



## 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

October 14, 2016

## NOTICE OF VIOLATION

Jeffrey M. Richter, Owner  
Midwest Auto Connection  
33 Acker Street East  
St. Paul, MN 55117

RE: All licenses held by Jeffrey M. Richter d/b/a Midwest Auto Connection for the premises located at 33 Acker Street East in Saint Paul  
License ID #20140000895

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against all licenses held by Jeffrey M. Richter d/b/a Midwest Auto Connection for the premises located at 33 Acker Street East in Saint Paul. The basis for the recommendation is as follows:

**On September 30, 2016, a DSI Inspector while on a routine inspection in the area observed you stop and park your tow truck in the middle of the street to unload a vehicle unto the street. She also noticed a vehicle associated with your business parked on the street. She took photographs to document the violation of license condition #7 which states:**

- *“At no time shall vehicles associated with the business be parked in the driveway, maneuvering lane, or in the public right-of-way (e.g. street, boulevard, sidewalk, alley, etc...). This includes customer vehicles awaiting repair or pick-up by their owners, employee vehicles, business vehicles, or for-sale vehicles. There shall be no stacking of vehicles in the drive lane approach to the garage door entrance. Customer and/or employee vehicles may not be parked longer than ten (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.”*

**When the inspector spoke with a business nearby, she was told about your continued unwillingness to follow agreed-upon license conditions which makes it difficult for other businesses operating in the area to maneuver or park their vehicles.**

This is the second (2<sup>nd</sup>) violation to your license conditions within the past twelve (12) months; therefore, so per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office will recommend a \$1,000.00 matrix penalty.

At this time, you have four (4) options 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, October 24, 2016**, 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 \$1,000.00 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, October 24, 2016**. A self-addressed envelope is enclosed for your convenience. Payment of the \$1,000.00 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, October 24, 2016**. The matter will then be scheduled before the City Council to determine whether to impose the \$1,000.00 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, October 24, 2016**. 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 Monday, October 24, 2016, I will assume that you do not contest the imposition of the \$1,000.00 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,



Therese Skarda  
Assistant City Attorney

cc: Jeffrey M. Richter, 1006-26<sup>th</sup> Avenue NE, Minneapolis, MN 55418  
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 )

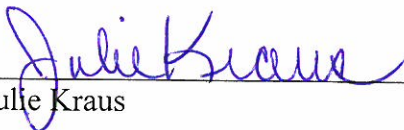
Julie Kraus, being first duly sworn, deposes and says that on the 14<sup>th</sup> day of October she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Jeffrey M. Richter, Owner  
Midwest Auto Connection  
33 Acker Street East  
St. Paul, MN 55117

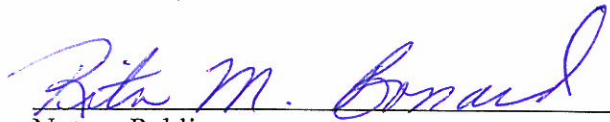
Jeffrey M. Richter  
1006-26<sup>th</sup> Avenue NE  
Minneapolis, MN 55418

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 14<sup>th</sup> day of October, 2016

  
\_\_\_\_\_  
Notary Public

