



## Legislation Details (With Text)

**File #:** RES PH 17- 327 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed

**In control:** City Council

**Final action:** 12/6/2017

**Title:** Approving adverse action against the Second Hand Dealer-Motor Vehicle license held by Best Buy Auto Sales, LLC, d/b/a Payless Auto Sales located at 1414 Arcade Street.

**Sponsors:** Dan Bostrom

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Council Hearing with Affidavit of Service.pdf, 2. Payless Auto Sales - Noncontested License Matter Coversheet.pdf, 3. License Group Comments Text.pdf, 4. License Group Conditions Text.pdf, 5. Adverse Action Comments Text.pdf, 6. October 18th 2017 Inspection Report with photographs.pdf, 7. Notice of Violation and Notice of Intent to Suspend License with Affidavit of Service.pdf, 8. Email from licensee requesting a public hearing dated November 8th 2017.pdf, 9. October 5th 2016 Inspection Report with photographs.pdf, 10. Notice of Violation with Affidavit of Service dated October 10th 2016.pdf, 11. Email indicating \$500 fine payment dated November 7th 2016.pdf, 12. November 7th 2016 Inspection Report with photographs.pdf, 13. Notice of Violation with Affidavit of Service dated November 23rd 2016.pdf, 14. Notice of Administrative Hearing with Affidavit of Service dated February 10th 2017.pdf, 15. Order of Dismissal from OAH dated March 10th 2017.pdf, 16. Email indicating \$1000 fine payment dated March 9th 2017.pdf

Date	Ver.	Action By	Action	Result
12/8/2017	1	Mayor's Office	Signed	
12/6/2017	1	City Council	Adopted	Pass

Approving adverse action against the Second Hand Dealer-Motor Vehicle license held by Best Buy Auto Sales, LLC, d/b/a Payless Auto Sales located at 1414 Arcade Street.

WHEREAS, the Second Hand Dealer-Motor Vehicle license held by Best Buy Auto Sales, LLC d/b/a Payless Auto Sales (License ID #20100004369) for the premises located at 1414 Arcade Street in Saint Paul was the subject of a Notice of Violation and Notice of Intent to Suspend License sent October 31, 2017, stating that during an inspection of the licensed premises on October 18, 2017 a DSI Inspector documented five (5) license condition violations; and

WHEREAS, the five (5) license condition violations documented were: 1) eighteen (18) vehicles parked on site over the limit of fifteen (15) vehicles in violation of license condition #10; 2) parking spaces were not striped in violation of license condition #11; 3) signs present on the property without appropriate permits in violation of license condition #13; 4) a pennant and banner present on the property in violation of license condition #14 and 5) Forty (40) inch metal fence had not been installed along Arcade Street in violation of license condition #16; and

WHEREAS, this was the third (3<sup>rd</sup>) violation of the license conditions within the past eighteen (18) months; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$2,000.00 matrix penalty and a ten (10) day suspension of the license; and

WHEREAS, the licensee responded to the Notice of Violation and Notice of Intent to Suspend License with a request for a public hearing which was scheduled on December 6, 2017; so therefore be it

RESOLVED, Best Buy Auto Sales, LLC d/b/a Payless Auto Sales is hereby ordered to pay a \$2,000.00 matrix penalty. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

FURTHER RESOLVED, the Second Hand Dealer-Motor Vehicle license is hereby suspended for a period of ten (10) days. Said suspension will begin at 12 (midnight) on Wednesday, December 27, 2017 and end at 11:59 p.m. on Saturday, January 6, 2018.