



## Legislation Text

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**File #:** RES PH 19-337, **Version:** 1

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Approving adverse action against the Auto Body Repair Shop and Auto Repair Garage License held by SKD Auto Tek LLC, d/b/a SKD Auto Tek (License ID # 20170002848) at 80 Cottage Avenue West. (Public hearing continued from October 16)

WHEREAS, the Auto Body Repair Shop and Auto Repair Garage license held by SKD Auto Tek LLC d/b/a SKD Auto Tek (License ID# 20170002848) for the premises located at 80 Cottage Avenue West was the subject of a Notice of Violation dated August 13, 2019; and

WHEREAS, the Notice stated that during a complaint-based inspection of the licensed premises on May 8, 2019 an inspector from the Department of Safety and Inspections (DSI) observed and documented with photographs four (4) repeat license condition violations; and

WHEREAS, the licensee was sent a letter on May 13, 2019 detailing these violations and giving him until June 14, 2019 to bring the licensed premises into compliance with his license conditions; and

WHEREAS, On July 3, 2019, the inspector returned for a re-inspection and observed and documented with photographs the same four (4) license condition violations; and

WHEREAS, as this is the first (1<sup>st</sup>) violation within twelve (12) months pursuant to Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee did respond to the Notice of Violation by letter and requested a public hearing; and

WHEREAS, a public hearing was held on October 16, 2019 and;

WHEREAS, the Licensee appeared at the public hearing on October 16, 2019 and provided testimony and photographs related to his efforts to clean up the Licensed Premises; and

WHEREAS, Council determined that the testimony and photographs documenting the work that the Licensee put into cleanup of the property provided substantial and compelling reasons to deviate from the presumed matrix penalty; and

WHEREAS Council determined that staying the \$500 portion of the matrix penalty for one year on the condition that there be no same or similar violations was a more appropriate penalty: and therefore be it

RESOLVED, the \$500 portion of the first-time matrix penalty against the Auto Body Repair Shop and Auto Repair Garage license held by SKD Auto Tek LLC d/b/a SKD Auto Tek (License ID# 20170002848) for the premises located at 80 Cottage Avenue West is hereby stayed for one year provided the Licensee have no same or similar violations. ordered to pay a matrix penalty of \$500.00 for three (4) repeat license condition

violations observed and documented by a DSI Inspector during a complaint-based inspection of the licensed premises on May 8, 2019.

Payment of such penalties shall be made within thirty (30) days of the date of the adoption of this resolution