



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

April 8, 2011

NOTICE OF INTENT TO SUSPEND LICENSES

Ryan Manning
Anytime Fitness
2501 – 7th Street West
St. Paul, MN 55116

RE: Health/Sport Club and Tanning Facility licenses held by Health Skills LLC St Paul d/b/a Anytime Fitness for the premises located at 2501 – 7th Street West in Saint Paul
License ID #20060001202

Dear Mr. Manning:

The Department of Safety and Inspections (DSI) has recommended suspension of the Health/Sport Club and Tanning Facility licenses held by Health Skills LLC St Paul d/b/a Anytime Fitness for the premises located at 2501 – 7th Street West in Saint Paul. The basis for the recommendation is as follows:

On January 13, 2011, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating that your Health/Sport Club and Tanning Facility licenses expired as of June 18, 2010, and you now owe \$652.00 in delinquent license and late fees.

You were also asked to provide information on your tanning beds and complete and return a Certificate of Compliance Minnesota Workers' Compensation Law form.

You were given until January 31, 2011, to pay the delinquent license and late fees and submit the requested information. As of today's date, neither has been received.

In addition to the suspension of your Health/Sport Club and Tanning Facility licenses, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit the required information in order to maintain your license.

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

1. You can pay the \$652.00 in delinquent license and late fees and submit the requested information. If this is your choice, you can send the payment and information to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, April 18, 2011**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the requested information will be considered a waiver of the hearing to which you are entitled.

Anytime Fitness

April 8, 2011

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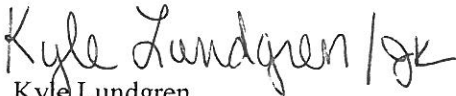
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, April 18, 2011**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses and 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). 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. If this is your choice, please advise me no later than **Monday, April 18, 2011**, and I will take the necessary steps to schedule the administrative hearing.

If you have not contacted me by that date, I will assume that you do not contest the suspension of your licenses and 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,



Kyle Lundgren
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Ryan Manning, 546-127th Avenue NW, Coon Rapids, MN 55448

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

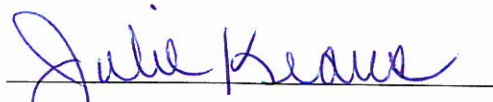
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 8th day of April, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Ryan Manning
Anytime Fitness
2501 – 7th Street West
St. Paul, MN 55116


Ryan Manning
546-127th Avenue NW
Coon Rapids, MN 55448

(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 8th day of April, 2011



Notary Public

