



CITY OF SAINT PAUL
Mayor Melvin Carter

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

October 16, 2018

NOTICE OF COUNCIL HEARING

Kavin Choua Thao, Owner
Pupraya Thai Restaurant
945 Rice Street, Unit A
St. Paul, MN 55117

RE: Liquor On Sale -101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant for the premises located at 945 Rice Street, Unit A in Saint Paul.
License ID #: 20140001202

Dear Licensee:

Please take notice that this matter has been set on the Public Hearing Agenda for a City Council meeting on **Wednesday, November 7, 2018 at 5:30 p.m.**, in the City Council Chambers, Third Floor, Saint Paul City Hall and Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, MN 55102.

Enclosed are copies of the letter you sent on October 2, 2018, indicating that you were not contesting the facts related to the incident, but were requesting the opportunity to address the Council regarding the penalty, the resolution and any supporting documents. This information will be presented to City Council for their consideration.

This is an uncontested matter related to the Department of Safety and Inspections receipt of documents from your insurance company indicating a seven (7) day lapse in liquor liability insurance coverage from August 24, 2018 to August 30, 2018.

Pursuant to Saint Paul Legislative Code § 409.26 (b) (12), the licensing office will recommend a ten (10) day suspension of your Liquor On Sale -101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses.

Sincerely,

Therese Skarda
Assistant City Attorney

Cc: Kavin Choua Thao, 947 Lawson Avenue East, St. Paul, MN 55106-3221
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Avenue, St. Paul, MN 55117
Tk2, LLC, 10341 Waterfront Drive, Woodbury, MN 55129-8534

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 16th day of October, she served the attached **NOTICE OF COUNCIL HEARING** and a correct copy thereof in an envelope addressed as follows:


Kavin Choua Thao, Owner
Pupraya Thai Restaurant
945 Rice Street, Unit A
St. Paul, MN 55117

Kavin Choua Thao
947 Lawson Avenue East
St. Paul, MN 55106-3221


Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Avenue
St. Paul, MN 55117

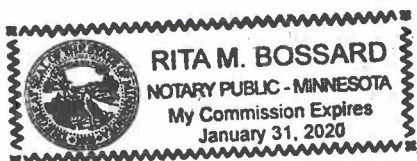
Tk2, LLC,
10341 Waterfront Drive
Woodbury, MN 55129-8534

(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 16TH day of October 2018


Notary Public



UNCONTESTED LICENSE MATTER

Licensee Name: Pupraya Thai Restaurant

Address: 945 Rice Street, Unit A
St. Paul, MN 55117

Council Date: Wednesday, November 7, 2018 at 5:30 p.m.

Violation: Lapse in liquor liability insurance coverage from August 24, 2018 to August 30, 2018

Recommendation of Assistant City Attorney on behalf of client, Department of Safety and Inspections:

Ten (10) suspension of Liquor On Sale-101-180 Seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses.

Attachments:

1. Resolution
2. Certificate of Liability Insurance dated 9/26/2017 (1 page)
3. Liquor Liability Certificate of Insurance received 9/04/2018 (1 page)
4. Notice of Intent to Suspend Licenses with Affidavit of Service dated 9/25/2018 (3 pages)
5. Letter from the Department of Safety and Inspections to the licensee dated 10/02/2018 (1 page)
6. Letter from licensee requesting a public hearing dated 10/02/2018 (1 page)
7. License Group Comments Text and licensee information from ECLIPS System dated 9/14/2018 (6 pages)
8. License Group Conditions Texts from ECLIPS System dated 9/14/2018 (1 page)
9. STAMP Ownership/Zoning Information (1 page)
10. Saint Paul Legislative Code § 409.065
11. Saint Paul Legislative Code § 409.26

WHEREAS, the Liquor On Sale – 101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) for the premises located at 945 Rice Street, Unit A in Saint Paul were the subject of a Notice of Intent to Suspend Licenses dated September 25, 2018; and

