

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Megan Marcouiller, being first duly sworn, deposes and says that on the tenth day of February she served the attached **AMENDED NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF \$1,000.00 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

M F K Enterprise Inc
d/b/a M F K Enterprise
830 Robert Street South
Saint Paul, MN 55107
Attn: Moe Faryaneh Kia

Moe Faryaneh Kia
9133 Utica Avenue South
Bloomington, MN 55437

Mohammad Bagher Abedi & Mostafa Kia
830 Robert Street South
Saint Paul, MN 55107-3232

Monica Bravo Executive Director
West Side Community Organization
209 Page Street West
Saint Paul, MN 55107

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

M. Marcouiller

Megan Marcouiller

Subscribed and sworn to before me
This 10th day of February 2025

Christine M. Haas

Notary Public





February 10, 2025

**NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF
\$1,000.00 MATRIX PENALTY**

M F K Enterprise Inc
d/b/a M F K Enterprise
830 Robert Street South
Saint Paul, MN 55107

Attn: Moe Faryaneh Kia

RE: Auto Repair Garage & Second Hand Dealer – Motor Vehicle license held by M F K Enterprise Inc d/b/a M F K Enterprise for the premises located at 830 Robert Street South, in Saint Paul.
License ID #: 57957

Dear Licensee:

The Department of Safety and Inspections (“Department”) has recommended adverse action against the Auto Repair Garage & Second Hand Dealer – Motor Vehicle License held by M F K Enterprise Inc (“Licensee”). M F K Enterprise located at 830 Robert Street South (Licensed Premises”).

Legal Basis for Action:

Saint Paul Legislative Code §310.01, defines Adverse Action as:

“the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.”

Saint Paul Legislative Code §310.04(b)(5) states: “The licensee or applicant has failed to comply with any condition set forth in the license, or set forth in the resolution granting or renewing the license.”

Saint Paul Legislative Code §310.04(b)(6)(a) states: “The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably



related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith."

Saint Paul Legislative Code §310.04(b)(6)(c) states: "The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn."

Saint Paul Legislative Code §310.04(b)(7) states: "The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner."

Saint Paul Legislative Code §310.04(b)(8) 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."

Saint Paul Legislative Code §310.04(c)(1) states: "When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods."

Saint Paul Legislative Code §310.04(c)(2) states: "A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted."

Saint Paul Legislative Code §310.04(c)(3) states: "A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area."

Saint Paul Legislative Code §310.04(c)(4) states: "A requirement to provide off-street parking in excess of other requirements of law."

Saint Paul Legislative Code §310.04(c)(6) states: "Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance."

Saint Paul Legislative Code §65.705 states: "All repair work shall be done within an enclosed building."



Factual basis for imposition of \$1,000.00.00 matrix penalty:

Violation # 1:

On October 4, 2024, at 10:49 a.m., Inspector Allan Vang conducted an inspection after receiving a complaint. Inspector Vang spoke to Manny who stated he works for Import Auto Enterprise Inc the person in charge of the business is Moe, the license holder of M F K Enterprise. Inspector Vang asked Manny if he could call the licensed holder to inform him that Inspector Vang is on site to conduct an inspection. Inspector Vang asked Manny if he had any questions or concerns before proceeding with the inspection. Manny stated that he does not have any concerns, but he mentioned M F K Enterprise employees will clean up the exterior and remove all vehicles that is in violation(s). Inspector Vang explained to Manny and the M F K Enterprise employees they cannot move vehicles, park on the public road or surrounding areas. Inspector Vang also stated that all vehicles associated with the business must be parked on the business property per license conditions. Manny understood the instructions by the employees replied back stating it is the public road so they could park any vehicles there if they choose to do so. With that being said, the employees of M F K Enterprise advised Inspector Vang that nothing could be done about it.

M F K Enterprise employees proceeded to move vehicles and parked the vehicles in the public right-of-way, and surrounding areas. Inspector Vang once again informed Manny and the employees they are not to park any vehicles that are associated with the business on the public right of way, side of the road, or surrounding areas. An M F K Enterprise employee then responded, "nothing you can do, take all the pictures you want." Inspector Vang continued his inspection, he witnessed the employees proceeding to move vehicles and parked the vehicles on Robert Street, Winona Street, and Wyoming Street. Vehicles were also parked in the drive lane and they were not parked according to the approved site plan dated 2/3/2000. The parking lot striping seemed to be faded and also missing in some areas with no proper parking signage according to the license conditions. There were also two damaged vehicles parked in the parking lot, one damage vehicle was sitting on a jack stand with front end damage and one vehicle was covered with damage and missing parts. One of the M F K Enterprise employees responded back "it had been there for a while like that."

Violation #2:

Inspector Vang continued his inspection where he noticed exterior storage of vehicle parts, rubbish, along with tools. Inspector Vang also noticed employee's inspection vehicles outside in the parking lot and around the property of the business.

On, November 14, 2024, Inspector Allan Vang and Inspector Joseph Voyda, noticed a black truck that had multiple vehicles on a transport trailer which was parked in the middle of the road on Robert Street. The truck was parked in front of Import Auto Enterprise Inc & M F K Enterprise on 830 Robert Street South. Inspector



Vang and Inspector Voyda also noticed the business was not open upon the time of their arrival. There were several vehicles that belonging to both businesses which were parked on the public road and surrounding area.

Inspector Voyda and Inspector Vang approached the business and took photos of the violations. Inspector Vang continues his inspection of the business area to find more violations throughout the property. There were auto related parts, rubbish, food scraps, motor oil and chairs around the exterior of the business along with vehicles that were not parked according to the approved site plan dated 2/3/2000.

Inspector Vang continued his inspection and noticed vehicles that were parked on the public road which belonged to the business. One of the M F K Enterprise employees helped to unload the vehicle off the transport vehicle and back it into the side street. The employee then proceeded to work on getting the car started. The employee was unable to start the car after he retreated a jumper pack from a red vehicle that was parked on the side street and left the scene. The employee proceeded back to the business parking lot where he then spoke with Inspector Voyda.

Violation #3:

On July 1, 2024, Inspector Vang sent a correction notice to licensee indicating that there were violations discovered from the May 3, 2024, inspection and required rectification by July 12, 2024, at which time, or shortly thereafter, a re-inspection would take place. The correction notice further stated "A request to extend this deadline may be submitted in writing to allan.vang@ci.stpaul.mn.us or mailed to 375 Jackson Street, Suite 220, Saint Paul, MN 55101 and must include a reason for extension."

The July 1, 2024, correction notice also described that the failure to correct the violations (License condition 1, 2, 4, and 5) prior to re-inspection may result in adverse action against all licenses issued at the location up to and including license revocation. According to the correction notice, the following violations were discovered:

- License Condition 1: Vehicles not parked in accordance with the approved site plan dated 2/3/200.
- License Condition 2: Must provide maneuvering lane at all time.
- License Condition 4: All repair must be conducted inside an enclosed building.
- License Condition 5: No exterior storage, and be in accordance with the Ramsey County Hazardous Waste-Tires, trash, oil, etc.

In conclusion, the reason for imposition of conditions and revised language for explanation is summarized below:



- Complaint inspections observations of violations prove that this property has an impact of the neighboring surrounding areas safety and welfare of the public peace due to nuisances that are being created by the business.
- Outdated license conditions to implement current language for on street parking, outdoor storage and delivery of vehicles to the licensed premises.
- Removal of language and conditions that will no longer apply.

Current License Conditions

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. A drive lane shall be maintained open for thru vehicle as shown on the site plan.
3. Vehicles shall not project into or be parked on public streets or boulevards. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
4. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or on the public streets or boulevards.
5. There shall be no exterior storage of vehicle parts.
6. Storage of vehicle fluids batteries, etc., shall be in accordance with the Ramsey County Hazardous Waste Regulations.
7. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
8. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
9. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking to be completed by July 1, 2000.

Amended/Proposed License Conditions:

- 1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.**
- 2. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking spaces must be maintained.**
- 3. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.**



4. **The delivery or towed or trailered vehicles shall take place entirely within the approved site plan and cannot take place in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.).**
5. **The post and chain barrier restraint device must be maintained along the property line in Winona to prevent encroachment into the public area.**
6. **No customer vehicles under the control of the licensee can be parked and or stored in the public right-of way (e.g., street, alley, sidewalk, boulevard, etc.) This includes vehicles waiting for repairs and vehicles waiting to be picked up by the customer.**
7. **All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or in the public streets, alley, sidewalk, boulevards etc.**
8. **There shall be no exterior storage of vehicle parts, tires, oil or any other materials. Storage of vehicle fluids, batteries, etc., shall be in accordance with the Ramsey County Hazardous Waste regulations.**
9. **The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.**
10. **Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.**

Adverse Action Recommendation:

The Department of Safety and Inspections will recommend a \$1,000.00 matrix penalty for violating license conditions 1, 2, 4, and 5.

