



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

December 16, 2010

NOTICE OF INTENT TO SUSPEND LICENSE

Eileen McCarthy
MAARS
563 Payne Avenue
St. Paul, MN 55101

RE: Pet Shop license held by Midwest Avian Adoption & Rescue Svcs., Inc. d/b/a MAARS for the premises located at 563 Payne Avenue in Saint Paul
License ID #20090000252

Dear Ms. McCarthy:

The Department of Safety and Inspections (DSI) has recommended suspension of the Pet Shop license held by Midwest Avian Adoption & Rescue Svcs., Inc. d/b/a MAARS for the premise located at 563 Payne Avenue in Saint Paul. The basis for the recommendation is as follows:

On November 2, 2010, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your Pet Shop license had been renewed but could not be issued until you submitted a completed Certificate of Compliance Minnesota Workers' Compensation Law form.

You were given until September 10, 2010 to submit the required information. As of today's date, it has not been received.

In addition to the suspension of your Pet Shop license, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit the required information in order to maintain your license.

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

1. You can submit the required information. If this is your choice, you should send it directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, December 27, 2010**. Information should be directed to the attention of Christine Rozek. A self-addressed envelope is enclosed for your convenience. Submission of the requested information will be considered to be a waiver of the hearing to which you are entitled.

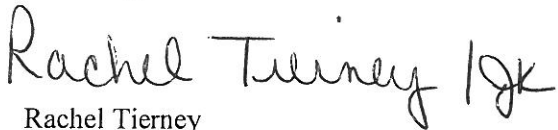
2. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a public hearing. We will need to receive your letter by **Monday, December 27, 2010**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your license and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.

3. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, December 27, 2010**. Information should be directed to the attention of Christine Rozek.

If you have not contacted me by that date, I will assume that you do not contest the suspension of your license and 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,



Rachel Tierney
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Midwest Avian Adoption & Rescue Svcs, P.O. Box 821, Stillwater, MN 55082
Eileen McCarthy, 120- 3rd Street South, Stillwater, MN 55082

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)


Julie Kraus, being first duly sworn, deposes and says that on the 16th day of December, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** placing a true and correct copy thereof in an envelope addressed as follows:

Eileen McCarthy
MAARS
563 Payne Avenue
St. Paul, MN 55101

Midwest Avian Adoption & Rescue Svcs
P.O. Box 821
Stillwater, MN 55082


Eileen McCarthy
120- 3rd Street South
Stillwater, MN 55082

(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 16th day of December, 2010



Notary Public

