



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

February 20, 2014

NOTICE OF VIOLATION

David Mars, Owner/President  
Half Time Rec  
1013 Front Avenue  
St. Paul, MN 55103

RE: All licenses held by Mars Enterprizes, LLC d/b/a Half Time Rec for the premises located at 1013 Front Avenue in Saint Paul.  
License ID #: 20090003003

Dear Mr. Mars:

The Department of Safety and Inspections (DSI) has recommended adverse action against all licenses held by Mars Enterprizes, LLC d/b/a Half Time Rec for the premises located at 1013 Front Avenue in Saint Paul. The basis for the recommendation is as follows:

**On February 5, 2014, you were sent a letter from the Department of Safety and Inspections (DSI) requesting a copy of the video surveillance from your premises for the evening of January 15, 2014 from 11:30 p.m. to closing. The video recording was to include all cameras both inside and outside of the establishment. The request was made to determine on-going compliance with the conditions of your license. You were asked to either mail a copy of the recording or bring it into DSI offices by Friday, February 14, 2014. As of today's date the video surveillance requested has not been submitted.**

**This is a violation of license condition #9 which states: "Licensee will install and maintain a video surveillance system in accordance with Saint Paul Police Department (SPPD) recommendations. Cameras must be recording during all hours of operation. Tapes shall be maintained for 30 days and made available to SPPD and inspection staff immediately upon request. District 6 will work with the licensee to provide partial funding for the video system. Licensee must have the equipment installed by August 1, 2010."**

As a result of this license condition violation, per Saint Paul Legislative Code § 310.05(m), the licensing department will recommend a \$500.00 matrix penalty. The licensing department will also recommend an update to license condition #9 to reflect current language.

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

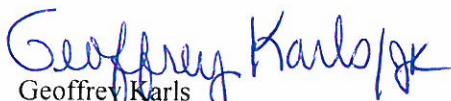
1. You can pay the recommended \$500.00 matrix penalty and sign the enclosed license condition affidavit. If this is your choice, you should make payment and send the signed license condition affidavit directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 3, 2014**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.
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 **Monday, March 3, 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 update license condition #9 to reflect current language. 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 **Monday, March 3, 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 Monday, March 3, 2014, I will assume that you do not contest the imposition of the \$500.00 matrix penalty and an update to license condition #9. 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 Kristina Schweinler, Senior License Inspector – DSI  
David Mars, 240 Spring Street, Apt. #311, Saint Paul, MN 55102  
Kerry Antrim, Executive Director, District 6 Planning Council, 171 Front Avenue, Saint Paul MN 55117

Enc: License Condition Affidavit



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

1. The property owner, Timothy Weiss, shall not have an interest in the business or be involved in any way in the operation or management of this licensed establishment.
2. The back door shall be kept closed at all times. All doors shall be closed when entertainment is provided.
3. There shall be no dumping of bottles after 9PM and before 7AM.
4. No alcohol is permitted outside of the establishment.
5. Motorcycle parking shall not be permitted on the sidewalk.
6. Bar staff will regularly monitor patron behavior outside of the establishment (including the parking lot) to prevent loitering, excessive noise, and illegal drinking.
7. Bar staff will pick up litter daily outside of the establishment.
8. The bar will provide 3 security staff on nights when entertainment is offered and 2 security on other nights. Security staff shall wear clothing that clearly identifies them as security.
9. The bar will close at 1:00 AM (12:30 AM last call) for 90 days (to begin with council approval of these license conditions). The 2AM closure will be reinstated at the end of 90 days by written notification from DSI.
9. Licensee ~~will~~ shall install and maintain a video surveillance cameras system inside and outside the establishment. The video recording shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Dept. (SPPD) immediately upon request. In addition, if the SPPD responds to a call at or in the vicinity of the licensed premises, and requests that a copy of the surveillance footage, the license holder shall have technology available to make the copy at the time of the request and shall provide it to the police without delay. In other cases, if the SPPD or The Dept. of Safety and Inspections (DSI) requests copies of the surveillance tapes, licensee shall provide a copy within 48-hours. A camera and lighting placement plan shall be submitted to DSI to review and approve. ~~Cameras must be recording during all hours of operation. Tapes shall be maintained for 30 days and be made available to SPPD and inspection staff immediately upon request. District 6 will work with the licensee to provide partial funding for the video system. Licensee must have the equipment installed by August 1, 2010.~~
10. District 6 will schedule a community meeting with the bar owner, DSI, and the neighbors of this bar during the first week of June, 2010, to provide a forum to discuss any neighborhood issues regarding this establishment.

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Signature

Date

STATE OF MINNESOTA)  
 ) ss.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

COUNTY OF RAMSEY )

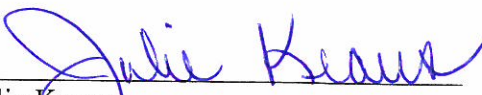
Julie Kraus, being first duly sworn, deposes and says that on the 20th day of February she served the attached **NOTICE OF VIOLATION** and a correct copy thereof in an envelope addressed as follows:

David Mars, Owner/President  
Half Time Rec  
1013 Front Avenue  
St. Paul, MN 55103

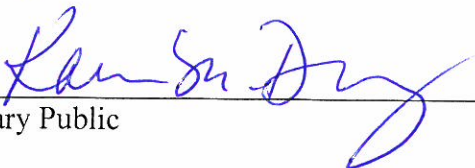
David Mars  
240 Spring Street, Apt. #311  
Saint Paul, MN 55102

Kerry Antrim, Executive Director  
District 6 Planning Council  
171 Front Avenue  
Saint 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 20th day of February 2014

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