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 **February 20th, 2025**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent agenda for imposition of the \$1,000.00 matrix penalty.
2. You can pay the \$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 **February 20th, 2025**. A self-addressed envelope is enclosed for your convenience. Payment of the \$1,000.00 matrix penalty will be considered an admission to the violation and waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the \$1,000.00 matrix penalty, you may have a 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 Council hearing no later than **February 20th, 2025**. 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 **February 20th, 2025**. 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 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 § 310.03 (k).

If you have not contacted me by February 20th, 2025, 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 contact my Paralegal Riddhi Mistry at riddhi.mistry@ci.stpaul.mn.us, (651) 266-8835.

Sincerely,

Sly Onyia
Assistant City Attorney
License No. 0402320

Cc: Moe Faryaneh Kia, 9133 Utica Avenue South, Bloomington, MN 55437
Mohammad Bagher Abedi & Mostafa Kia, 830 Robert Street South, Saint Paul, MN 55107-3232
Monica Bravo, Executive Director, West Side Community Organization, 209 Page Street West, Saint Paul, MN 55107.



Attachments: City of Saint Paul Department of Safety and Inspections Complaint – 5/3/2024
Correction Notice – 7/1/2024
Mailing Envelope to Licensee – 7/8/2024
Inspector's Report – 10/3/2024
Inspector's Report – 11/14/2024
City of Saint Paul Department of Safety and Inspections Complaint – 11/20/2024
License Group Conditions Text – 11/21/2024
Property Diagram
Proposed License Conditions
Removal of Language for License Conditions and Added Proposed License Conditions
Amended Proposed License Conditions
Ordinance Basis for Imposition of License Conditions and Reasoning Explanations
Photo Evidence
Saint Paul Legislative Code §310.01
Saint Paul Legislative Code §310.04(b)(5)
Saint Paul Legislative Code §310.04(b)(6)(a)
Saint Paul Legislative Code §310.04(b)(6)(c)
Saint Paul Legislative Code §310.04(b)(7)
Saint Paul Legislative Code §310.04(b)(8)
Saint Paul Legislative Code §310.04(c)(1)
Saint Paul Legislative Code §310.04(c)(2)
Saint Paul Legislative Code §310.04(c)(3)
Saint Paul Legislative Code §310.04(c)(4)
Saint Paul Legislative Code §310.04(c)(6)
Saint Paul Legislative Code §65.705



Inspector's Report

Inspectors Name: Allan Vang

Date & Time: 10/3/2024 at 10:49 am Staff Member's Name: Manny (Import Auto Enterprise Inc)

Business/DBA Name: Import Auto Enterprise Inc & M F K Enterprise

Property Address: 830 Robert Street South

Reason for Visit: Complaint Inspection

Observations: Exterior and surrounding business property

Photos Taken: ☒ Yes ☐ No – Area(s) of where the Photo(s) where taken: Exterior and surrounding of business property

Action Taken: ☐ Education ☐ warning

☒ Request for Adverse Action

Other: _____

Details of Conversations (Statements to and by Person Responsible for Property):

I met with Manny who stated he work for Import Auto Enterprise Inc., and also the person in charge of the business as Moe who is the license holder for M F K Enterprise is currently not there. I introduced myself as Allan Vang, a Licensing Inspector for the City of Saint Paul Safety and Inspections (DSI). I explained to Manny that DSI had received a complaint so I'm doing a follow-up inspection. I had asked if Manny could call and let the license holder know that I'm on-site for inspection. I asked Manny if he have any questions or concerns before I continued my inspection. Manny stated he does not but will have the employees from M F K Enterprise business clean up the exterior and remove all vehicles that is in violation(s). I explained to Manny and the M F K Enterprise employees that they cannot move vehicles and parked on the public road or surrounding areas, and all vehicle associated with the business must be parked on the business property per license conditions. Manny stated he understand but the employees replied back that it is the public road so they could parked any vehicles there if they choose to do so and there is nothing I could do about it.

M F K Enterprise's employees started to move vehicles and parked in the public right-away and surrounding area. I again, informed Manny and the employees that they are not to parked any vehicles that is associated with the business on the public right away, side of the road,



Page 2 of Inspection Report:

or surrounding areas. With a quick respond from one of M F K Enterprise's employee, " nothing you can do, take all the pictures you want." I continued my inspection where I witnessed employees continued to move vehicles and parked on the street (Robert Street both side, Winona Street, and Wyoming Street). There was vehicles parked in the drive lane and was not parked according to the approved site plan dated on 2/3/2000. Parking lot striping is not there or in some area is faded away along with no proper parking signage according to license condition. There was two damaged vehicle that is parked on the outside parking lot. One damage vehicle was sitting on jack stand with front end damage and one vehicle that is covered over with damage and missing parts, which one of M F K Enterprise employee replied back that it had been there for awhile like that.

I continued my inspection where there was exterior storage of vehicle parts, rubbish, along with tools, and employees inspecting vehicles outside in the parking lot and around the property of the business.



Inspector's Report

Inspectors Name: Allan Vang

Date & Time: 11/14/2024 at 10:04 am Staff Member's Name: MFK Employees- Ali & Manuez

Business/DBA Name: Import Auto Enterprise Inc & M F K Enterprise

Property Address: 830 Robert Street South

Reason for Visit: Complaint Inspection

Observations: Exterior and surrounding business property

Photos Taken: ☒ Yes ☐ No – Area(s) of where the Photo(s) where taken: Exterior and surrounding of business property

Action Taken: ☐ Education ☐ warning

☒ Request for Adverse Action

Other: _____

Details of Conversations (Statements to and by Person Responsible for Property):

Upon arrival with Inspector Joseph Voyda, we noticed a black truck that has multiple vehicles on a transport trailer parked in the middle of the road (Robert Street) in front of the business of Import Auto Enterprise Inc & M F K Enterprise - 830 Robert Street South. We also noticed that the business was not open at the time of our arrival. There was several vehicle that appear to belong to the two business parked on the public road and surround area.

Inspector Voyda and I approached the business and took photos of violations that we noticed right away. I continued my inspection of the business area to find more violations around the property. There was auto related parts, rubbish, food scrap, motor oil, and chairs on the exterior of the business along with vehicles that was not parked according to approved site plan dated 2/3/2000.

Continued my inspection to vehicles that was parked on public road that belong to the business. One of M F K Enterprise's employee helped unloaded a vehicle off the transport vehicle and backed into the side street where he started to work on to get the car started. The employee was unable to start the car after he retreated a jumper pack from a red vehicle that was parked on the side street and left the scene to come back to the business parking lot where he spoke with Inspector Voyda.



Folder #:	2024 033424 LIC	PIN:	082822340103	Status:	Under Review
In Date:	5/2/24	Ward:	2	Zoning:	B2
		Dist Council:	3	Owner:	
				Worktype:	Complaint
Complaint Location:		Census Tract:	37200	Mohammad Bagher Abedi/Mostafa Kia	
830 ROBERT ST S		Census Block:	2001	830 Robert St S St Paul MN 55107- 3232	
		Homesteader:	Mohmmad Bagher Abedi		
		Tax Owner:	830 Robert St S St Paul MN 55107- 3232		

Legal Desc: AUDITOR'S SUB OF L6 BIDWELLS EX ST LOT 8 AND ALL OF LOT 9

Complainant:

Details: Number of vehicles exceed 28
Working on vehicles on Winona and in the parking lot
Vehicle parts storage outside
Business Vehicles parked on both side Winona obstructing the flow of traffic and blocking resident's driveways from Robert Street to address 126 Winona

This complaint has been referred to the following departments:

DSI Licensing Response - Scheduled Date: 5/2/24

Comment:

Inspector Assigned: Allan Vang, Phone: 651- 266- 1915

Results	Entered By	Comment

Folder #:	2024 076499 LIC	PIN:	082822340103	Status:	Under Review
In Date:	9/11/24	Ward:	2	Zoning:	B2
		Subtype:	License		
		Dist Council:	3	Owner:	Worktype:
				Complaint	
Complaint Location:	Census Tract:	37200 Mohammad Bagher Abedi/Mostafa Kia			
830 ROBERT ST S	Census Block:	2001 830 Robert St S St Paul MN 55107- 3232			
	Homesteader:	Mohmmad Bagher Abedi			
	Tax Owner:	830 Robert St S St Paul MN 55107- 3232			

Legal Desc: AUDITOR'S SUB OF L6 BIDWELLS EX ST LOT 8 AND ALL OF LOT 9

Complainant:

Details: parking all the customer vehicles in the street
11/7/2024 Business parking vehicles on Street and working on them on the street.

