



Legislation Details (With Text)

File #: RES 10-1540 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 12/15/2010

Title: Approving adverse action against all licenses held by Pappy's Chicago Style Eatery, Inc. d/b/a Pappy's Gyros located at 1783 Maryland Avenue East in Saint Paul.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Notice of Violation.pdf, 2. Request for License Adverse Action.pdf, 3. Resolution #09-1379 dated December 16th 2009.pdf, 4. LIEP Customer Transition Detail Report.pdf, 5. Minn. Admin. Rules part 4626.0395.pdf, 6. Minn. Admin. Rules part 4626.1110.pdf, 7. SPLC Section 310.05.pdf

Date	Ver.	Action By	Action	Result
12/17/2010	1	Mayor's Office	Signed	
12/15/2010	1	City Council	Adopted	Pass

Approving adverse action against all licenses held by Pappy's Chicago Style Eatery, Inc. d/b/a Pappy's Gyros located at 1783 Maryland Avenue East in Saint Paul.

WHEREAS, adverse action was taken against all licenses held by Pappys Chicago Style Eatery, Inc. d/b/a Pappys Gyros (License ID #20040003494) for the premises located at 1783 Maryland Avenue East in Saint Paul by Notice of Violation dated November 5, 2010, alleging that licensee was cited for two (2) repeat Critical-Major Environmental Health Code violations during a re-inspection on September 13, 2010; and

WHEREAS, these new violations occurred within twenty-four (24) months of the previous violations, so the licensing office also recommended the imposition of the \$400.00 fine suspended by City Council on December 16, 2009 (CF #09-1379); and

WHEREAS, licensee did respond to the Notice of Violation on November 15, 2010 to request an extension and to set up a payment plan with DSI to make the \$400.00 payment on November 19, 2010 and \$325.00 payment on December 20, 2010; and

WHEREAS, the licensee failed to contact the inspector by the November 15, 2010 deadline to schedule a re-inspection in order to confirm the violations had been corrected; and

WHEREAS, a check of DSI records on December 3, 2010, indicates the licensee failed to make the \$400.00 payment from the agreed upon payment plan which was due on November 19, 2010; and

WHEREAS, the Notice of Intent to Suspend Licenses stated that if the licensee failed to pay the \$725.00 in matrix penalties and call the inspector to schedule a re-inspection, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that Pappys Chicago Style Eatery, Inc. d/b/a Pappys Gyros is hereby ordered to pay \$325.00 in matrix penalty for the two (2) repeat Critical-Major Environmental Health Code violations cited during a re-

inspection on September 13, 2010 and the \$400.00 matrix penalty suspended by City Council on December 16, 2009 (CF #09-1379).

FURTHER RESOLVED, all licenses held by Pappys Chicago Style Eatery, Inc. d/b/a Pappys Gyros are immediately suspended for failure to call the Environmental Health Inspector to schedule a re-inspection by the November 15, 2010 deadline. Said suspension will remain in effect until the licensee pays the \$725.00 in matrix penalties and corrects the violations.