



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

August 18, 2014

**NOTICE OF INTENT TO REVOKE LICENSES**

Corona Manuela, Owner  
Tires & More  
847 White Bear Avenue North  
Saint Paul, MN 55106

RE: Auto Repair Garage and Second Hand Dealer-Motor Vehicle Parts licenses held by JCDC, Inc. d/b/a Tires & More for the premises located at 847 White Bear Avenue North in Saint Paul  
License ID #201000003760

Dear Corona Manuela:

The Department of Safety and Inspections (DSI) has recommended revocation of the Auto Repair Garage and Second Hand Dealer-Motor Vehicle Parts licenses held by JCDC, Inc. d/b/a Tires & More for the premises located at 847 White Bear Avenue North in Saint Paul. The basis for this recommendation is as follows:

**On July 24, 2014, you were sent a letter from the Department of Safety and Inspections (DSI) regarding an inspection conducted at your premises on July 14, 2014. During the time of the inspection, the DSI Inspector documented large piles of tires stored outside of the building in violation of license condition #4: "There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associates with the business..."**

**You were given until August 13, 2014 to remove the tires and dispose of them in a legal manner either by finding storage within the building or through a certified recycler.**

**On July 30, 2014, DSI came to your premises for a re-inspection and found the office had been cleared out and the doors were locked. However, the large pile of tires documented on July 14, 2014 had not been removed and were still stored outside the building.**

**DSI also discovered recently that your Certificate of Occupancy had been revoked as of March 13, 2014. Per Saint Paul Legislative Code § 40.01 states: “All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issues by the department of safety and inspections.....”**

**Saint Paul Legislative Code § 40.12 prohibit occupancy without a fire certificate of occupancy: “No person shall occupy any building which does not have a fire certificate of occupancy.....”**

At this time, you have two options to proceed:

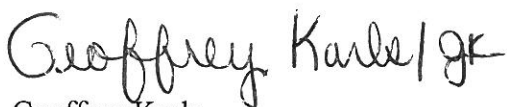
1. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a public hearing. We will need to receive your letter no later than **Thursday, August 28, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Auto Repair Garage and Second Hand Dealer – Motor Vehicle Parts licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. 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 **Thursday, August 28, 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 then 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 Thursday, August 28, 2014, I will assume that you do not contest the revocation of your Auto Repair Garage and Second Hand Dealer-Motor Vehicle Parts 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,



Geoffrey Karls  
Assistant City Attorney

cc: Dan Niziolek, DSI Deputy Director

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 18<sup>th</sup> day of August she served the attached **NOTICE OF INTENT TO REVOKE LICENSES** and correct copy thereof in an envelope addressed as follows:

Corona Manuela, Owner  
Tires & More  
847 White Bear Avenue North  
Saint Paul, MN 55106

(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 18<sup>th</sup> day of August, 2014

Rita M. Bossard  
Notary Public