WHEREAS, Department of Safety and Inspections (DSI) records show the licensee submitted a Certificate of Liability Insurance dated September 26, 2017 with a coverage period of August 24, 2017 to August 24, 2018; and

WHEREAS, on September 4, 2018 the Department of Safety and Inspections (DSI) received a Liquor Liability Certificate of Insurance from Associated Insurance Counselors with a coverage period of August 30, 2018 to July 23, 2019; and

WHEREAS, the new Liquor Liability Certificate of Insurance showed a seven (7) day lapse in coverage from August 24, 2018 to August 30, 2018; and

WHEREAS, on October 2, 2018, the Department of Safety and Inspections sent a letter to the licensee giving notice not to serve intoxicating beverages until a current certificate of liquor liability insurance with no lapse in coverage was submitted; and

WHEREAS, Saint Paul Legislative Code § 409.065 requires licensees hold current liquor liability insurance without a lapse in coverage in order to continue operating the business; and

WHEREAS, per Saint Paul Legislative Code § 409.26 (b) (12) the licensing office recommended a ten (10) day suspension of all licenses; and

WHEREAS, the licensee responded to the Notice of Intent to Suspend Licenses to request a public which was held on November 7, 2018; now therefore be it

RESOLVED, the Liquor On Sale – 101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) for the premises located at 945 Rice Street, Unit A in Saint Paul are hereby suspended for a period of ten (10) days due to a seven (7) day lapse in liquor liability coverage from August 24, 2018 to August 30, 2018.

FURTHER RESOLVED, said suspension will begin at 12:00 a.m. (midnight) on Wednesday, November 28, 2018 and end at 11:59 p.m. on Friday, December 10, 2018.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/26/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OF PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Associated Insurance Counselors 1646 East County Road E White Bear Lake MN 55110 Phone: 651-770-0343 Fax: 651-773-4060	CONTACT NAME: Dave Masanz PHONE (A/C, No, Ext): 651.770.0343 FAX (A/C, No): 651.773.4060 E-MAIL ADDRESS: Davem@associatedinscounselors.com																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>Ohio Security Ins Co</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Ohio Security Ins Co		INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:	
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INSURER F:																					
INSURED KAVIN CHOI & THAO PUPRAYA THAI RESTAURANT 945 RICE ST, STE A Saint Paul MN 55117 <i>14-1202</i> <i>CL</i>																					

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CLAUSE MAY BE APPLICABLE OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	RANGE	ADDITIONAL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			BKS1857470632	08/24/2017	08/24/2018	EACH OCCURRENCE \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Per occurrence) \$ 300,000
							MED EXP (Any one person) \$ EXCLUDED
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Per accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
A	Liquor Liability			BKS1857470632	08/24/2017	08/24/2018	Occurrence \$1,000,000
							Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER City of St Paul Dept of Safety & Inspections 375 Jackson St Ste 220 St Paul MN 55101 fx 651.266.9124	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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LIQUOR LIABILITY
CERTIFICATE OF INSURANCE

MINNESOTA JOINT UNDERWRITING ASSOCIATION
12400 PORTLAND AVE S, STE 190
BURNSVILLE, MN 55337

This certificate of insurance is issued as a matter of information only and confers no rights upon the Certificate Holder.
This certificate does not amend, extend or alter the coverage afforded by the policy listed below.

Policy Number: L180366

Policy Period: FROM 8/30/2018 TO 7/23/2019
12:01 AM Standard Time

RECEIVED IN D.
SEP 04 2018

INSURED:

KAVIN CHOUA THAO
PUPRAYA THAI RESTAURANT
945 RICE ST, STE A
ST. PAUL MN 55117

AGENT:

960
WELLE INC
DBA ASSOCIATED INSURANCE COUNSELORS
1646 EAST CTY RD E.
WHITE BEAR LAKE, MN 551107

THE MJUA IS PROHIBITED BY STATUTE FROM PROVIDING PRODUCTS AND COMPLETED OPERATIONS COVERAGE

NEW POLICY

LIQUOR LIABILITY

This is an audited policy and premium adjustments are made at the end of the policy period.
This is to certify that the Policy described herein has been issued to the Insured named above and is in force at this time.
Notwithstanding any requirement, term or condition of any Policy or other document with respect to which this certificate may be issued or may pertain, the coverage afforded by the Policy described herein is subject to all terms, exclusions and conditions of such Policy.

