

STATE OF MINNESOTA)  
) ss.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

COUNTY OF RAMSEY)

Riddhi Mistry, being first duly sworn, deposes and says that on the eleventh day of December she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Azak Auto Sales LLC  
d/b/a Azak Auto Sales LLC  
817 Vandalia St Ste 1C  
Saint Paul, MN 55114  
Attn: Abdirazak Iddle

Abdirazak Iddle  
2743 12<sup>th</sup> Ave S  
Minneapolis, MN 55407

Fulford Family Partnership Lp  
6140 Canary Rd N  
Royalton, MN 56373

Zev Radziwill, Executive Director  
St. Anthony Park Community Council  
P.O. Box 8124  
Saint Paul, MN 55108

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

  
\_\_\_\_\_  
Riddhi Mistry

Subscribed and sworn to before me  
This eleventh day of December 2024

  
\_\_\_\_\_  
Christine M. Haas

Notary Public





December 11, 2024

## NOTICE OF INTENT TO DENY LICENSE

Azak Auto Sales LLC  
d/b/a Azak Auto Sales LLC  
817 Vandalia St Ste 1C  
Saint Paul, MN 55114  
**Attn: Abdirazak Iddle**

RE: Second Hand Dealer – Motor Vehicle license application submitted Azak Auto Sales LLC d/b/a Azak Auto Sales LLC for the premises located at 817 Vandalia St Ste 1C, Saint Paul, MN 55114  
License ID #: 20240000279

Dear Applicant:

The Department of Safety and Inspections will recommend denial of Second Hand Dealer – Motor Vehicle license application submitted by Azak Auto Sales LLC d/b/a Azak Auto Sales LLC ("Licensee") located at 817 Vandalia St Ste 1C, in Saint Paul, MN 55114.

### Legal Basis for Adverse Action:

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, you or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a you 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."



Saint Paul Legislative Code §310.02 (2)(b)(1) states:

(2) *Class N Licenses.*

(b) *"New application investigation and review.* the director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minn. Stats., chapter 364, and is otherwise available by law. The director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, as may be involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinance and statutes. The approval of such other divisions or departments is not required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the zoning administrator or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new license will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the building official or their designee and inspections for investigation and recommendation."

(1) *"Verification of Class N License District Council Notification Form.* the director must take reasonable efforts to ensure that the district council has notified the department by email that the Class N License District Council Notification Form has been received."

Saint Paul Legislative Code §410.03(d) states:

(d) *"Site Plan.* In addition to other information required by the inspector, the applicant shall submit two (2) copies of a site plan approved by the planning commission or its delegate, pursuant to section 62.108 of the zoning code and other applicable sections. Such site plan, in addition to all other requirements, shall show the location and the ground area of the premises, and the location of all buildings or other structures existing thereon or to be places thereon; the location of the premises upon which the applicant proposes to carry on the business secondhand motor vehicle parts dealer, and whether the applicant proposes to use an adjacent lot or lots for the processing or storage of motor vehicle parts; and whether the applicant has ever been engaged in a similar business, and if so, the location thereof and the date when so engaged."



### **Adverse Action Recommendation:**

Because your Second Hand Dealer – Motor Vehicle license application failed to obtain Zoning approval, and failed to submit required information to the District 12 St Anthony Park Community Council. The Department of Safety and Inspections will recommend denial of the Second Hand Dealer – Motor Vehicle license application based on violation to Saint Paul Legislative Code § 310.02 (2)(b)(1) and 410.03(d).

### **Factual basis for denial of Second Hand Dealer – Motor Vehicle license application:**

On February 8, 2024, you submitted Class “N” License Application for a Second Hand Dealer – Motor Vehicle license.

On March 12, 2024, DSI Inspector, Jeff Fischbach sent a letter updating you on the status of your pending license application. The letter states that the license application is incomplete, therefore, resulting in a pending status. The letter requested you to complete all requirements by April 12, 2024.

On March 12, 2024, an email from DSI Inspector, Jeff Fischbach was sent to [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) in which the letter of March 12, 2024, was also attached for your reference requesting action to be taken by April 12, 2024. DSI Inspector, Ross Haddow was copied on the email since you did have prior communication with Inspector Haddow, regarding this application.

