



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

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June 20, 2016

NOTICE OF INTENT TO REVOKE LICENSE

Jemal Omer Tahiro
554 Central Avenue West, Apt. 1204
St. Paul, MN 55103

RE: Taxicab Driver license held by Jemal Omer Tahiro for the City of Saint Paul
License ID #: 20100001850

Dear Licensee:

The Department of Safety and Inspections will recommend revocation of the Taxicab Driver license held by Jemal Omer Tahiro for the City of Saint Paul. The recommendation is based on the following information:

On May 3, 2016, you submitted a Taxicab Driver renewal license application to the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the renewal process, DSI discovered you were cited on May 18, 2015 for 5th Degree Assault (Minn. Stat. §609.224.1) (Citation #620900266570). The incident involved the assault of a female passenger while operating your taxicab.

As a result of an Amended Plea on February 26, 2016, you were convicted of Misdemeanor Disorderly Conduct – Offensive/Abusive/Noisy/Obscene (Minn. Stat. § 609.72.1 (3) in Ramsey County District Court. You were placed on Probation to the Court for a period of one (1) year which is scheduled to expire on February 26, 2017.

Saint Paul Legislative Code § 376.16 (e) (4) (a) states the basis for adverse action – “Not to be under sentence or have been discharged from sentence for any felony conviction within the five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.”

Saint Paul Legislative Code § 310.06 (b) (6) (c) (a) states the basis for adverse action: “The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provision of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith.”

Saint Paul Legislative Code § 310.06 (b) (6) (c) states the basis for adverse action: “the licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the license activity or from which an inference of lack of fitness or good character may be drawn.”

At this time, you have three (3) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Thursday, June 30, 2016**. I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council agenda for approval of the proposed remedy.
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 no later than **Thursday, June 30, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Taxicab Driver license. 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, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Thursday, June 30, 2016**. 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 by Thursday, June 30, 2016, I will assume that you do not contest the revocation of your Taxicab Driver license. 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: Jemal Omer Tahiro, 5261 Sunnyside Road, Moundsview, MN 55112
Eric Hudak, DSI Licensing Manager
Ross Haddow, DSI