The Described Location(s) covered by this policy are as follows:

945 RICE STREET, SUITE A, ST. PAUL, MN 55117

COVERAGE

LIMIT

Deductible Amount: NONE

L. Bodily Injury	(Each Person)	\$50,000
	(Each Occurrence)	\$100,000
Property Damage	(Each Occurrence)	\$10,000
Loss of Means of Support	(Each Person)	\$50,000
	(Each Occurrence)	\$100,000
Pecuniary Loss	(Each Person)	\$50,000
	(Each Occurrence)	\$100,000
Annual Aggregate		\$300,000
Per Claimant		NONE

Business Description: RESTAURANT - LONG TERM, LIQUOR
LIQUOR LIABILITY

Certificate Holder:

CITY OF ST PAUL
375 JACKSON STREET, STE 220
SAINT PAUL MN 55101

Should the above policy be cancelled before the expiration date thereof, the Association will endeavor to mail 60 days written notice to the above named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the Association. In the event the cancellation is for non payment of premium, the Association will mail a 10 day written notice

8/30/18

COUNTERSIGNATURE DATE

[Signature]

OUR AUTHORIZED REPRESENTATIVE

[Signature]

OUR EXECUTIVE DIRECTOR

8/30/18

* CERTIFICATE HOLDER *

8/30/18

End of Certificate For Location 1 Building 1



CITY OF SAINT PAUL
Mayor Melvin Carter

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

September 25, 2018

NOTICE OF INTENT TO SUSPEND LICENSES

Kavin Choua Thao, Owner
Pupraya Thai Restaurant
945 Rice Street, Unit A
St. Paul, MN 55117

RE: Liquor On Sale –101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant for the premises located at 945 Rice Street, Unit A in Saint Paul.
License ID #: 20140001202

Dear Licensee:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Liquor On Sale –101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant for the premises located at 945 Rice Street, Unit A in Saint Paul. The basis for the recommendation is as follows:

On September 4, 2018, the Department of Safety and Inspections (DSI) received a Liquor Liability Certificate of Insurance from Welle, Inc. d/b/a Associated Insurance Counselors showing a policy period of August 30, 2018 to July 23, 2019. The previous Certificate of Liability Insurance on file with DSI dated September 26, 2017 showed a coverage period from August 24, 2017 to August 24, 2018.

The new certificate now indicates a seven (7) day lapse in liquor liability coverage from August 24, 2018 to August 30, 2018.

Saint Paul Legislative Code § 409.065 states: “No license under this chapter may be issued, maintained or renewed unless the licensee or applicant therefor complies with the insurance requirements imposed by Minn. Stat. § 340A.409. Such insurance coverage shall comply with the requirements of Minn. Stat. § 340A.409 and Chapters 7 and 8 of this Legislative Code. “

You are required to hold current liquor liability insurance without a lapse in coverage to continue operating your business. Per Saint Paul Legislative Code § 409.26 (b) (12), the licensing department will recommend a ten (10) day suspension of your Liquor On Sale –101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses.

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, October 5, 2018**, I will presume that you have chosen to contest the proposed adverse action, and the matter will be placed on the **October 24, 2018** City Council Consent agenda for approval of the proposed remedy.
2. If you wish to admit the facts but contest the ten (10) day suspension of you licenses, 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 by **Friday, October 5, 2018**. The matter will then be scheduled before the City Council to determine whether to suspend your Liquor On Sale –101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses for a period of ten (10) days. 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, 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, October 5, 2018**. 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).

4. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the enclosed REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 by **Friday, October 5, 2018**.

