



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

June 26, 2014

NOTICE OF VIOLATION

Hassibullah Farooq, Owner  
Farooq's Hall  
560 Como Avenue  
St. Paul, MN 55103

RE: Dance or Rental Halls license held by International Deli & Banquet Hall, LLC d/b/a Farooq's Hall for the premises located at 560 Como Avenue in Saint Paul.  
License ID #: 20130003874

Dear Hassibullah Farooq:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Dance or Rental Halls license held by International Deli & Banquet Hall, LLC d/b/a Farooq's Hall for the premises located at 560 Como Avenue in Saint Paul. The basis for the recommendation is as follows:

**On June 21, 2014 at approximately 12:38 a.m., Saint Paul Police were sent to your establishment on a complaint of loud music (CN #14-124-896). When they arrived they sat in the parking lot over 50 feet away from the building and could clearly hear music coming from inside the hall. The noise was loud enough that residents adjacent to the alley directly behind the building would be able to hear. The officers met with you to advise you of the neighbor's complaint and explained the Noise Ordinance.**

**Section 293.02 (a) (1) of that ordinance describes noise as a public nuisance: "It shall be unlawful for any person to make, continue, permit or cause to be made continued or permitted within the city, any loud disturbing or excessive noise which would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities in the area."**

**You told the officers that your establishment was a banquet hall and which allowed you to operate until 2:00 a.m. However, according to DSI records, the license condition affidavit you signed and returned to on November 27, 2013, does not allow you to operate past 12:00 a.m. (midnight): "2. The reception and dance hall shall not operate between the hours of 12:00 a.m. (midnight) and 6 a.m."**

As a result of the license condition violation, per Saint Paul Legislative Code § 310.05 (m) (1) the licensing department will recommend a \$500.00 matrix penalty.

At this time, you have three options to proceed:

1. You can pay the recommended \$500.00 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, July 7, 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, July 7, 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. 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, July 7, 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 or DSI by Monday, July 7, 2014, I will assume that you do not contest the imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Geoffrey Karls  
Assistant City Attorney

cc Hassibullah Farooq, 2109 Portland Avenue, Minneapolis, MN 55404  
Kerry Antrim, Executive Director, District 6 Planning Council, 171 Front Avenue, Saint Paul, MN 55117

STATE OF MINNESOTA)  
 ) ss.

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

COUNTY OF RAMSEY )

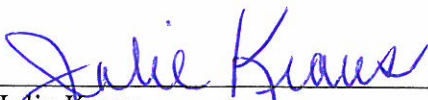
Julie Kraus, being first duly sworn, deposes and says that on the 26<sup>th</sup> day of June she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Hassibullah Farooq, Owner  
Farooq's Hall  
560 Como Avenue  
St. Paul, MN 55103

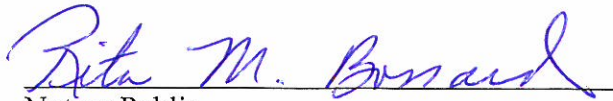
Hassibullah Farooq  
2109 Portland Avenue  
Minneapolis, MN 55404

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 26<sup>th</sup> day of June, 2014

  
\_\_\_\_\_  
Rita M. Bossard  
Notary Public