This complaint has been referred to the following departments:

DSI Licensing Response - Scheduled Date: 9/11/24

Comment:

Inspector Assigned: Allan Vang, Phone: 651- 266- 1915

Results	Entered By	Comment
10/3/24 Under Review	Vang, Allan	Complaint inspection completed. In violation of LC. Under review

Comment:

Inspector Assigned: Allan Vang, Phone: 651- 266- 1915

Results	Entered By	Comment
11/14/24Under Review	Vang, Allan	Complaint inspection with JNV completed. Found in violation of LCs and currently under review.

Comment:

Inspector Assigned: Allan Vang, Phone: 651- 266- 1915

Results	Entered By	Comment
10/9/24 Under Review	Vang, Allan	Inspector's report, photos, and photo of vehicles was sent to EH & JVN for review



July 1, 2024

Moe Faryaneh Kia
830 Robert Street South
St Paul, MN 55107

CORRECTION NOTICE

RE: Auto Repair Garage/Second Hand Dealer-Motor Vehicle - License ID 200057957 – 830 Robert Street South – DBA: M F K Enterprise

Moe,

The above referenced property was inspected on 5/3/2024, due to a complaint submitted to the City of Saint Paul Department of Safety and Inspections (DSI). The following violation(s) discovered during the inspection must be fully corrected on or before 7/12/2024, at which time, or shortly thereafter, a re-inspection will take place. A request to extend this deadline may be submitted in writing to allan.vang@ci.stpaul.mn.us or mailed to 375 Jackson Street, Suite 220, Saint Paul, MN 55101 and must include a reason for extension.

Failure to fully correct the violation(s) noted below prior to re-inspection may result in adverse action against all licenses issued at the location up to and including license revocation.

Violation(s) discovered:

- License Condition 1: Vehicles not parked accordance with the approved site plan dated 2/3/2000
- License Condition 2: Must provide maneuvering lane at all time
- License Condition 4: All repair must be conducted inside an enclosed building
- License Condition 5: No exterior storage, and be in accordance with the Ramsey County Hazardous Waste - Tires, trash, oil, etc

Section 65.705 paragraph (c) of the Saint Paul Legislative Code requires/states that: All repair work shall be done within an enclosed building.

NOTE: License conditions for the property are listed on the reverse side of this document.

If you have questions regarding this matter or wish to request additional information, I may be reached at phone number 651-266-1915.

Respectfully,

Allan Vang
Inspector, DSI Licensing

C: 9133 Utica Avenue South- Bloomington, MN 55437

License Group Conditions Text

Licensee: **M F K ENTERPRISES INC**

DBA: **M F K ENTERPRISE**

License #: **0057957**

07/12/2000 CF00-653

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
3. Vehicles shall not project into or be parked on public streets or boulevards. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
4. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or on the public streets or boulevards.
5. There shall be no exterior storage of vehicle parts.
6. Storage of vehicle fluids batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste Regulations.
7. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
8. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
9. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking to be completed by July 1, 2000.



July 1, 2024

Moe Faryaneh Kia
9133 Utica Avenue South
Bloomington, MN 55437

CORRECTION NOTICE

RE: Auto Repair Garage/Second Hand Dealer-Motor Vehicle - License ID 200057957 – 830 Robert Street South – DBA: M F K Enterprise

Moe,

The above referenced property was inspected on 5/3/2024, due to a complaint submitted to the City of Saint Paul Department of Safety and Inspections (DSI). The following violation(s) discovered during the inspection must be fully corrected on or before 7/12/2024, at which time, or shortly thereafter, a re-inspection will take place. A request to extend this deadline may be submitted in writing to allan.vang@ci.stpaul.mn.us or mailed to 375 Jackson Street, Suite 220, Saint Paul, MN 55101 and must include a reason for extension.

Failure to fully correct the violation(s) noted below prior to re-inspection may result in adverse action against all licenses issued at the location up to and including license revocation.

Violation(s) discovered:

- License Condition 1: Vehicles not parked accordance with the approved site plan dated 2/3/00
- License Condition 2: Must provide maneuvering lane at all time
- License Condition 4: All repair must be conducted inside an enclosed building
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Section 65.705 paragraph (c) of the Saint Paul Legislative Code requires/states that: All repair work shall be done within an enclosed building.

NOTE: License conditions for the property are listed on the reverse side of this document.

If you have questions regarding this matter or wish to request additional information, I may be reached at phone number 651-266-1915.

Respectfully,

Allan Vang
Inspector, DSI Licensing

C: 830 Robert Street South - Saint Paul, MN 55107

License Group Conditions Text

Licensee: M F K ENTERPRISES INC

DBA: M F K ENTERPRISE

License #: 0057957

07/12/2000 CF00-653

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
3. Vehicles shall not project into or be parked on public streets or boulevards. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
4. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or on the public streets or boulevards.
5. There shall be no exterior storage of vehicle parts.
6. Storage of vehicle fluids batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste Regulations.
7. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
8. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
9. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking to be completed by July 1, 2000.



SAINT PAUL
SAFETY & INSPECTIONS

City of Saint Paul

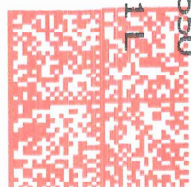
Department of Safety & Inspections (DSI)

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

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City of Saint Paul - DSI

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DBA: M F K ENTERPRISE

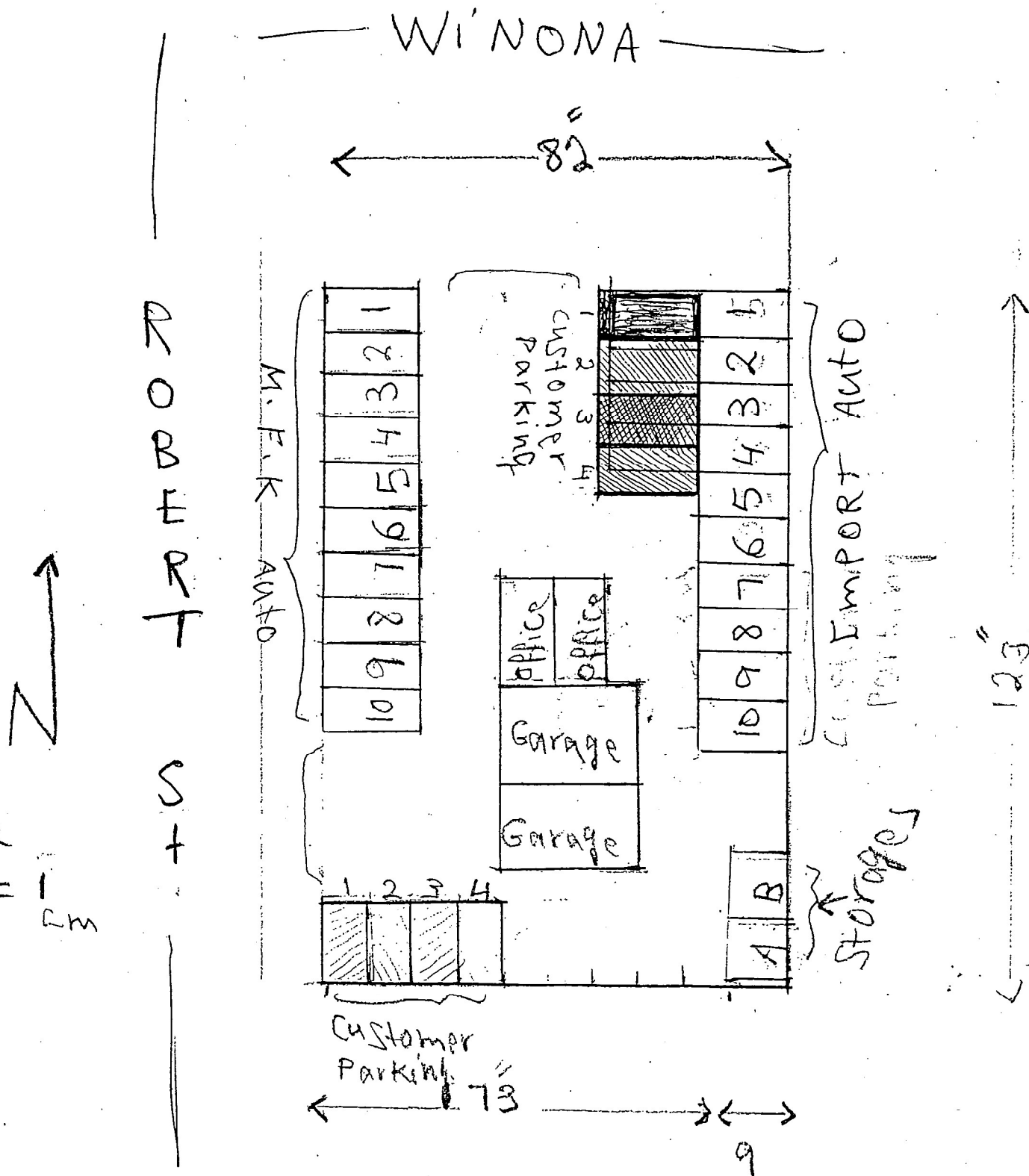
License #: 0057957

07/12/2000 CF00-653

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
3. Vehicles shall not project into or be parked on public streets or boulevards. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
4. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or on the public streets or boulevards.
5. There shall be no exterior storage of vehicle parts.
6. Storage of vehicle fluids batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste Regulations.
7. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
8. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
9. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking to be completed by July 1, 2000.