If you have not contacted me by Friday, October 5, 2018, I will assume that you do not contest a ten (10) day suspension of your Liquor On Sale –101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses. In that case, the matter will be placed on the October 24, 2018 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these four (4) options, please contact my Legal Assistant, Julie Kraus at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney
License No. 0240989

cc Kavin Choua Thao, 947 Lawson Avenue East, St. Paul, MN 55106-3221
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Avenue, St. Paul, MN 55117
Tk2, LLC, 10341 Waterfront Drive, Woodbury, MN 55129-8534

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 25TH day of September, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and a correct copy thereof in an envelope addressed as follows:

Kavin Choua Thao, Owner
Pupraya Thai Restaurant
945 Rice Street, Unit A
St. Paul, MN 55117

Kavin Choua Thao
947 Lawson Avenue East
St. Paul, MN 55106-3221

Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Avenue
St. Paul, MN 55117

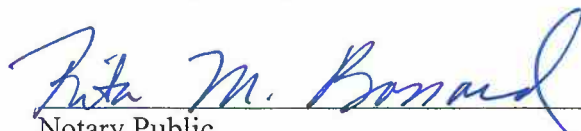
Tk2, LLC
10341 Waterfront Drive
Woodbury, MN 55129-8534

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

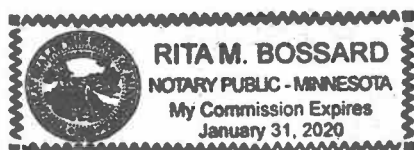


Julie Kraus

Subscribed and sworn to before me
this 25TH day of September 2018



Notary Public





CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

October 2, 2018

Kavin Choua Thao
Pupraya Thai Restaurant
945 Rice St.
St. Paul, MN 55117

Mr. Thao,

We have received a notice of cancelation for you Liquor Liability Insurance. This letter serves as your notice that you should not be serving or providing any intoxicating beverages until you have provided us with a valid certificate of Liquor Liability Insurance. Any lapse within the policy will be grounds for further adverse action.

Please contact me with any questions.

Respectfully,

Kristina Schweinler
Sr. License Inspector

Cc: Eric Hudak, License Manager
Therese Skarda, Asst. City Atty.

Kavin Choua Thao
Pupraya-Thai Restaurant
945 Rice Street, Suite A
St. Paul, MN 55117
October 2nd, 2018

RECEIVED
OCT 03 2018
CITY ATTORNEY

City of St. Paul
Office of the City Attorney
400 City Hall
15 Kellogg Blvd.
St. Paul, MN 55102
Attention: Therese Skarda, Assistant City Attorney
Regarding: Notice of Intent to Suspend Licenses

I am writing this letter to respond to suspension of my Liquor On Sale-101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by me, Kavin Choua Thao d/b/a Pupraya-Thai Restaurant for the premises located on 945 Rice Street, Suite A, St. Paul, MN 55117.

I have decided to choose option two (2) by admitting to the facts but contest the ten (10) day suspension of my licenses in a public hearing before the Saint Paul City Council members. I will make sn appear in person at a council board members meeting and make my own statement regarding to what went wrong for this matter. It was the Under Writer's fault for not contact me directly, but looked on line and saw the licenses expiration date on August 30th, 2018 and coded it that way. I have my agent, David contacted her to make a change, but she said she can't change since it already coded on that date.

I would like to take this opportunity to thank you for your time and consideration

