



Legislation Text

File #: RES 11-756, **Version:** 3

Waiving the 45 day notice requirement for issuance of a Liquor - Outdoor Service Area (sidewalk) license for The Deco Catering Inc., d/b/a Finnish Bistro, 2264 Como Avenue.

WHEREAS, The Deco Catering Inc. d/b/a Finnish Bistro, located at 2264 Como Avenue in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of a Liquor - Outdoor Service Area (sidewalk) license; and

WHEREAS, the St. Anthony Park Community Council has agreed to the waiver of the notice requirements; and

WHEREAS, The Deco Catering Inc. d/b/a Finnish Bistro has sent a mailing to all residents living within 300 feet, requesting permission for said license, and has obtained permission from 10 of the 15 affected residences, for a 66% approval rating; and

WHEREAS, The Deco Catering Inc. d/b/a Finnish Bistro attempted to contact the other five residences via telephone, receiving only two declines; and

WHEREAS, the Council finds that The Deco Catering Inc. d/b/a Finnish Bistro has made a good faith effort to fulfill all petition requirements under § 409.06 of the Saint Paul Legislative Code; and

WHEREAS, the Council finds that issuance of the license will not interfere with the reasonable use and enjoyment of neighboring residences, nor bear adversely on the health, safety, morals and welfare of the surrounding community; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the license and that the failure to grant the waiver and the consequent delay in approving the license would cause exceptional and unusual hardship to the license applicant; and

WHEREAS, the licensee agrees that in the event a complaint is received prior to the expiration of the 45-day period and the complaint provides a basis for adverse action against the license, that the Department of Safety and Inspections may direct the licensee to immediately discontinue all operations until a public hearing is scheduled, and that the licensee shall comply with said directive; now, therefore, be it,

RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code are hereby waived and a Liquor - Outdoor Service Area (sidewalk) license is issued to The Deco Catering Inc. d/b/a Finnish Bistro, located at 2264 Como Avenue in Saint Paul, subject to the agreement stated above and the following conditions:

1. Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses; and

2. No outdoor food and/or beverage preparation is allowed on a public sidewalk without prior approval and additional licensing from DSI.