00 matrix penalty and new license condition. 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 – DSI  
Fredys Aristides Quintanilla Villalobos, 1760 Edgerton, Maplewood, MN 55117  
Deanna Abbott-Foster, Executive Director, Dayton's Bluff District 4 Community Council  
798 East Seventh Street, Saint Paul, MN 55106-6625

Enc.



CITY OF SAINT PAUL  
Christopher Coleman, Mayor

375 Jackson St, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-9090  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

I agree to the following conditions being placed on the following license(s):

License #: 20090000169

Type of Business: Auto Repair Garage  
Applied for by: Fredy Auto Repair LLC  
Doing Business As: Fredy Auto Repair

At: 931 Atlantic St  
St Paul MN 55106

Conditions are as follows:

The change of nonconforming use (#09-028-679) from auto body shop to auto repair garage is approved by the Planning Commission, subject to Conditions 1 through 3:

1. A site plan showing the building, site access, vehicular circulation, and off-street parking must be reviewed and approved by the Department of Safety and Inspections (DSI).
2. The approved use does not include vehicle sales or vehicle storage.
3. The shop's hours of operation shall be restricted to opening no earlier than 8 am and closing no later than 6 pm daily.

Additional license conditions are as follows:

4. Eight off-street parking spaces shall be maintained in the area shown on the site plan for the auto repair business occupying this licensed area. Any changes to the site plan must be approved by the Zoning Administrator.
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 license holder agrees to maintain the fencing, vehicle location and vehicle barriers in a manner consistent with the approved site plan.
7. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing.
8. Vehicle salvage is not permitted.
9. Auto body and painting are not permitted.
10. No auto repair of vehicles may occur on the exterior of the lot or in the public right-of-way. All repair work must occur within an enclosed building.
11. Customer vehicles may not be parked longer than 10 days on the premises. It shall be the responsibility of the licensee to ensure that any vehicle not claimed by its owner is removed from the lot as permitted by law.
12. Licensee must comply with all federal, state, and local laws.
13. Storage of vehicle fluids, batteries, etc. shall be in accordance with Ramsey County Hazardous Waste Regulations.
14. Failure to remain in compliance will result in adverse action against the license.
15. Licensee will place laminated placards that are impervious to weather, in each car's dashboard clearly identifying the cars they have in their possession in order to distinguish one business from another."

\_\_\_\_\_  
Licensee (signature)

\_\_\_\_\_  
Date

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 16<sup>th</sup> day of September she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Fredys Aristides Quintanilla Villalobos  
Fredy Auto Repair  
931 Atlantic Street  
Saint Paul, MN 55106

Fredys Aristides Quintanilla Villalobos  
1760 Edgerton  
Maplewood, MN 55117

Deanna Abbott-Foster  
Executive Director  
Dayton's Bluff District 4 Community Council  
798 East Seventh Street  
Saint Paul, MN 55106-6625

(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 16<sup>th</sup> day of September, 2014

Rita M. Bossard  
Notary Public