Sincerely,



Kavin Choua Thao-Owner

Licensee: KAVIN CHOUA THAO

DBA: PUPRAYA THAI RESTAURANT


License #: 20140001202

9/14/18 To CAO for adverse action, lapse in insurance from 8/24/18 to 8/30/18. KS
11/16/17 Request to extend entertainment to Wed. Nov. 22, and Mon. 1/1/18 recd. Dist. Council approval recd. KS
11/18/16 Request to extend entertainment to Wed. Nov.23, 2016 recd. ok from Dist. 6 Planning Council.KS
08/23/2016 License expiration date changed from 7/23 to 8/24 to expire with liquor liability. There is no lapse in coverage. LAB
6/17/16 Approved temp entertainment request for 6/29/16 and 7/4/16 with conditions. KS
02/01/2016 Orders issued submit payment 2nd 1/2 liq. fee, 02/16/2016 response date. JWF
3/2/15 Paid delinq. KS
02/20/2015 No response to delinquent 2nd 1/2 Liq. orders, to KS for adverse action. JWF
02/11/2015 Delinquent 2nd 1/2 orders sent (NOW OWE \$\$2,780, 7-30 days late), response date 02/19/2015. JWF
11/17/2014 Lic. issued 07/23/2014, 2nd 1/2 Liq. On Sale due 01/23/2015 (waive late fees if paid by then). Mailed 2nd 1/2 Liq. On Sale invoice. JWF
07/14/2014 No objections to lic. notification per Nhia Vang's office, Leg. Hearing Officer. JWF
07/09/2014 Council file #14-1136 approves 45 day waiver for issuance of licenses. JWF
05/22/2014 Rcvd. signed condition affidavit. Rcvd. DC 45 day waiver letter. KS to follow-up with CC approval. JWF
05/22/2014 EM sent to license applicant informing approval of management agreement (copied current licensee). Reminded them of current license expiration date on 06/24/2014. JWF
05/21/2014 License notification sent, 100M/35EM, response date 07/11/2014. JWF
04/14/2014 Adverse Licensing Action sent due to incident of shots fired outside of bar by an employee. \$1500.00 matrix penalty issued. KS/rjh

License Query

Address Licensee Contact License Cardholder

Licensee Name: KAVIN CHOUA THAO
 DBA: PUPRAYA THAI RESTAURANT
 Sales Tax Id:

Find Now
 OK
 Cancel
 New Search
 Help


SEARCH WINDOW

New Group...		New Temp Grp...		Copy Group...	Add License...	Properties...
License #	Tag #	Licensee Name	DBA	License Type	Status	
140001202	21807	KAVIN CHOUA THAO	PUPRAYA THAI RESTAURANT	Alarm Permit (Renew)	Active	
	0	KAVIN CHOUA THAO	PUPRAYA THAI RESTAURANT	Liquor On Sale - 101-180 Seats	Active Pending Ren	
				Liquor On Sale - 2 AM Closing	Active Pending Ren	
				Liquor On Sale - Sunday	Active Pending Ren	
				Entertainment (B)	Active Pending Ren	

Licensee: KAVIN CHOUA THAO
 DBA: PUPRAYA THAI RESTAURANT

License	Licensee	Lic. Types	Insurance	Bond	Requirements
<input type="radio"/> Property <input type="radio"/> Licensee <input checked="" type="radio"/> Unofficial		Project Facilitator: ZANGS, LAWRENCE (LARRY)			
Street #: 945 Street Name: RICE Street Type: ST Direction: Unit Ind: UNIT Unit #: A City: ST PAUL State: MN Zip: 55117 Ward: 1 Dist Council: 06		Adverse Action Comments 2/24/2015 - Sent Notice of Intent to Suspend Licenses with a 3/6/2015 deadline to respond. JAK License Group Comments: 9/14/18 To CAD for adverse action, lapse in insurance from 8/24/18 to 8/30/18. KS 11/16/17 Request to extend entertainment to Wed. Nov. 22, and Mon. 1/1/18 recd. Dist. Council approval recd. KS			
Licensee: KAVIN CHOUA THAO DBA: PUPRAYA THAI RESTAURANT Sales Tax Id: ***** Bus Phone: (651) 330-2371		Licensee Comments:			
License Type	Class	Effective	Expiration	Conditions	License Fee
Alarm Permit (Renew)	R	07/23/2014	08/24/2019	N	\$38.00
Liquor On Sale - 2 AM Closing	N	07/23/2014	08/24/2019	N	\$53.00
Liquor On Sale - Sunday	N	07/23/2014	08/24/2019	N	\$200.00

