



## Legislation Text

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**File #:** RES PH 19-48, **Version:** 1

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Approving adverse action against the Peddler license held by James E. Carroll (License ID# 20150002699).

WHEREAS, the Peddler license held by James E. Carroll ("Licensee")(License ID# 20150002699) for the City of Saint Paul was the subject of a Notice of Violation ("Notice") dated January 15, 2019; and

WHEREAS, the Notice stated in August of 2018, the Department of Safety and Inspections conducted license compliance checks for peddlers operating during the Minnesota State Fair; and

WHEREAS, on August 23, 2018, two DSI inspectors observed and photographed the Licensee selling water for one-dollar (\$1.00) and Gatorade for two-dollars (\$2.00) within 25 feet of a corner or intersection while remaining stationary in violation of Saint Paul Legislative Code § 345.08; and

WHEREAS, the inspectors further observed that the licensee was not displaying his Peddler's license in violation of Saint Paul Legislative Code § 345.06; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation on January 25, 2019 to request a public hearing and was instructed to submit a written request; and

WHEREAS, the licensee faxed a request for a public hearing that afternoon which was a blank page; and

WHEREAS, a letter was sent to the licensee on January 28, 2019, instructing him to resend his request for a public hearing by fax, email or enclosed envelope no later than February 4, 2019 because the first request was faxed as a blank page; and

WHEREAS, the licensee faxed in a request for a public hearing which is scheduled for February 20, 2019; now, therefore, be it

RESOLVED, James E. Carroll (License ID# 20150002699) is hereby ordered to pay a matrix penalty of \$500.00 for violations of Saint Paul Legislative Code §345.08 and §345.06 on August 23, 2018.

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