131

830 Robert St S



2/3/00 LZO

Proposed License Conditions

Add License conditions and Amending condition Language

Remove Strikethrough Language and Add Language in Red

Amended License conditions Language on Page 3

Proposed License Conditions:

4. The delivery or towed or trailered vehicles shall take place entirely within the approved site plan and cannot take place in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.).
6. No customer vehicles under the control of the licensee can be parked and or stored in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.) This includes vehicles waiting for repairs and vehicles waiting to be picked up by the customer.
8. There shall be no exterior storage of vehicle parts, tires, oil or any other materials. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.

Current License Conditions:

07/12/2000 CF00-653

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
3. Vehicles shall not project into or be parked on public streets or boulevards. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
4. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or on the public streets or boulevards.
5. There shall be no exterior storage of vehicle parts.
6. Storage of vehicle fluids batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste Regulations.
7. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
8. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.
9. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking to be completed by July 1, 2000.

Removal of Language for License Conditions and Added Proposed License Conditions:

~~07/12/2000 CF00-653~~

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
- ~~9~~2. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking spaces **must be maintained.**~~to be completed by July 1, 2000.~~
- ~~2~~3. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
4. **The delivery or towed or trailered vehicles shall take place entirely within the approved site plan and cannot take place in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.).**
- ~~3~~5. ~~Vehicles shall not project into or be parked on public streets or boulevards.~~ The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
6. **No customer vehicles under the control of the licensee can be parked and or stored in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.) This includes vehicles waiting for repairs and vehicles waiting to be picked up by the customer.**
- ~~4~~7. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or ~~in~~ in the public streets, **alley, sidewalk, or boulevards etc.**
- ~~5~~8. There shall be no exterior storage of vehicle parts, **tires, oil or any other materials. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.**
- ~~6.~~ ~~Storage of vehicle fluids batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste Regulations.~~
- ~~7~~9. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
- ~~8~~10. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.

Amended/Proposed License Conditions:

1. The number of vehicles on the lot for sale shall not exceed (20) twenty. There shall be (8) eight customer/employee parking spaces provided on the property. The arrangement of sales display area and off-street parking shall be as shown on site plan on file with DSI.
2. Customer/employee parking spaces shall be designated with painted lines on parking surface and with appropriate signage delineating these spaces for the intended use. Striping of parking spaces must be maintained.
3. A drive lane shall be maintained open for thru vehicle access as shown on the site plan.
4. The delivery or towed or trailered vehicles shall take place entirely within the approved site plan and cannot take place in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.).
5. The post and chain barrier restraint device must be maintained along the property line on Winona to prevent encroachment into the public area.
6. No customer vehicles under the control of the licensee can be parked and or stored in the public right- of-way (e.g., street, alley, sidewalk, boulevard, etc.) This includes vehicles waiting for repairs and vehicles waiting to be picked up by the customer.
7. All repair and servicing of vehicles shall be conducted inside the building and not on the exterior of the lot or in the public streets, alley, sidewalk, boulevards etc.
8. There shall be no exterior storage of vehicle parts, tires, oil or any other materials. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.
9. The dumpster must be stored on the property in an area of the site which is not required for customer parking or maneuvering.
10. Licensee shall monitor noise of equipment required for servicing vehicles. Overhead doors shall be kept closed when using noise producing tools.

Ordinance – Basis for Imposition of License Conditions and Reasoning Explanations

Sec. 310.04. Revocation; suspension; adverse actions; imposition of conditions.

(b) Basis for action. Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:

(5) The licensee or applicant has failed to comply with any condition set forth in the license, or set forth in the resolution granting or renewing the license.

(7) The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.

(8) 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.

(c) Imposition of reasonable conditions and/or restrictions. When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:

(2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;

(3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;

(4) A requirement to provide off-street parking in excess of other requirements of law;

(6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance.

Reason for Imposition of Conditions and Revised Language for Explanation:

- Outdated license conditions to implement current language for on street parking, outdoor storage and delivery of vehicles to the licensed premises
- Removal of language and conditions that will no longer apply
- Complaint inspections observations of violations prove that this property has an impact of the neighboring surrounding areas safety and welfare of the public peace due to nuisances that are being created by the business.

Complaint inspection on 11/14/2024





1



2

Autobody part -
vehicle hood



3

Autobody part -vehicle hood



4



5



6



7



8



9



10



11



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13



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#18



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Violation of License Conditions (LC) # 1 & 2