License # 140001202 Save Changes to History

Licensee: KAVIN CHOUA THAO
 DBA: PUPRAYA THAI RESTAURANT

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Licensee Name: KAVIN CHOUA THAO
 DBA: PUPRAYA THAI RESTAURANT
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	
State of Minnesota / Optional 2AM Closing Licen number					07/23/2019	

Contacts for this Licensee

Addr. Type	Active	Inactive	Last Name	First Name	Title	Bus. Pt
Business	05/09/2014	00/00/0000				(651) 330
Mail To	09/10/2015	00/00/0000	THAO	KAVIN CHOUA	OWNER	()
Other	05/09/2014	00/00/0000	THAO	KEE	MANAGER	()
Other	12/09/2015	00/00/0000	THAO	KAVIN CHOUA	OWNER	()

Background Check Required

Mail License To:

Mail To Contact
 License Address

Mail Invoice To:

Mail To Contact
 License Address

Licensee: KAVIN CHOUA THAO
 DBA: PUPRAYA THAI RESTAURANT

License | Licensee | Lic. Types | Insurance | Bond | Requirements

License Type: Liquor On Sale - 101-180 Seats < 1 of 1 >

Insurance Type: Liquor Liability Insurance
 Policy #: BKS1857470632 Vehicles

Company: OHIO SECURITY INS CO
 Address: davem@associatedinscounselors.com
 Phone #: () -

Effective:	08/24/2017	Liability Limits	Insurance Rec'd	09/26/2017
Expiration:	08/24/2018	\$1,000,000	Days To Cancel:	10
Continuous	<input type="checkbox"/>		Canceled:	00/00/0000
City Insured	<input type="checkbox"/>		Cancel Rec'd:	00/00/0000

Agency: ASSOC INSURANCE COUNSELORS
 Address: 1646 E COUNTY ROAD E, WHITE BEAR LAKE, MN 55110
 Phone #: (651) 777-7475 Contact: David Masanz

<< 5 of 5 >>

License # 140001202 Save Changes to History



Licensee: KAVIN CHOUA THAO
DBA: PUPRAYA THAI RESTAURANT

License | Licensee | Lic. Types | Insurance | Bond | Requirements

License Type: Liquor On Sale - Sunday

< 1 of 1 >

Insurance Type: Liquor Liability Insurance

Policy #: BKS1857470632

Vehicles

Company: OHIO SECURITY INS CO

Address: davem@associatedinscounselors.com

Phone #: () -

Effective: 08/24/2017

Liability Limits

Insurance Rec'd: 09/26/2017

Expiration: 08/24/2018

\$1,000,000

Days To Cancel: 10

Continuous

Canceled: 00/00/0000

City Insured

Cancel Rec'd: 00/00/0000

Agency: ASSOC INSURANCE COUNSELORS

Address: 1646 E COUNTY ROAD E, WHITE BEAR LAKE, MN 55110

Phone #: (651) 777-7475 Contact: David Masanz

New | Delete | Copy

<< 3 of 5 >>

License # 140001202

Save Changes to History

OK | Cancel | Help

Licensee: KAVIN CHOUA THAO

DBA: PUPRAYA THAI RESTAURANT

License #: 20140001202

1. Per Section 409.03 of the City of Saint Paul Legislative Code, a new liquor on-sale license shall only be issued to a restaurant as defined under Chapter 409 of the City Code. Licensee agrees to operate the establishment in compliance with the definition of a restaurant as defined under Chapter 409 of the City's Code, acknowledges having been given a copy of this definition, and understands this definition.

2. The licensee shall provide and maintain working video surveillance cameras and recorders on the premises (both inside and outside) in accordance with Saint Paul Police Department (SPPD) recommendations. The number of cameras, their placement and their quality must be approved by SPPD; and there shall be adequate lighting to support the camera placement. This equipment must be in operation during all business hours. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Department (SPPD) immediately upon request. In addition, if the SPPD responds to a call at the licensed premises, and due to the crime, requests that a copy of the surveillance footage be immediately provided, the license holder shall have technology available to make the copy at the time of the request and shall have it for the police without delay. In other cases, if the SPPD or the Department of Safety and Inspections (DSI) requests copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies.

