OFFICE OF THE CITY ATTORNEY

Sara Grewing, City Attorney



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

Telephone: 651 266-8710

15 West Kellogg Blvd.

Facsimile: 651 298-5619

Saint Paul, Minnesota 55102

November 22, 2013

NOTICE OF INTENT TO REVOKE LICENSES

Steven James Ledin Blaney & Ledin, LTD 8971 Highway 5 E Lake Elmo, MN 55042

RE:

All licenses held by SPC Enterprises, Inc. d/b/a Station 4 for the premises located at 201 – 4th Street East in Saint Paul

License ID #20040005222

Dear Mr. Ledin:

The Department of Safety and Inspections (DSI) has recommended revocation of all licenses held by SPC Enterprises, Inc. d/b/a Station 4 for the premises located at $201 - 4^{th}$ Street East in Saint Paul. The basis for the recommendation is as follows:

According to Department of Safety and Inspection (DSI) records, your licenses have been delinquent since July 5, 2013. You currently owe \$4,360.00 in delinquent license and late fees. DSI also requested you submit the following information with your payment: 1) current certificate of Liquor Liability insurance; 2) State Liquor certification; 3) city renewal application and 4) a completed Certificate of Compliance Minnesota Workers' Compensation Law form.

In addition, records show the Fire Certificate of Occupancy (C of O) for the basement and bar have been revoked on June 7, 2013 area. Saint Paul Legislative Code § 40.01 (a) states: "All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the fire marshal...."

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

1. If you wish to <u>admit</u> 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 **Monday**, **December 2**, **2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf

Station 4 November 22, 2013 Page 2

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 **Monday**, **December 2**, 2013. 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 or DSI by Monday, December 2, 2013, I will assume that you do not contest the revocation 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,

cc: Christine Rozek, Deputy Director of DSI

Steven James Ledin, C/o Station 4, 201- 4th Street East, Saint Paul, MN 55101 Melissa Martinez-Sones, Community Organizer, CapitolRiver Council District 17 US Bank Center, 101 East 5th Street, Suite 240, Saint Paul, MN 55101

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

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

Steven James Ledin Blaney & Ledin, LTD 8971 Highway 5 E Lake Elmo, MN 55042

Steven James Ledin C/o Station 4 201- 4th Street East Saint Paul, MN 55101

Melissa Martinez-Sones, Community Organizer CapitolRiver Council District 17 US Bank Center 101 East 5th Street, Suite 240 Saint Paul, MN 55101

(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 22 nd day of November, 2013

Notary Public

KAREN M. DOUMANY

NOTARY PUBLIC - MINNESOTA
MY COMMISSION
EXPIRES JAN. 31, 2015