



## Legislation Text

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**File #:** RES 20-547, **Version:** 1

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Suspending all licenses held by the University Club of St. Paul, d/b/a The Commodore at 79 Western Avenue, for non-payment of the matrix penalty and costs imposed under RES PH 20-12.

WHEREAS, the Licenses held by the University Club of St. Paul d/b/a The Commodore ("Licensee") for the premises located at 79 Western Avenue in Saint Paul ("Licensed Premises") were the subject of a public hearing before the St. Paul City Council ("Council") on February 5, 2020 under RES PH 20-12, herein incorporated as Exhibit 1, and

WHEREAS, RES PH 20-12 found that the Licensee had violated the terms of the License and imposed a \$500 matrix fine for the violation, and in addition imposed Administrative Hearing Costs in the amount of \$21,907.00 and the City's costs of copies for depositions in the amount of \$2,551.41 because the position, claim or defense of the Licensee was frivolous, arbitrary or capricious, made in bad faith, or made for the purpose of delay; and

WHEREAS, RES PH 20-12 stated that the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs were to be paid within 30 days of the passage and approval of RES PH 20-12; and

WHEREAS, the Licensee was present and testified at the public hearing; and

WHEREAS, after consideration of all information in the record before them, Council adopted RES PH 20-12; and

WHEREAS, RES PH 20-12 was signed by the Mayor and became final on February 12, 2020; and

WHEREAS, under RES PH 20-12, the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs were due on March 13, 2020; and

WHEREAS, the Licensee has failed to pay the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs imposed on the License by RES PH 20-12; and

WHEREAS, suspension of all Licenses held by Licensee for the Licensed Premises is appropriate until such time as the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs imposed on the License by RES PH 20-12 are paid; therefore

BE IT RESOLVED that all Licenses held by Licensee for the Licensed premises are suspended until such time as the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs imposed on the License by RES PH 20-12 are paid; and be it

FURTHER RESOLVED that all licenses will remain suspended until all the above described fees are paid to the Department of Safety and Inspections including the \$500 fine, the \$21,907.00 administrative hearing costs and the \$2,551.51 deposition costs imposed on under RES PH 20-12