3. Entertainment will only be provided on Thursday, Friday, Saturday, and Sundays.

4. Doors shall remain closed at all times.

5. In accordance with St Paul Police Dept and the Department of Safety and Inspections, the licensee shall provide security, with appropriate staffing, to ensure that the patron's behavior does not create a disturbance or nuisance. Security will be provided from 6:00 p.m. to the close of business for all scheduled events and when entertainment is provided. Security staff must be clearly identified as security. Security staff shall also ensure that patrons leave the premises in an orderly manner and shall not be permitted to loiter outside the licensed premises or in the parking lots.

6. Licensee shall ensure adequate garbage storage and removal. Emptying bar refuse is expressly forbidden between the hours of 9:00 PM and 7:00 AM.

[New Search](#)

Run Date: 09/24/18 02:09 PM
House#: 945
Street Name: Rice

Last update

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

945 Rice St - 55117-4955 - [Other Applications](#)

PIN: 252923410259

Census Tract: 31300

Year Built:

Foundation Sq Feet:

Unverified Usage: 15- COMMUNITY/STRIP SHOPPING- B- Commercial

Zoning: ' / T2 / B3

Heritage Preservation: HP Inventory #: RA-SPC-3080 / HP Inventory #: RA-SPC-3078 / HP Property Name: residence / H

Legal Desc: WEIDE'S ADDITION AND,REARRANGE VAC ST ACCRUING & EX W 15.5 FT; LOTS 14 & LOT 15 BLK 1 IN MCKENTY'S O

Owner:

Tk 2 Llc
10341 Waterfront Dr
Woodbury MN 55129-8534

Certificate of Occupancy Responsible Party:

Tk 2 Llc
10341 Waterfront Dr
Woodbury MN 55129-8534

Sec. 409.065. - Insurance requirements.

No license under this chapter may be issued, maintained or renewed unless the licensee or applicant therefor complies with the insurance requirements imposed by Minn. Stat. § 340A.409. Such insurance coverage shall comply with the requirements of Minn. Stat. § 340A.409 and Chapters 7 and 8 of this Legislative Code.

(Ord. No. 17796, § 1, 12-13-90; C.F. No. 99-730, § 1, 8-25-99)

Sec. 409.26. - Intoxicating liquor; nonintoxicating malt liquor; presumptive penalties.

- (a) *Purpose.* The purpose of this section is to establish a standard by which the city council determines the length of license suspensions and the propriety of revocations, and shall apply to all on-sale and off-sale licensed premises for both intoxicating liquor under this chapter and nonintoxicating liquor under chapter 410. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.
- (b) *Presumptive penalties for violations.* Adverse penalties for convictions or violations shall be presumed as follows (unless specified, numbers below indicate consecutive days' suspension):

	Type of Violation	Appearance			
		1st	2nd	3rd	4th
(1)	Commission of a felony related to the licensed activity.	Revocation	NA	NA	NA
(2)	Sale of alcohol beverages while license is under suspension.	Revocation	NA	NA	NA
(3)	Sale of alcoholic beverages to underage person.	500.00	1,000.00	Up to 18	Revocation
(4)	Sale of alcoholic beverage to intoxicated person.	500.00	1,000.00	Up to 18	Revocation
(5)	After hours sale of alcoholic beverages.	500.00	6	18	Revocation
(6)	After hours display or consumption of alcoholic beverage.	500.00	4	12	Revocation
(7)	Refusal to allow city inspectors or police admission to inspect premises.	5	15	Revocation	NA
(8)	Illegal gambling on premises.	500.00	6	18	Revocation
(9)	Failure to take reasonable steps to stop person from leaving premises with alcoholic beverage.	500.00	4	12	Revocation
(10)	Failure to make application for license renewal prior to license expiration date.	500.00	6	18	Revocation

(11)	Sale of intoxicating liquor where only license is for nonintoxicating liquor.	500.00	6	18	Revocation
(12)	Failure to comply with statutory, and ordinance requirements for liability insurance.	10	Revocation	NA	NA

For on-sale intoxicating liquor establishments with a seating capacity of one hundred fifty (150) or more, the monetary penalty for any violation (including violations found in chapter 310) shall be doubled.