violation of SPLC 34.08



Violation of license conditions # 2



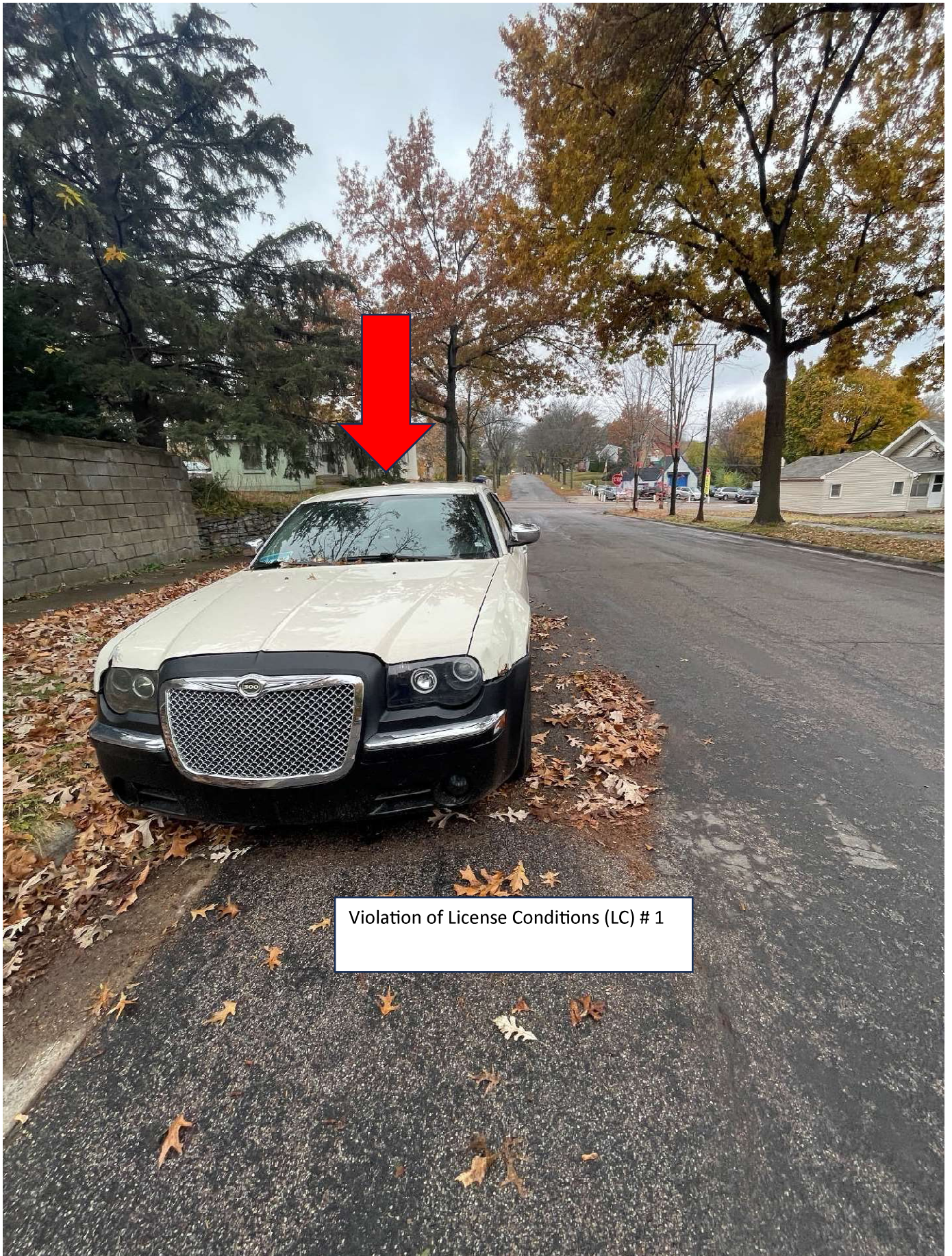
Violation of license conditions # 1 & 2

Violation of License Conditions (LC) # 1



Violation of License Conditions (LC) # 1





Violation of License Conditions (LC) # 1

Violation of License Conditions (LC) # 1



Violation of License Conditions (LC)
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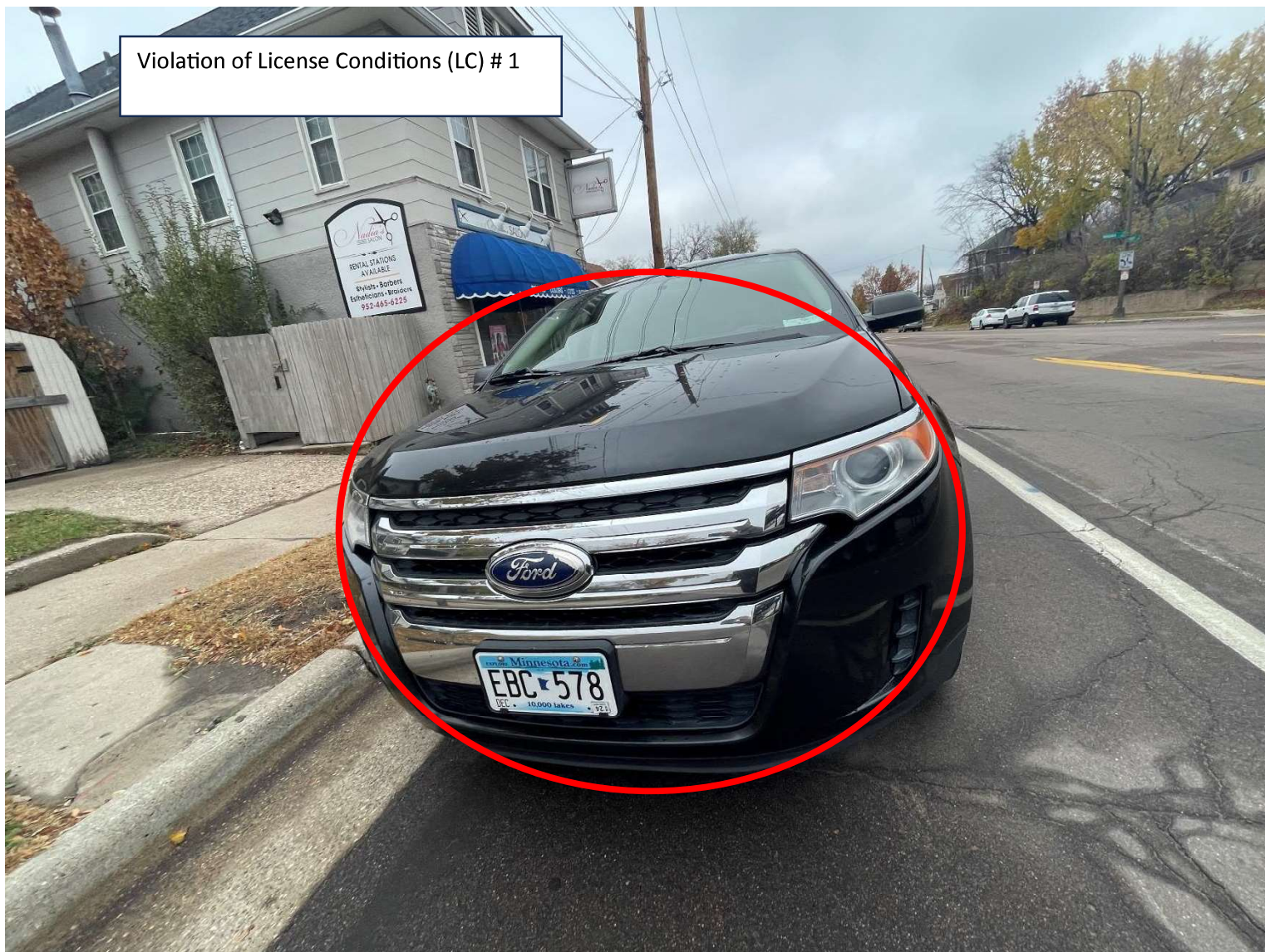
Violation of License Conditions (LC) # 1





Violation of License Conditions (LC) # 1

Violation of License Conditions (LC) # 1







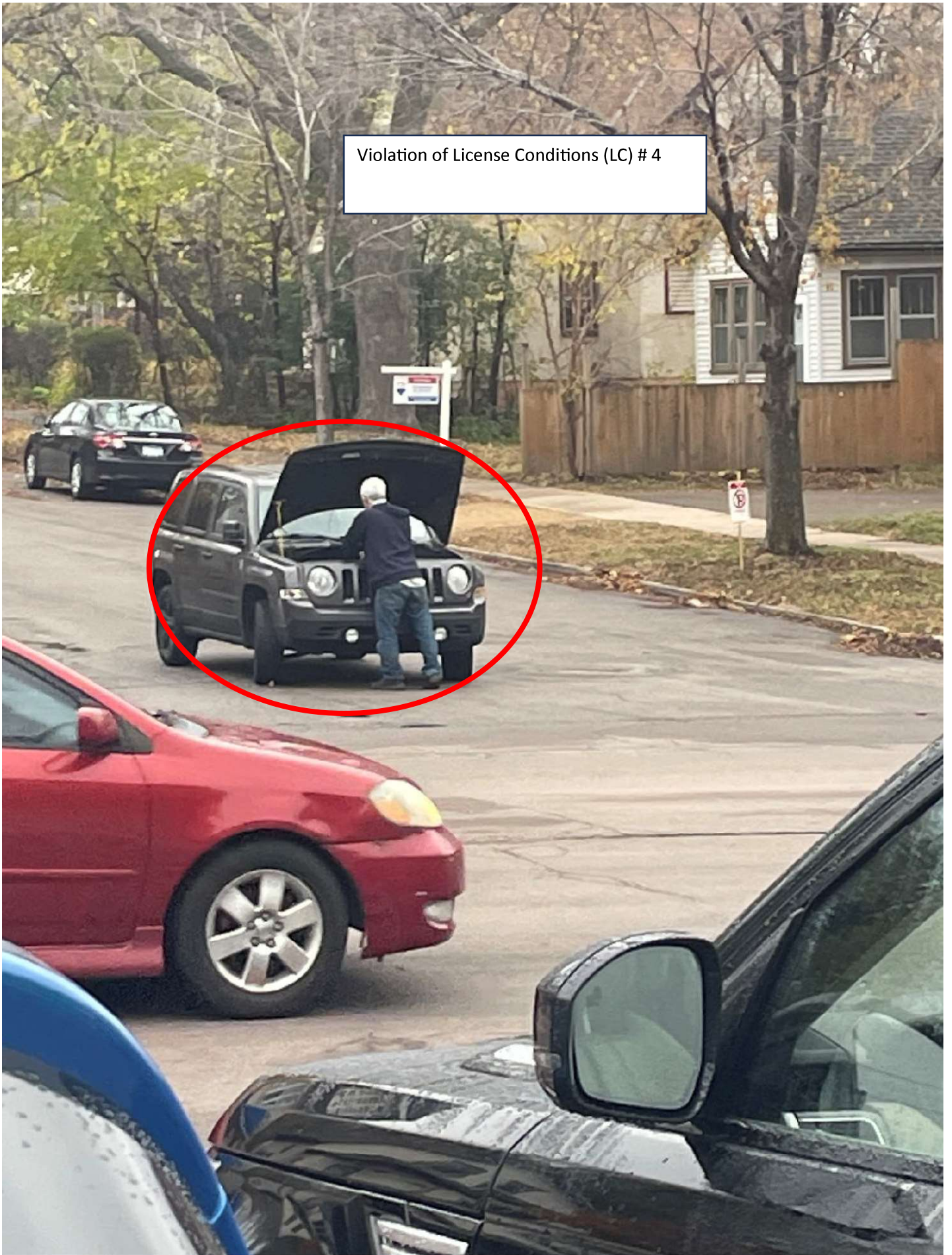
Violation of License Conditions (LC) # 1