On March 19, 2024, an email from DSI Inspector, Jeff Fischbach was sent to [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) requesting you to get the DSI Zoning Division approval of a parking plan. DSI Zoning Inspector, Frances Birch was copied on the email since you also had prior conversations with Inspector Birch that morning. You were requested to follow-up with Inspector Birch to obtain plan approval. You were also informed that DSI Licensing Division could not continue with the processing of your application until a parking plan is approved. You were also informed to submit your application to the District Council.

On September 19, 2024, a 2<sup>nd</sup> Application Incomplete letter was sent to you from DSI Inspector, Jeff Fischbach requesting you to obtain the a DSI Zoning Division approved site/parking plan and to



submit the Class N License District Council Form to the District 12 St Anthony Park Community Council. You were provided with a deadline of October 18, 2024, to satisfy all of these requirements.

Additionally, on September 19, 2024, an email was sent to you at [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) from Inspector, Jeff Fischbach requesting you to complete the Request to Withdraw form if you are no longer interested in pursuing your license. DSI could give you back 75% of your license fee. You were informed that failure to complete required actions by October 18, 2024, will result in your application being forwarded to the City Attorney with a recommendation adverse action to be taken to deny your request. You were also informed that you would be unable to get any money back.

You have five (5) options on how to proceed:

1. If I have not heard from you by **December 23, 2024**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Agenda for approval of the proposed remedy and denial of you license application.
2. Submit the required information requested to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **December 23, 2024**.
3. If you wish to admit the facts but you contest the penalty, you may have a hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **December 23, 2024**. The matter will then be scheduled before the City Council to determine whether or not your Second Hand Dealer – Motor Vehicle license application should be denied. You will have an opportunity to appear before the City Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (“ALJ”). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **December 23, 2024**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other’s witnesses. After receipt of the ALJ’s report (usually within 30 days), a hearing will need to be scheduled before the City Council. At that time, the City Council will decide whether to adopt, modify or reject the ALJ’s report and recommendation.



**Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to recommend that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code §310.05 (k).**

5. You can withdraw your Second Hand Dealer – Motor Vehicle license application. Complete and return the attached REQUEST TO WITHDRAW REQUEST FOR REFUND form to the Department of Safety and Inspections (DSI), located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **December 23, 2024**.

**If you have not contacted me by December 23, 2024, I will assume that you do not contest the denial of your Second Hand Dealer – Motor Vehicle application. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please contact my Paralegal, Riddhi Mistry at (651) 266-8835 or [riddhi.mistry@ci.stpaul.mn.us](mailto:riddhi.mistry@ci.stpaul.mn.us).

Sincerely,

Sly Onyia  
Assistant City Attorney  
License No. 0402320

Cc: Abdirazak Iddle, 2743 12<sup>th</sup> Ave S, Minneapolis, MN 55407  
Fulford Family Partnership Lp, 6140 Canary Rd N, Royalton, MN 56373  
Zev Radziwill, Executive Director, St Anthony Park Community Council, P.O. Box 8124, Saint Paul, MN 55108

Attachments: Copy of Class N License Application dated 02/08/2024  
Letter from Department of Safety and Inspections – 03/12/2024  
Email from Inspector Fischbach to [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) 03/12/2024  
Email from Inspector Fischbach to [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) – 03/19/2024



**SAINT PAUL**  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY  
LYNDESEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall  
Saint Paul, MN 55102  
Tel: 651-266-8571 | Fax: 651-298-5619

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2<sup>nd</sup> Application Incomplete Letter – 09/19/2024

Email from Inspector Fischbach to [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com) – 09/19/2024

Request to Withdraw Request for Refund Form

Saint Paul Legislative Code §310.01

Saint Paul Legislative Code – §310.02 (2)(b)(1)

Saint Paul Legislative Code – §401.03 (d)



Saint Paul, Minnesota 55101  
Phone: 651-266-8989  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

Received 240000279  
Class "N" License Application

FEB 08 2024

LICENSES ARE NOT TRANSFERRABLE

City of Saint Paul - DSI

Payment must be received with each application. This application is subject to review by the public.

