



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, 2013

NOTICE OF INTENT TO SUSPEND LICENSES

Christopher M. Bipes
Arbortech Stump & Tree Removal
6332 Rhode Island Avenue North
Brooklyn Park, MN 55428-2258

RE: Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses held by CB Industries, Inc. d/b/a Arbortech Stump & Tree Removal for the City of Saint Paul
License ID #20110004042

Dear Mr. Bipes:

The Department of Safety and Inspections (DSI) has recommended suspension of the Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses held by CB Industries, Inc. d/b/a Arbortech Stump & Tree Removal for the City of Saint Paul. The basis for the recommendation is as follows:

On December 11, 2012 and January 4, 2013, you were sent letters and RENEWAL INVOICES from the Department of Safety and Inspections (DSI) stating your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses expired August 12, 2012 and October 2, 2012 respectively. You currently owe \$467.00 in delinquent license and late fees.

You were also asked to call DSI to schedule a vehicle inspection and submit the following information listed on your renewal invoices: 1) current vehicle information (year, make, model and license plate #); 2) a current certificate of General Liability insurance in the amount of \$100,000 for bodily injury and \$100,000 in property damage; 3) proof of registration with the Commissioner of Agriculture; 4) proof that you have employed an individual who possesses current certification as an arborist from the ISA and 5) return a completed Certificate of Compliance Minnesota Workers' Compensation Law form.

You were given until January 25, 2013, to pay the 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 Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle 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 delinquent license and late fees and submit the requested information. If this is your choice, you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, March 1, 2013**. 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 to be a waiver of the hearing to which you are entitled.
2. 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. I will need to receive your letter by **Friday, March 1, 2013**. 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 no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, March 1, 2013**. Information should be directed to the attention of Christine Rozek.

If you have not contacted me by Friday, March 1, 2013, 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,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI

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 INTENT TO SUSPEND LICENSES** and a correct copy thereof in an envelope addressed as follows:

Christopher M. Bipes
Arbortech Stump & Tree Removal
6332 Rhode Island Avenue North
Brooklyn Park, MN 55428-2258

(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, 2013


Notary Public