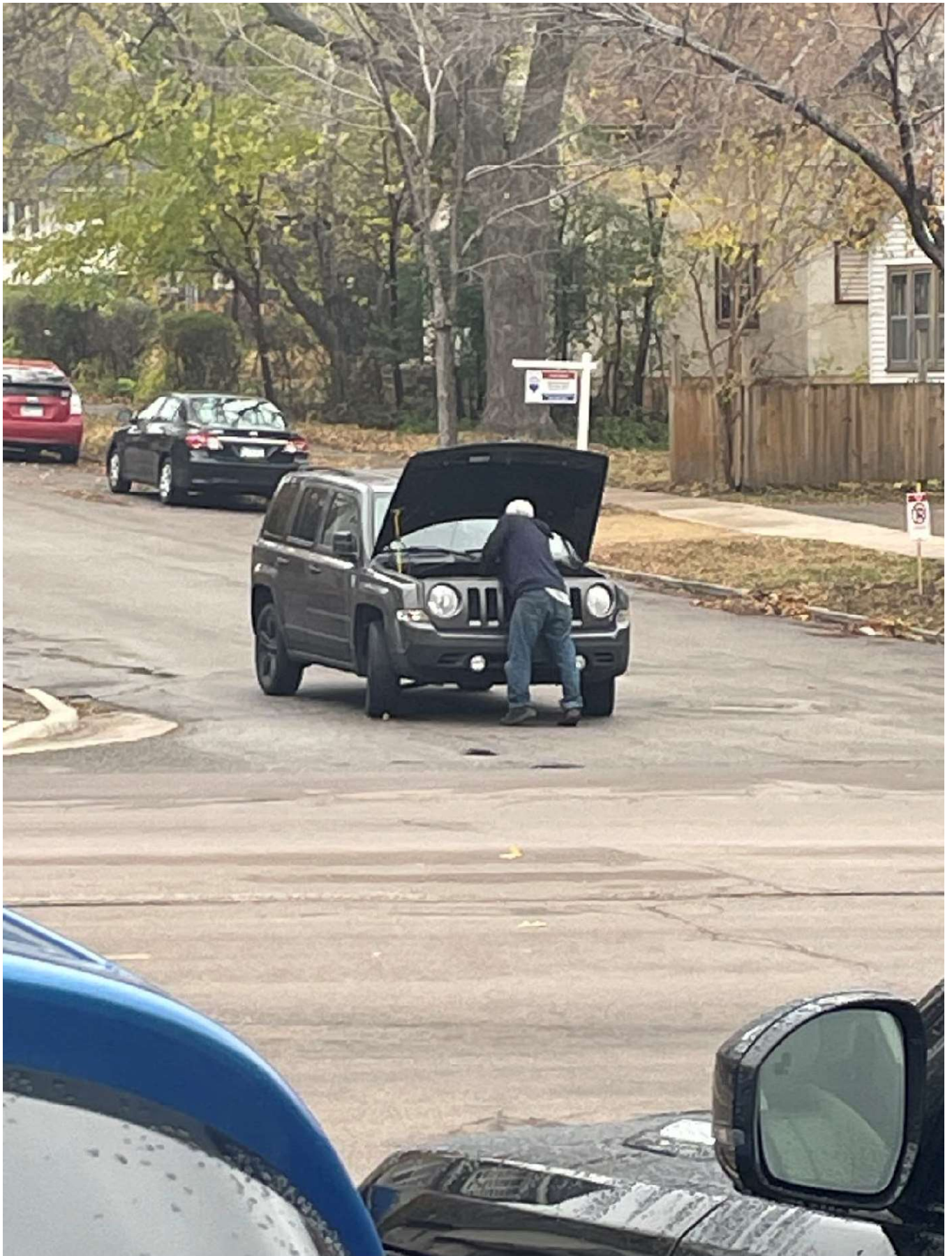






Violation of License Conditions (LC) # 4

















Sec. 310.01. - Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section have the following meanings:

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Bond means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

Building official means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

Chapters and these chapters mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

Class R licenses means those licenses and certain permits which can be issued by the director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
CLASS R			

Agricultural Vehicle Permit	\$23.00	R	<u>165</u>
Amusement Rides—Annual	\$85.00	R	<u>317</u>
Animal Boarding (Commercial)	\$83.00	R	<u>348</u>
Animal Boarding (Home Occupation)	\$83.00	R	<u>348</u>
Animal Day Care (Commercial)	\$83.00	R	<u>348</u>
Animal Day Care (Home Occupation)	\$83.00	R	<u>348</u>
Animal Foods Manufacturing and Distribution	\$85.00	R	<u>316</u>
Bituminous Contractor	\$210.00	R	<u>320</u>
Bowling Centers	\$210.00	R	<u>426</u>
Building Contractors	\$210.00	R	<u>326</u>
Building Trade Business License	\$188.00	R	<u>369</u>
Building Trades Certificate of Competency	\$24.00	R	<u>370</u>
Bulk Oil Storage	\$210.00	R	<u>342</u>
Christmas Tree Sales	\$85.00	R	<u>323</u>
Commercial Vehicle	\$78.00	R	<u>158</u>
Commercial Vehicle—Exempt	\$0.00	R	<u>158</u>
Courtesy Bench	\$26.00	R	<u>127</u>
Courtesy Benches Transfer	\$17.00	R	<u>127</u>
Finishing Shop	\$85.00	R	<u>371</u>

Game Room	\$210.00	R	<u>406</u>
House Sewer Contractor	\$210.00	R	<u>338</u>
Laundry/Dry-cleaning Plant	\$210.00	R	<u>327</u>
Laundry/Dry-cleaning Pick Up Station	\$85.00	R	<u>327</u>
Lawn Fertilizer and Pesticide Applicator	\$85.00	R	<u>377</u>
Liquid Fuel Dealer	\$210.00	R	<u>332</u>
Liquid Fuel Dealer Vehicle	\$85.00	R	<u>332</u>
Liquor Catering (State Cater/City Liq)	\$192.00	R	<u>409</u>
Mechanical Amusement Device	\$21.00	R	<u>318</u>
Massage Center—A (1 Practitioner)	\$100.00	R	<u>414</u>
Massage Center—A (Commercial)	\$262.00	R	<u>412</u>
Massage Center—B (Home Location)	\$106.00	R	<u>412</u>
Massage Practitioner	\$106.00	R	<u>414</u>
Massage Practitioner-Additional Location	\$31.00	R	<u>412</u>
Mercantile Broker	\$85.00	R	<u>340</u>
Mobile Retail Vehicle	\$85.00	R	<u>346</u>
Pedal Car	\$118.00	R	<u>374</u>
Pedal Car Business	\$352.00	R	<u>374</u>
Pedal Car Driver	\$51.00	R	<u>374</u>

Peddler	\$85.00	R	<u>345</u>
Peddler—Fee Waived	\$0.00	R	<u>345</u>
Pedicab Driver	\$51.00	R	<u>374</u>
Pedicab Vehicle	\$113.00	R	<u>374</u>
Pest Control	\$210.00	R	<u>334</u>
Pet Grooming Facility	\$85.00	R	<u>382</u>
Pet Shop	\$210.00	R	<u>347</u>
Pool & Billiard Hall	\$210.00	R	<u>322</u>
Recycling Collection Center	\$210.00	R	408
Recycling Processing Center	\$958.00	R	408
Rental of Hospital Equipment	\$85.00	R	<u>350</u>
Rental of Hospital Equip-Vehicle	\$85.00	R	<u>350</u>
Rental of Kitchenware	\$85.00	R	<u>351</u>
Roller Rink	\$85.00	R	<u>353</u>
Sanitary Disposal Vehicle	\$405.00	R	<u>354</u>
Second-Hand Dealer	\$85.00	R	<u>355</u>
Second-Hand Dealer (Comp/Elec)	\$85.00	R	<u>355</u>
Second-Hand Dealer (Antiques/Comp/Elec)	\$85.00	R	<u>356</u>
Second-Hand Dealer (Antiques)	\$85.00	R	<u>355</u>

Second Hand Dealer—Motor Vehicle Parts	\$507.00	R	<u>355</u>
Second-Hand Dealer—Multiple Dealers	\$405.00	R	<u>355</u>
Short-Term Rental (Non-Owner Occupied)	\$45.00	R	<u>379</u>
Short-Term Rental (Owner Occupied)	\$45.00	R	<u>379</u>
Short-Term Rental Platform	\$11,181.00	R	<u>379</u>
Sidewalk Cafe	\$40.00	R	106
Sidewalk Contractor	\$210.00	R	<u>356</u>
Solicitor	\$85.00	R	<u>345</u>
Solid Fuel Dealer	\$210.00	R	<u>333</u>
Solid Fuel Dealer Vehicle	\$85.00	R	<u>333</u>
Solid Waste Hauler & Vehicle	\$405.00	R	<u>357</u>
Solid Waste Hauler (Ea Add'l Veh)	\$85.00	R	<u>357</u>
Solid Waste Transfer Station	\$1,913.00	R	<u>357</u>
Sound Trucks & Broadcast Vehicle	\$85.00	R	<u>359</u>
Swimming Pool—Public	\$405.00	R	<u>360</u>
Tanning Facility	\$106.00	R	<u>380</u>
Taxicab Driver	\$51.00	R	<u>376</u>
Taxicab Vehicle	\$469.00	R	<u>376</u>
Taxicab Vehicle (Reciprocity Event)	\$37.00	R	<u>376</u>

