



Legislation Details (With Text)

File #: RES PH 12- 71 **Version:** 2
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 4/4/2012

Title: Approving adverse action against all licenses held by Darras Incorporated, d/b/a Maison Darras, 401 Robert Street North, Ste. #205.

Sponsors: Dave Thune

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing.pdf, 2. Uncontested License Matter form.pdf, 3. License Group Comments Text.pdf, 4. Request For License Adverse Action.pdf, 5. Notice of Violation.pdf, 6. Electronic Mail dated Feb. 24th 2012.pdf, 7. Request for public hearing.pdf, 8. MN Admin Rules part 4626.0395.pdf, 9. SPLC Section 310.05 (m).pdf

Date	Ver.	Action By	Action	Result
4/10/2012	2	Mayor's Office	Signed	
4/4/2012	1	City Council	Adopted As Amended	Pass

Approving adverse action against all licenses held by Darras Incorporated, d/b/a Maison Darras, 401 Robert Street North, Ste. #205.

AMENDED 4/4/12

WHEREAS, adverse action was taken against all licenses held by Darras Incorporated d/b/a Maison Darras (License ID #20080000383) for the premises located at 401 Robert Street North, Ste. #205 in Saint Paul by Notice of Violation dated February 16, 2012, alleging the licensee was cited for two (2) Critical-Major Environmental Health Code violations during a re-inspection of the licensed premises on January 27, 2012; and

WHEREAS, pursuant to Saint Paul Legislative Code § 310.05 (m) (9), the licensing office recommended a \$250.00 matrix penalty for the two (2) violations and suspension of all licenses until the violations are corrected; and

WHEREAS, the licensee responded to the Notice of Violation by contacting the DSI Inspector to schedule a re-inspection which took place on February 23, 2012, where the licensee was found to be in compliance; and

WHEREAS, although the licensee corrected the violations, the \$250.00 matrix penalty is recommended due to the fact that these violations had not been corrected by the re-inspection on January 27, 2012; and

WHEREAS, on February 27, 2012, the City Attorney's Office received a faxed letter from the licensee requesting a public hearing to contest the \$250.00 matrix penalty which was held on April 4, 2012; now, therefore, be it

RESOLVED, that Darras Incorporated d/b/a Maison Darras is hereby ordered to pay a \$250.00 matrix penalty for failure to correct the two (2) Critical-Major Environmental Health Code violations cited during a re-inspection of the licensed premises on January 27, 2012. Payment of such penalty shall be made within thirty

(30) days of the date of the adoption of this resolution. the \$250.00 matrix penalty is hereby stayed provided there are no same or similar violations within the next twelve (12) months.

This resolution, and action taken above, is based upon facts contained in the February 16, 2012, Notice of Violation sent to the licensee and the arguments made at the public hearing on April 4, 2012.