Legislation Text

File #: RES 25-1703, **Version:** 1

Directing the Department of Safety and Inspections to revoke the Liquor On-Sale 291 or More Seats, Liquor On-Sale Sunday & Entertainment (B) license against White Dragon Catering Inc. d/b/a White Dragon Hall LLC (License ID #20210000632) for the premises located at 1600 White Bear Avenue North, Unit C.

WHEREAS, on October 22, 2025, Licensee was served with a Notice of Violation and Request for Revocation of License **(Exhibit #1)** for violations of Saint Paul Legislative Code section 310.01 and Minnesota Statutes section 270.72, subdivision 1. Licensee was notified of this agenda item for failure to respond and pay the outstanding balance to the Minnesota Department of Revenue; and

WHEREAS, on September 15, 2025, the Minnesota Department of Revenue sent a letter to the Department of Safety and Inspections ("Department") **(Exhibit #2)** advising that the license must be revoked within 30 days if Licensee failed to pay the outstanding balance to the Minnesota Department of Revenue; and

WHEREAS, on September 19, 2025, the Department mailed a letter **(Exhibit #3)** to Licensee advising Licensee to comply with the instructions provided by the Minnesota Department of Revenue to pay the outstanding balance for a clearance certificate to be issued; and

WHEREAS, the 30-day deadline has passed and Licensee has failed to pay the outstanding balance to the Minnesota Department of Revenue and no clearance certificate has been issued by the Minnesota Department of Revenue; and

WHEREAS, the Notice of Violation and Request for Revocation of License laid out the basis for adverse action and the Legislative Code section and Minnesota Statutes section upon which the Department relied, which are as follows:

Saint Paul Legislative Code § 310.01 defines "adverse action" as:

> "the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. Adverse action includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. Adverse action also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Minnesota Statutes § 270C.72, subd. 1, states:

> "(a) The state or a political subdivision of the state may not issue, transfer, or renew, and must revoke, a license for the conduct of a profession, occupation, trade, or business, if the commissioner notifies the licensing authority that the applicant owes the state delinquent taxes payable to the commissioner, penalties, or interest. The commissioner may not notify the licensing authority unless the applicant taxpayer owes $500 or more in delinquent taxes, penalties, or interest, or has not filed returns. If the applicant taxpayer does not owe delinquent taxes, penalties, or interest, but has not filed returns, the commissioner may not notify the licensing authority unless the taxpayer has been given 90 days' written notice to file the returns

or show that the returns are not required to be filed.

(b) Within ten days after receipt of the notification from the commissioner under paragraph (a), the licensing authority must notify the license holder by certified mail of the potential revocation of the license for the applicable reason under paragraph (a). The notice must include a copy of the commissioner's notice to the licensing agency and information, in the form specified by the commissioner, on the licensee's option for receiving a tax clearance from the commissioner. The licensing authority must revoke the license 30 days after receiving the notice from the commissioner, unless it receives a tax clearance from the commissioner as provided in paragraph (c).

(c) A licensing authority that has received a notice from the commissioner may issue, transfer, renew, or not revoke the applicant's license only if (1) the commissioner issues a tax clearance certificate and (2) the commissioner or the applicant forwards a copy of the clearance to the authority. The commissioner may issue a clearance certificate only if the applicant does not owe the state any uncontested delinquent taxes, penalties, or interest and has filed all required returns."

WHEREAS, the outstanding balance was never received by the Minnesota Department of Revenue and the Minnesota Department of Revenue has not issued a clearance certificate on or before November 5, 2025, therefore, the City Attorney's Office and the Department must move forward with a revocation of the license; and

WHEREAS, Licensee has failed to pay the outstanding balance to the Minnesota Department of Revenue and the Department recommends a revocation of the Liquor On-Sale 291 or More Seats, Liquor On-Sale Sunday & Entertainment (B) license based on violations of Saint Paul Legislative Code section 310.01 and Minnesota Statutes section 270.72, subdivision 1; now, therefore, be it

RESOLVED, the Liquor On-Sale 291 or More Seats, Liquor On-Sale Sunday & Entertainment (B) license held by White Dragon Catering Inc. d/b/a White Dragon Hall LLC (License ID #20210000632) for the premises located at 1600 White Bear Ave. North, Unit C, Saint Paul, MN 55106, is hereby revoked pursuant to the Saint Paul Legislative Code section 310.01 and Minnesota Statutes section 270.72, subdivision 1.