



Legislation Details (With Text)

File #: RES 11-1473 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 8/17/2011

Title: Approving adverse action against the Restaurant (4) - 51-150 Seats license held by My Living Room Cafe, LLC d/b/a My Living Room Cafe, LLC located at 2038 Marshall Avenue in Saint Paul.

Sponsors: Russ Stark

Indexes:

Code sections:

Attachments: 1. Letter dated May 31st 2011.pdf, 2. Renewal Invoice.pdf, 3. Electronic mail dated July 26th 2011.pdf, 4. Notice of Intent to Suspend License.pdf, 5. SPLC Section 310.05 (m).pdf

Date	Ver.	Action By	Action	Result
8/23/2011	1	Mayor's Office	Signed	
8/17/2011	1	City Council	Adopted	Pass

Approving adverse action against the Restaurant (4) - 51-150 Seats license held by My Living Room Cafe, LLC d/b/a My Living Room Cafe, LLC located at 2038 Marshall Avenue in Saint Paul.

WHEREAS, adverse action was taken against the Restaurant (4) - 51-150 Seats license held by My Living Room Café, LLC d/b/a My Living Room Café, LLC (License ID #20100000063) for the premises located at 2038 Marshall Avenue in Saint Paul by Notice of Intent to Suspend License dated June 29, 2011, alleging licensee failed to pay delinquent license and late fees of \$983.00, submit a completed Alarm Permit Questionnaire and Certificate of Compliance Minnesota Workers' Compensation Law form; and

WHEREAS, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office also recommended a \$500.00 matrix penalty for failure to submit required information in order to maintain the license; and

WHEREAS, on July 13, 2011, the Notice of Intent to Suspend License was returned by the United States Postal Service "return to sender - unclaimed - unable to forward."

WHEREAS, on July 26, 2011, a DSI Inspector went to the establishment to hand-deliver the Notice of Intent to Suspend License and confirm whether the business was open and found a sign stating the business was "Closed for Maintenance; and

WHEREAS, the licensee did not respond to the Notice of Intent to Suspend License to pay the delinquent license and late fees and submit the required information; and

WHEREAS, the Notice of Intent to Suspend License stated that if the licensee failed to pay the delinquent license and late fees and submit the required information by July 8, 2011, that the matter would be placed on the consent agenda to impose the recommended penalty; now, therefore, be it

RESOLVED, that the Restaurant (4) - 51-150 Seats license held by My Living Room Café, LLC d/b/a My Living Room Café, LLC is hereby suspended for failure to pay delinquent license and late fees of \$983.00; and

FURTHER RESOLVED, the licensee is ordered to pay a matrix penalty of \$500.00 for failure to submit required information in order to maintain the license. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.