



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

November 21, 2017

**AMENDED NOTICE OF VIOLATION**

Jonathan Price, President  
Johnny Baby's  
981 University Avenue West  
St. Paul, MN 55104

RE: Liquor On Sale – 101 – 180 Seats; Liquor On Sale-Sunday and Gambling Location licenses held by JC & MTM, Inc. d/b/a Johnny Baby's for the premises located at 981 University Avenue West in Saint Paul License ID #20040000766

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against the Liquor On Sale – 101 – 180 Seats; Liquor On Sale-Sunday and Gambling Location licenses held by JC & MTM, Inc. d/b/a Johnny Baby's for the premises located at 981 University Avenue West in Saint Paul. The basis for the recommendation is as follows:

**On October 24, 2017, you were sent a letter from the Department of Safety and Inspections (DSI) requesting a copy of all interior video camera surveillance for the following dates and times:**

- Saturday October 7, 2017 from 12:30 a.m. until 2:00 a.m.
- Sunday, October 8, 2017 from 12:30 a.m. until 2:00 a.m.
- Saturday, October 14, 2017 from 12:30 a.m. until 2:00 a.m.
- Sunday October 15, 2017 from 12:30 a.m. until 2:00 a.m.
- Saturday, October 21, 2017 from 12:30 a.m. until 2:00 a.m.
- Sunday, October 22, 2017 from 12:30 a.m. until 2:00 a.m.

**A review of the video you provided to DSI staff clearly shows service and consumption of alcohol after 1:00 a.m. on October 21, 2017 (1:14 a.m. to 1:44 a.m.) and on October 22, 2017 (1:20 a.m. to 1:50 a.m.). You currently do not hold a Liquor 2AM Closing license which would allow you to serve alcohol until 2AM.**

As a result of this violation, per Saint Paul Legislative Code § 409.26 (b) (5) & (6), the licensing office will recommend a \$500.00 matrix penalty.

At this time, you have four (4) 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 **Friday, December 1, 2017**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. You can pay the recommended \$500.00 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, December 1, 2017**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.
3. 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 **Friday, December 1, 2017**. The matter will then be scheduled before the City Council to determine whether to impose the \$500.00 matrix penalty. 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 disputing the facts and requesting an administrative hearing no later than **Friday, December 1, 2017**. 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 Friday, December 1, 2017, I will assume that you do not contest the imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact my Legal Assistant, Julie Kraus at (651)266-8710.

Sincerely,



Therese Skarda  
Assistant City Attorney

cc: Jonathan Price, 2575 Ivy Avenue East #304, Maplewood, MN 55119  
Tia Williams, Community Organizer, Frogtown Neighborhood Association (District 7)  
501 Dale Street North, Suite 300, St. Paul, MN 55103