Taxicab Service Company	\$456.00	R	<u>376</u>
Theaters and Movie Theaters	\$210.00	R	<u>416</u>
Tire Recapping Plant	\$85.00	R	<u>372</u>
Tobacco Products Shop	\$535.00	R	<u>324</u>
Tobacco Shop	\$535.00	R	<u>324</u>
Tow Truck/Wrecker (Operator)	\$405.00	R	<u>361</u>
Tow Truck/Wrecker (Vehicle)	\$85.00	R	<u>361</u>
Trade Worker Registration—Tier 1	\$37.00	R?	<u>370</u>
Trade Worker Registration—Tier 2	\$70.00	R	<u>370</u>
Trade Worker Registration—Tier 3	\$59.00	R	<u>370</u>
Trailer Rental	\$210.00	R	<u>352</u>
Tree Trimmer & 1 Vehicle	\$210.00	R	<u>362</u>
Tree Trimmer—Each Add'l Vehicle	\$85.00	R	<u>362</u>
Vehicle Immobilization Service	\$405.00	R	<u>383</u>
Veterinary Hospital	\$210.00	R	<u>364</u>
Window Cleaning	\$210.00	R	<u>365</u>
Wrecking of Buildings	\$65.00	R	<u>368</u>

Class T licenses means those licenses which can be approved or denied by the director, if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class T Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation

and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in [Section 310.02\(3\)](#). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
CLASS T			
Amusement Rides—Temporary	\$32.00	T	317
Bingo/Rfls/P-Tabs/Tpbrds/Pdlwhls	\$59.00	T	402
Close Out Sale	\$85.00	T	325
Entertainment—Temporary	\$35.00	T	411
Liquor Catering (State Cater Only)	\$59.00	T	409
Liquor—Extension of Service Area	\$68.00	T	410
Liquor—Under Age Access (Temporary)	\$35.00	T	409
Liquor On Sale—Temporary	\$59.00	T	409
Malt On Sale (3.2)—Temporary	\$59.00	T	410
Massage Practitioner—Temporary	\$50.00	T	412
Second Hand Dealer—Exhibition	\$210.00	T	355
Tag Days	\$26.00	T	391
Temp On Sale Malt Brewery/Distillery	\$59.00	T	410
Transient Merchant	\$85.00	T	345

Wine On Sale-Temporary	\$59.00	T	<u>409</u>
Winery Annual Festival—Temporary	\$59.00	T	<u>409</u>

Class N licenses means those licenses which must be approved or denied by the council. Class N Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in [Section 310.02\(2\)](#). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
CLASS N			
Auto Body Repair Shop	\$507.00	N	<u>423</u>
Auto Body Repair/Painting Shop	\$507.00	N	<u>423</u>
Auto Repair Garage	\$507.00	N	<u>423</u>
Bingo Hall	\$229.00	N	403
Cabaret—Class A	\$210.00	N	<u>322</u>
Cabaret—Class B	\$210.00	N	<u>426</u>
Conversation/Rap Parlor(A)	\$405.00	N	<u>413</u>
Conversation/Rap Parlor (B)	\$405.00	N	<u>413</u>
Culinary On Sale—Wine/Malt	\$255.00	N	<u>409</u>
Dance or Rental Halls	\$497.00	N	405

Dance Halls—Exempt	\$0.00	N	405
Entertainment—Extension	\$0.00	N	<u>411</u>
Entertainment (A)	\$278.00	N	<u>411</u>
Entertainment (B)	\$672.00	N	<u>411</u>
Entertainment (C)	\$3,191.00	N	<u>411</u>
Firearms	\$405.00	N	<u>225</u>
Gambling Hall	\$445.00	N	<u>278</u>
Gambling Location	\$84.00	N	<u>225</u>
Gas Station	\$154.00	N	<u>424</u>
Health/Sport Club	\$405.00	N	<u>427</u>
Health/Sport Club—Adult	\$405.00	N	<u>427</u>
Health/Sport Club-Exercise Only Facility	\$405.00	N	<u>427</u>
Infectious Waste Processing Facility	\$1,913.00	N	<u>427</u>
Liquor-Extension of Service Hours	\$405.00	N	<u>409</u>
Liquor—Microdistillery Cocktail Room	\$712.00	N	<u>409</u>
Liquor—Off Sale Micro Distillery	\$205.00	N	<u>409</u>
Liquor Off Sale	\$1,500.00	N	<u>409</u>
Liquor On Sale—100 seats or less	\$5,361.00	N	<u>409</u>
Liquor On Sale—101-180 Seats	\$5,937.00	N	<u>409</u>

Liquor On Sale—181-290 Seats	\$6,360.00	N	<u>409</u>
Liquor On Sale—291 or more Seats	\$6,448.00	N	<u>409</u>
Liquor On Sale—2 AM Closing	\$59.00	N	<u>409</u>
Liquor On Sale—Exempt	\$0.00	N	<u>409</u>
Liquor On Sale—Over 100 seats (B)	\$5,022.00	N	<u>409</u>
Liquor On Sale—Over 200 seats (A)	\$5,454.00	N	<u>409</u>
Liquor On Sale—Sunday	\$200.00	N	<u>409</u>
Liquor On Sale—Sunday—Exempt	\$0.00	N	<u>409</u>
Liquor On Sale—Theater	\$1,914.00	N	<u>409</u>
Liquor On Sale—Additional Family Members	\$62.00	N	<u>409</u>
Liquor On Sale (Government Agencies)	\$0.00	N	<u>409</u>
Liquor On Sale (Small Brewery—128 oz)	\$30.00	N	<u>409</u>
Liquor On Sale-Club under 200 Mbrs—A	\$300.00	N	<u>409</u>
Liquor On Sale-Club 201-500 Mbrs—B	\$500.00	N	<u>409</u>
Liquor On Sale-Club 501-1000 Mbrs—C	\$650.00	N	<u>409</u>
Liquor On Sale-Club 1001-2000 Mbrs—D	\$800.00	N	<u>409</u>
Liquor On Sale-Club 2001-4000 Mbrs—E	\$1,000.00	N	<u>409</u>
Liquor On Sale-Club 4001-6000 Mbrs—F	\$2,000.00	N	<u>409</u>
Liquor On Sale-Club over 6000 Mbrs—G	\$3,000.00	N	<u>409</u>

Liquor-Outdoor Service Area (Patio)	\$85.00	N	<u>409</u>
Liquor-Outdoor Service Area (Sidewalk)	\$40.00	N	<u>409</u>
Malt Off Sale (Brewery)	\$205.00	N	410
Malt Off Sale (Growler)	\$205.00	N	410
Malt Off Sale	\$225.00	N	410
Malt On Sale (3.2)	\$712.00	N	410
Malt On Sale (3.2)—Fee Waived	\$0.00	N	410
Malt On Sale (3.2)—2 AM Closing	\$0.00	N	410
Malt On Sale (Brewery Taproom)	\$712.00	N	410
Malt On Sale (Strong)	\$712.00	N	410
Massage Center—C (Adult)	\$405.00	N	<u>412</u>
Mini Motion Picture Theater-Adult (C)	\$405.00	N	<u>415</u>
Minnesota Currency Exchange	\$405.00	N	<u>381</u>
Motor Vehicle Dealer—New Vehicles	\$405.00	N	401
Motor Vehicle Salvage Dealer	\$405.00	N	<u>422</u>
Motorcycle Dealer	\$210.00	N	401
Parking Lot	\$405.00	N	<u>417</u>
Parking Lot/Parking Ramp	\$405.00	N	<u>417</u>
Parking Ramp (Government)	\$0.00	N	<u>417</u>

Parking Ramp	\$405.00	N	<u>417</u>
Parking Ramp/Garage (Private)	\$396.00	N	<u>417</u>
Pawn Shop	\$3,191.00	N	<u>344</u>
Second Hand Dealer—Motor Vehicle	\$507.00	N	<u>344</u>
Steam Room/Bath House (A)	\$405.00	N	<u>428</u>
Steam Room/Bath House (B)—Adult	\$405.00	N	<u>428</u>
Theaters and Movie Theaters-Drive In	\$210.00	N	<u>416</u>
Transportation Network Company	\$41,115.00	N	<u>373</u>
Wine On Sale	\$2,000.00	N	<u>409</u>
Wine On Sale (Government Agencies)	\$0.00	N	<u>409</u>

Department means the department of safety and inspections.

