



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 22, 2012

NOTICE OF INTENT TO SUSPEND LICENSES

Bonnie Wright
Attucks-Brooks American Legion Post #606
976 Concordia
Saint Paul, MN 55104

RE: Liquor On Sale – Club 201-500 Members – B and Liquor On Sale - Sunday licenses held by Attucks-Brooks American Legion Post #606 d/b/a Attucks-Brooks American Legion Post #606 for the premises located at 976 Concordia in Saint Paul
License ID #0023519

Dear Mr. Wright:

The Department of Safety and Inspections (DSI) has recommended suspension of the Liquor On Sale – Club 201-500 Members – B and Liquor On Sale - Sunday licenses held by Attucks-Brooks American Legion Post #606 d/b/a Attucks-Brooks American Legion Post #606 for the premises located at 976 Concordia in Saint Paul . The basis for the recommendation is as follows:

On July 26, 2012, the Department of Safety and Inspections (DSI) received notice from the Minnesota Department of Revenue that a Tax Clearance Requirement was issued concerning your Liquor On Sale – Club 201-500 Members – B and Liquor On Sale - Sunday licenses.

On August 7, 2012, you were hand-delivered and sent a NOTICE OF NON-RENEWAL OF LIQUOR LICENSES AND IMMEDIATE CLOSURE from DSI regarding those licenses. The notice stated that you were to immediately discontinue the sale of alcohol due to the fact that you had not resolved the tax clearance issue with the Minnesota Department of Revenue.

On August 3, 2012, you submitted a dishonored check in the amount of \$1,400.00 to pay for your license renewal fees. As a result, your liquor licenses were not renewed and expired on July 7, 2012. You currently owe \$1,557.00 in delinquent license and late fees (\$1,430.00 license fees, \$30.00 NSF Check Charge and \$127.00 in late fees).

The Department of Safety and Inspections is prohibited from issuing or renewing your licenses until they receive a Clearance Certificate from the Minnesota Department of Revenue and you submit full payment for your delinquent license and late fees.

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

1. You must pay the overdue tax liability to the Minnesota Department of Revenue. The City will not issue or renew any liquor licenses unless and until the Department of Revenue issues a Tax Clearance Certificate.
2. You will also need to submit full payment for your delinquent licenses plus NSF check charges and late fees to DSI. If this is your choice, you should send the license renewal and fees payments directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, September 3, 2012**. Information should be directed to the attention of Christine Rozek. A self-addressed envelope is enclosed for your convenience. Payment of your delinquent license and late fees to DSI will be considered to be a waiver of the hearing to which you are entitled.
3. 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 no later than **Monday, September 3, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. 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 no later than **Monday, September 3, 2012**, disputing the facts and requesting an administrative hearing. 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 paid the overdue tax liability to the State and delinquent license and late fees to DSI or contacted me by Monday, September 3, 2012, I will assume that you do not contest the suspension of your 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,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Bonnie Wright, Attucks-Brooks American Legion Post #606, P.O. Box 4281, Saint Paul, MN 55104-0281
Inna Landrum, Executive Director, Summit-University Planning Council, 627 Selby Avenue
Saint Paul, MN 55104-6615

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 22nd day of August she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Bonnie Wright
Attucks-Brooks American Legion Post #606
976 Concordia
Saint Paul, MN 55104

Bonnie Wright
Attucks-Brooks American Legion Post #606
P.O. Box 4281
Saint Paul, MN 55104-0281

Irna Landrum, Executive Director
Summit-University Planning Council
627 Selby Avenue
Saint Paul, MN 55104-6615

(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 22nd day of August, 2012

Rita M. Bossard
Notary Public