For off-sale intoxicating liquor establishments with five thousand one (5,001) or more square feet of retail space, the monetary penalty for any violation (including violations found in chapter 310) shall be doubled.

A licensee who would be making a first appearance before the council may elect to pay the fine to the department of safety and inspections without an appearance before the council, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive penalty. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and shall be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.

(c) *Multiple violations.* At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.

Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council.

The same procedures shall apply to a second, third or fourth appearance before the council.

(d) *Subsequent appearances.* Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance.

(e) *Computation of time.*

(1) *Second appearance.* A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.

(2) *Third appearance.* A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.

(3) *Fourth appearance.* A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.

- (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen- or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
- (5) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (b) or a violation of section 310.05(m).
- (f) *Other penalties.* Nothing in this section shall restrict or limit the authority of the council to suspend up to sixty (60) days, revoke the license, or impose a civil fine not to exceed two thousand dollars (\$2,000.00), to impose conditions or take any other adverse action in accordance with law, provided, that the license holder has been afforded an opportunity for a hearing in the manner provided for in section 310.05 of this Code.
- (g) *Effect of responsible business practices in determining penalty.* In determining the appropriate penalty, the council may, in its discretion, consider evidence submitted to it in the case of uncontested adverse actions or submitted to a hearing examiner in a contested hearing upon which findings of fact have been made that a licensee has followed or is likely to follow in the future responsible business practices in regard to sales to intoxicated persons and sales to minors.
 - (1) For the purposes of service to intoxicated persons, evidence of responsible business practices may include, but is not limited to, those policies, procedures and actions that are implemented at time of service and that:
 - a. Encourage persons not to become intoxicated if they consume alcoholic beverages on the defendant's premises;
 - b. Promote availability of nonalcoholic beverages and food;
 - c. Promote safe transportation alternatives other than driving while intoxicated;
 - d. Prohibit employees and agents of defendant from consuming alcoholic beverages while acting in their capacity as employees or agents;
 - e. Establish promotions and marketing efforts that publicize responsible business practices to the defendant's customers and community;
 - f. Implement comprehensive training procedures;
 - g. Maintain an adequate, trained number of employees and agents for the type and size of defendant's business;
 - h. Establish a standardized method for hiring qualified employees;
 - i. Reprimand employees who violate employer policies and procedures; and
 - j. Show that the licensee has enrolled in recognized courses providing training to self and one (1) or more employees of the licensed establishment in regard to standards for responsible liquor service.
 - (2) For the purposes of service to minors, evidence of responsible business practices may include, but is not limited to, those listed in subsection (1) and the following:
 - a. Management policies that are implemented at the time of service and that ensure the examination of proof of identification (as established by state law) for all persons seeking service of alcoholic beverages who may reasonably be suspected to be minors;
 - b. Comprehensive training of employees who are responsible for such examination regarding the detection of false or altered identification; and
 - c. Enrollment by the licensee in recognized courses providing training to self and one (1) or more employees of the licensed establishment in regard to standards for responsible liquor service.

(Ord. No. 17556, § 1, 4-28-86; Ord. No. 17657, § 14, 6-8-89; Ord. No. 17675, § 1, 8-22-89; Ord. No. 17694, § 2, 11-7-89; Ord. No. 17756, § 1, 8-7-90; Ord. No. 17924, §§ 2, 3, 5-7-92; C.F. No. 92-1929, § 1, 2-9-93; C.F. No. 97-1445, § 1, 12-30-97; C.F. No. 98-866, § 1, 11-4-98; C.F. No. 07-149, § 161, 3-28-07; C.F. No. 10-818, § 1, 8-25-10; Ord. No. 11-92, § 1, 9-28-11; Ord 12-41, § 1, 8-22-12)