Director means the director of the department of safety and inspections and/or the director's designee or designees.

Fee means and includes both the license fee and application fee unless otherwise provided.

License means and includes all licenses and permits provided for or covered by these chapters.

License also includes licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of such licenses, for the purposes of making procedures in chapter 310 of the Legislative Code applicable to the approval or disapproval of such licenses.

Class N License District Council Notification Form means the form, provided by the Department to the license applicant as part of the Class N License application packet, which must be mailed or personally delivered to the district council by the license/applicant prior to the submission of the application for a license.

Person means and includes any person, firm, corporation, partnership, company, organization, agency, club or any group or association thereof. It shall also include any executor, administrator, trustee, receiver or other representative appointed by law.

Zoning administrator means the official in the department of safety and inspections charged with responsibility for enforcement of the zoning code.

(Ord 22-46, § 2, 11-9-22; Ord 23-32, § 2, 9-6-23)

Sec. 310.04. - Revocation; suspension; adverse actions; imposition of conditions.

- (a) *Council may take adverse action.* The council is authorized to take adverse action, as defined in section 310.01 above, against any or all licenses or permits, licensee or applicant for a license, as provided in and by these chapters. Adverse actions against entertainment licenses issued under chapter 411 of the Legislative Code may be initiated for the reasons set forth in subsection (b) below, or upon any lawful grounds which are communicated to the license holder in writing prior to the hearing before the council. Such actions must be initiated and carried out in accordance with the procedures outlined in section 310.03; provided, however, that the formal notice of hearing must be used to initiate the adverse action.
- (b) *Basis for action.* Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:
- (1) The license or permit was procured by misrepresentation of material facts, fraud, deceit or bad faith.
 - (2) The applicant or one acting in his or her behalf made oral or written misstatements or misrepresentations of material facts in or accompanying the application.
 - (3) The license was issued in violation of any of the provisions of the zoning code, or the premises which are licensed or which are to be licensed do not comply with applicable health, housing, fire, zoning and building codes and regulations.
 - (4) The license or permit was issued in violation of law, without authority, or under a material mistake of fact.
 - (5) The licensee or applicant has failed to comply with any condition set forth in the license, or set forth in the resolution granting or renewing the license.
 - (6) a. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;
 - b. The licensee or applicant has been convicted of a crime that may disqualify said applicant from holding the license in question under the standards and procedures in Minn. Stat.s chapter 364; or
 - c. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.
- (7)

The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.

- (8) 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.
- (9) Failure to keep sidewalks or pedestrian ways reasonably free of snow and ice as required under chapter 114 of the Saint Paul Legislative Code.
- (10) The licensee or applicant has shown by past misconduct or unfair acts or dealings: physical abuse, assaults or violent actions done to others, including, but not limited to, actions meeting the definition of criminal sexual conduct pursuant to Minn Stats. §§ 609.342 through 609.3451; sexual abuse, physical abuse or maltreatment of a child as defined in Minn. Stats. § 626.556, subdivisions 2 and 10e, including, but not limited to, acts which constitute a violation of Minn. Stats. §§ 609.02, subdivision 10; 609.321 through 609.3451; or 617.246; neglect or endangerment of a child as defined in Minn. Stats. § 626.557, subdivision 2; the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minn. Stats. chapter 152; the possession of a controlled substance as defined in Minn. Stats. chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others; or by the abuse of alcohol or other drugs, that such licensee or applicant is not a person of the good moral character or fitness required to engage in a licensed activity, business or profession.
- (11) The licensee or applicant has materially changed or permitted a material change in the design, construction or configuration of the licensed premises without the prior approval of the city council in the case of Class N licenses, the director in the case of Class T licenses, and the director in the case of Class R licenses, or without first having obtained the proper building permits from the city.
- (12) The licensee or applicant has violated section 294.01 of the Legislative Code, or has made or attempted to make a prohibited ex parte contact with a council member as provided in section 310.03 (c-2) of the Legislative Code.
- (13) The licensee violated the law or any license condition and that violation is related to a death or great bodily harm, as defined in Minn. Stats. § 609.02, subd. 8, in or near the establishment.
- (14) The licensee has failed to pay license fees within sixty (60) days of the date the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the

licensee, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of section 310.02 prohibiting re-application within one (1) year of revocation shall not apply to revocations under this paragraph.

The terms "licensee" or "applicant" for the purpose of this section means and includes any person who has any interest, whether as a holder of more than five (5) percent of the stock of a corporation, as a partner, or otherwise, in the premises or in the business or activity which are licensed or proposed to be licensed.

With respect to any license for activities entitled to the protection of the First Amendment, notwithstanding the foregoing provisions, neither the lack of good moral character or fitness of the licensee or applicant nor the content of the protected speech or matter must be the basis for adverse action against the license or application.

- (c) *Imposition of reasonable conditions and/or restrictions.* When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:
- (1) A limitation on the hours of operation of the licensed business or establishment, or on particular types of activities conducted in or on said business or establishment;
 - (2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;
 - (3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;
 - (4) A requirement to provide off-street parking in excess of other requirements of law;
 - (5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;
 - (6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance.

The director may recommend the imposition of such reasonable conditions and/or restrictions as an adverse action against the license or licenses. The council may impose such conditions with the consent of the license holder, as an adverse action against the license or licenses following notice and hearing as may be required. Such conditions may be imposed on a license or licenses upon issuance or renewal thereof, or upon and as part of any adverse action against a license or licenses, including suspension. Conditions imposed on a license or licenses will remain on such licenses when renewed and must continue thereafter until removed by the council.

- (d) Restrictions on intoxicating liquor, nonintoxicating and malt liquor licenses. When a reasonable basis is found by the council to impose restrictions or conditions upon an intoxicating liquor license held under this chapter, the council, upon issuing a new license or renewing a license or approving a transfer of a license, may impose reasonable conditions and restrictions pertaining to the manner and circumstances in which the business to preserve the public peace and protect and promote good order and security. These reasonable conditions or restrictions may pertain to:
 - (1) The hours when intoxicating liquor may be sold and/or consumed on the licensed premises;
 - (2) The exact location within a building where intoxicating liquor will be served and/or sold and/or consumed;
 - (3) The means of ingress to or egress from the licensed establishment;
 - (4) A requirement that certain off-street parking facilities be provided;
 - (5) A condition that the license will be in effect only so long as the establishment remains a drugstore, restaurant or hotel as defined by the state liquor act or regulations adopted pursuant thereto;
 - (6) The means and methods of advertising the sale of intoxicating liquor on the building and/or on the premises adjacent thereto;
 - (7) Reasonable conditions limiting the operation of the licensed premises so as to ensure that the licensed business will comport with the character of the district in which it is located and/or to the end that nuisances will be prevented; and
 - (8) Additional conditions upon hotels and restaurants which may in the discretion of the council tend to ensure that the sale of liquor will take place only in conjunction with the sale and service of food.
- (e) *Standards for multiple license determination.* In any case in which the council is authorized to take adverse action against less than all of the licenses held by a licensee, or applied for by an applicant, the following standards may be used:
 - (1) The nature and gravity of the grounds found by the council to exist upon which the adverse action would be based;
 - (2)

The policy and/or regulatory goals for the particular licenses involved, either as embodied in the Legislative Code or as found and determined by the council;

- (3) The interrelationship of the licenses and their relative importance to the overall business enterprise of the licensee or applicant;
- (4) The management practices of the licensee or applicant with respect to each of such licenses;
- (5) The extent to which adverse action against less than all of the licenses or applications would result in difficulty in enforcing and monitoring the adverse action taken;
- (6) The hardship to the licensee or applicant that would be caused by applying adverse action to all licenses or applications; and
- (7) The hardship and/or danger to the public, or to the public health and welfare, that would result from adverse action against less than all of the licenses or applications.

(Ord 22-46, § 5, 11-9-22)

Sec. 65.705. Auto repair station.

A place where the following services may be carried out: general repair of automobiles, trucks, motorcycles, boats, etc.; engine rebuilding; and rebuilding or reconditioning of motor vehicles. The sale of engine fuels may or may not also be carried on.

Standards and conditions:

- (a) The minimum lot area shall be fifteen thousand (15,000) square feet.
- (b) A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjoining an existing residence or adjoining land zoned residential.
- (c) All repair work shall be done within an enclosed building.
- (d) There shall be no outside storage.
- (e) In the IT transitional industrial district this use shall be limited to parcels within one-quarter ($\frac{1}{4}$) mile of University Avenue, and all vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301.

(Ord. No. 11-27, § 1, 4-20-11; Ord 13-22, § 5, 8-21-13)