



## Legislation Text

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**File #:** RES 21-1580, **Version:** 1

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Approving the adverse action against the Auto Repair license held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing, for the premises located at 977 Front Avenue.

WHEREAS, the Auto Repair license ("License") held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing (Licensee), under License ID #20190000933 for the premises located at 977 Front Avenue in Saint Paul (Licensed Premises) was the subject of a Notice of Violation ("Notice") dated October 6, 2021; and

WHEREAS, the Notice stated that, during a complaint-based inspection of the Licensed Premises on August 23, 2021, an inspector from the Department of Safety and Inspections (DSI) observed and documented with photographs five (5) license condition violations; and

WHEREAS, on August 25, 2021, DSI sent the Licensee a Correction Notice detailing these violations and giving the Licensee until September 2, 2021 to bring the Licensed Premises into compliance with their license conditions; and

WHEREAS, on September 12 and 17, 2021, the inspector returned to the Licensed Premises for a re-inspection and observed and documented with photographs the same five (5) license condition violations; and

WHEREAS, under the penalty matrix contained in section 310.05(m) of the Saint Paul Legislative Code (Code), the presumptive penalty for a first-time violation of license conditions within a period of twelve (12) months is a fine of \$500.00; and

WHEREAS, because the Licensee's violations of their license conditions were their first within a period of twelve (12) months, the licensing office recommended a \$500.00 penalty be imposed against the License; and

WHEREAS, the Notice stated that if the Licensee failed to pay the \$500.00 penalty or request a public or administrative hearing by October 20, 2021, that the matter would be placed on the next available consent agenda to impose the recommended penalty; and

WHEREAS, the Licensee did not respond to the Notice by October 20, 2021 to pay the \$500.00 penalty or request a public or administrative hearing; now, therefore, be it

RESOLVED, the Auto Repair license held by Duke's Cars and Towing, LLC, d/b/a Duke's Cars and Towing, under License ID #20190000933 for the premises located at 977 Front Avenue in Saint Paul is hereby ordered to pay a matrix penalty of \$500.00 for five (5) license condition violations observed and documented by a DSI inspector during a complaint-based inspection of the licensed premises on August 23, 2021.

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