



## Legislation Text

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**File #:** RES PH 20-3, **Version:** 1

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Approving adverse action against the Liquor On Sale - Sunday, Entertainment (B), Liquor On Sale - 100 seats or less, and Liquor On Sale - 2 AM Closing licenses held by Kavin Choua Thao, d/b/a Pupraya Thai Restaurant (License ID #20140001202) at 945 Rice Street. (Public hearing held January 15)

WHEREAS, Liquor On Sale-Sunday, Entertainment (B), Liquor On Sale 100 seats or less and Liquor On Sale-2 AM Closing licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) for the premises located at 945 Rice Street in Saint Paul were the subject of a Notice of Violation (Notice) sent December 2, 2019; and

WHEREAS, the Notice stated that on July 24, 2019 The Department of Safety and Inspections (DSI) sent a letter requesting a copy of all interior and exterior camera surveillance video during the time of July 21, 2019 from 1:00 a.m. to 3:00 a.m.; and

WHEREAS, the video provided was found to be insufficient as it only covered the time period of 1:55 a.m. to 2:30 a.m.; and

WHEREAS, failure to maintain video surveillance equipment in working order and failure to provide video to Saint Paul Police upon request is a violation of license condition #2; and

WHEREAS, the Notice also stated that the December 2, 2019 letter requested copies of MN Revenue monthly sales tax filings for the entire 2018 calendar year to verify compliance with the associated minimum 60% food sales requirement; and

WHEREAS, the Notice stated that the information you provided was insufficient and failed to provide adequate proof that you were operating your restaurant within the definition of a "restaurant"; and

WHEREAS, the licensee must provide proof of operating the establishment in compliance with the definition of a restaurant; and

WHEREAS failure to provide adequate proof is a violation of license condition #1 and Saint Paul Legislative code § 409.03; and

WHEREAS, this is the Licensee's second violation within 12 months; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$1000.00 matrix penalty for this second violation; and

WHEREAS, the licensee responded to the Notice of Violation and admitted the facts but requested a public hearing to contest the requested \$1,000 matrix penalty; and

WHEREAS, the public hearing was scheduled on January 15, 2020; so therefore, be it

RESOLVED, Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) is hereby ordered to pay a \$1000.00 matrix penalty for failure to maintain video surveillance equipment in working order and failure to provide sufficient video to Saint Paul Police upon request in violation of license condition #2 and

failure to provide proof of operating the establishment as a restaurant in violation of license condition #1.

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