



Legislation Details (With Text)

File #: RES 11-1037 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 6/8/2011
Title: Approving adverse action against all licenses held by Mary Fasching, d/b/a M F Automotive, 1728 Selby Avenue.
Sponsors: Russ Stark
Indexes:
Code sections:
Attachments: 1. Imposition of Fine and Order of Compliance.pdf, 2. RES #11-753 dated April 20th 2011.pdf

Date	Ver.	Action By	Action	Result
6/10/2011	1	Mayor's Office	Signed	
6/8/2011	1	City Council	Adopted	Pass

Approving adverse action against all licenses held by Mary Fasching, d/b/a M F Automotive, 1728 Selby Avenue.

WHEREAS, Mary Fasching d/b/a M F Automotive (License ID # 0014762) for the premises located at 1728 Selby Avenue in Saint Paul received an Notice of Violation dated January 6, 2011, alleging the licensee was cited for violations to license conditions numbers #1 & #8 during an inspection on November 29, 2010, and license conditions number #2 and #10 during a re-inspection on December 20, 2010; and

WHEREAS, licensee denied the allegations and requested a hearing before an Administrative Law Judge which was held on January 28, 2011; and

WHEREAS, the a report was issued on February 24, 2011, in which the Administrative Law Judge found that there was sufficient proof that licensee had committed the violations of license conditions numbers 1, 2 and 10 and found that a fine of \$1,000.00 is an appropriate sanction under the circumstances; and

WHEREAS, at a public hearing on April 6, 2011, the Council of the City of Saint Paul considered all the evidence contained in the record, the arguments of licensee at the public hearing, the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommendations and imposed a fine of \$1,000.00 against all the licenses held by licensee; and

WHEREAS, on May 9, 2011, the licensee was sent an Imposition of Fine and Order of Compliance letter from the Department of Safety and Inspections ordering the payment of the \$1,000.00 fine imposed by City Council on April 6, 2011 (RES #11-753) and bring the establishment into compliance with all laws and license conditions by May 20, 2011; and

WHEREAS, DSI records show the licensee failed to pay the \$1,000.00 fine or bring the establishment into compliance with license conditions by the May 20, 2011 deadline; now therefore be it

RESOLVED, all licenses held by Mary Fasching d/b/a M F Automotive are immediately suspended and will remain suspended until the licensee pays the \$1,000.00 fine.