



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

November 24, 2010

NOTICE OF INTENT TO SUSPEND LICENSES

Mohammad Wazwaz
Corner Meats & Grocery
516 Rice Street
St. Paul, MN 55103

RE: All licenses held by MW #1, Inc. d/b/a Corner Meats & Grocery for the premises located at 516 Rice Street in Saint Paul
License ID #: 20090000931

Dear Mr. Wazwaz:

The Department of Safety and Inspections will recommend suspension of all licenses held by MW #1, Inc. d/b/a Corner Meats & Grocery for the premises located at 516 Rice Street in Saint Paul. The basis for the recommendation is as follows:

On November 22, 2010, the Department of Safety and Inspections – Fire Inspections Division sent Del Co Limited Partnership, owners of 516 and 520 Rice Street a NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE. This notice condemned the building and revoked the Certificate of Occupancy.

As a result of the condemnation, the space you currently lease does not have a Fire Certificate of Occupancy required by Saint Paul Legislative Code §40.01 which states: “All existing buildings in the city are required to have and maintain a fire certificate of occupancy issued by the fire marshal. The certificate shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building’s occupants and the general public. It shall be a misdemeanor to rent or lease, or permit occupancy of, a building or structure or portion thereof which does not have a fire certificate of occupancy.”

Operating your business in a condemned building is a violation of Saint Paul Legislative Code § 310.06 (b) (8) which 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.” and Saint Paul Legislative Code § 310.06 (11) which states: “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 inspector in the case of Class R licenses, or without first having obtained the proper building permits from the city.”

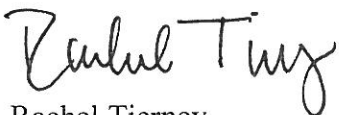
At this time, you have two options on how to proceed:

1. 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 6, 2010**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. If you dispute the above facts, you can request a hearing before an Administrative Law Judge. At that hearing both you and the City will be able to appear and present witnesses, evidence and cross-examine the other's witnesses. The St. Paul City Council will ultimately decide the case. If this is your choice, please let me know by **Monday, December 6, 2010**, and I will take the necessary steps to schedule the administrative hearing.

If you have not contacted me by at date, I will assume that you do not contest the immediate suspension of your licenses. 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
Tait Danielson Castillo, Exec. Director, District 7 Planning Council, 685 Minnehaha Avenue West
St. Paul, MN 55104

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 24th day of November, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** by placing a true and correct copy thereof in an envelope addressed as follows:

Mohammad Wazwaz
Corner Meats & Grocery
516 Rice Street
St. Paul, MN 55103

Tait Danielson Castillo, Exec. Director
District 7 Planning Council
685 Minnehaha Avenue West
St. Paul, MN 55104

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

Julie Kraus
Julie Kraus

Subscribed and sworn to before me
this 24th day of November, 2010

Karen M. Doumany
Notary Public

