



## Legislation Text

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**File #:** RES 23-660, **Version:** 1

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Approving adverse action against the Auto Repair Garage license held by Benzel Automotive, LLC d/b/a Benzel Motors (License ID #20180000688) for the premises located at 985 Randolph Avenue.

WHEREAS, the Auto Repair Garage license held by Benzel Automotive, LLC d/b/a Benzel Motors (License ID #20180000688) for the premises located at 985 Randolph Avenue in Saint Paul was the subject of a Notice of Intent to Suspend License and Request Imposition of \$500 Matrix Penalty (Notice") dated April 7, 2023; and

WHEREAS, the Notice stated that on August 29, 2022, the licensee was sent a letter and renewal invoice from the Department of Safety and Inspections (DSI) indicating that the Auto Repair Garage license had expired and was now delinquent; and

WHEREAS, the licensee was also instructed to complete and return the Certificate of Compliance Minnesota Workers' Compensation Law form along with the renewal invoice and payment of the delinquent license fees by September 19, 2022; and

WHEREAS, on September 29, 2022, DSI sent a follow-up email to the licensee requesting payment of the delinquent license fees and submission of a completed Certificate of Compliance Minnesota Workers' Compensation Law form; and

WHEREAS, Saint Paul Legislative Code §310.03(m)(1)(2) provides for a presumptive penalty of \$500.00 for a first-time violation of a provision of the legislative code related to the licensed activity; and

WHEREAS, Saint Paul Legislative Code §310.03 (m) (8) set for the general penalties for failure to pay license fees. The matrix prescribes a penalty of license suspension for a first-time violation; and

WHEREAS, the licensee was given until April 17, 2023, to 1) pay the \$500.00 matrix penalty and submit the required information; 2) request a Council Hearing; 3) request an Administrative Hearing or 4) complete and return an attached Request to Cancel License; and

WHEREAS, the licensee did not respond to Notice to 1) pay the \$500.00 matrix penalty and submit the required information; 2) request a Council Hearing; 3) request an Administrative Hearing or 4) complete and return an attached Request to Cancel License; and

WHEREAS, the Notice stated that if the licensee failed to respond April 17, 2023, that the matter would be placed on the City Council Consent Agenda to impose the recommended penalty; now, therefore, be it

**RESOLVED**, the Auto Repair Garage license held by Benzel Automotive, LLC d/b/a Benzel Motors (License ID

#20180000688) for the premises located at 985 Randolph Avenue in Saint Paul is hereby suspended and the licensee is ordered to pay a \$500.00 matrix penalty for failure to pay delinquent license fees and submit required information to maintain the license.

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