*This application requires District Council notification prior to submission.*

Types of License(s) being applied for:

Fee(s):

- 1. Second Hand Dealer - Motor Vehicle \$ 405
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

Total: \$ 0.00

**Business Information**

Business Address: 817 Vandalia St #1C St Paul MN 55114  
Street City State Zip

Company Name: AZAK AUTO Sales LLC Doing Business As: \_\_\_\_\_

Company Type: Corporation  Partnership  Sole Proprietorship

Date of Incorporation: 5/3/2021 Date of Anticipated Opening: 4/29/24

Mailing Address: 817 Vandalia St #1C St Paul MN 55114  
Street City State Zip

Business Phone #: 612-358-0555 Email Address: [REDACTED]

**Applicant Information**

Applicant Name: ABDIKAZAK J. IDDL  
First Middle Last

Title: OWNER Date of Birth: [REDACTED]

Drivers License: [REDACTED]

Home Address: [REDACTED]

Cell Phone #: [REDACTED]



### Supplemental Required Information

Are you going to operate this business personally?  
If no, who will operate it?

Yes:  No:

Operator Name: \_\_\_\_\_  
First Middle Last

Home Address: \_\_\_\_\_  
Street City State Zip

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_ Email Address: \_\_\_\_\_

Are you going to have a manager or assistant in this business?

Yes:  No:

If manager is not the same as the operator, please complete the following information:

Manager Name: \_\_\_\_\_  
First Middle Last

Home Address: \_\_\_\_\_  
Street City State Zip

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_ Email Address: \_\_\_\_\_

Please list all other officers of the corporation (Attach another sheet if applicable.)

Officer Name: \_\_\_\_\_  
First Middle Last

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Home Address: \_\_\_\_\_  
Street City State Zip

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_

Officer Name: \_\_\_\_\_  
First Middle Last

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Home Address: \_\_\_\_\_  
Street City State Zip

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_

Officer Name: \_\_\_\_\_  
First Middle Last

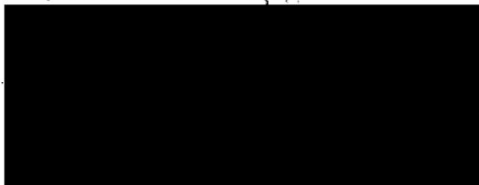
Title: \_\_\_\_\_ Email: \_\_\_\_\_

Home Address: \_\_\_\_\_  
Street City State Zip

Date of Birth: \_\_\_\_\_ Phone #: \_\_\_\_\_

### FALSIFICATION OF ANSWERS GIVEN OR MATERIAL SUBMITTED WILL RESULT IN DENIAL OF APPLICATION

I hereby state that I have answered all of the preceding questions and that the information contained herein is true and correct to the best of my knowledge and belief. I also hereby state that I have provided a completed District Council Notification Form to the district council representing the planning district in which my business will operate.



\_\_\_\_\_ Title Owner \_\_\_\_\_ Date 2/8/24

## Jeffrey Fischbach

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**From:** Jeffrey Fischbach  
**Sent:** Tuesday, March 12, 2024 2:57 PM  
**To:** 'kismaayoone@hotmail.com'  
**Cc:** Ross Haddow  
**Subject:** 817 Vandalia St Ste 1C / Azak Auto Sales LLC / Pending Second Hand Dealer - Motor Vehicle Lic. App. ID #20240000279  
**Attachments:** Vandalia0817#1C\_AzakAutoSalesLLC\_Incomplete\_App\_Ltr\_2024-03-12.pdf

Abdirazak,

Please see attached letter regarding your above referenced pending license application.

Action is requested by 04/12/2024.

I've copied DSI Inspector Ross Haddow on this email (who you've had previous communication with on this application).

Thanks,

**Jeff Fischbach**  
**DSI Inspector III**

City of Saint Paul, Department of Safety & Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101  
P: (651) 266-9106  
Email: [Jeffrey.Fischbach@ci.stpaul.mn.us](mailto:Jeffrey.Fischbach@ci.stpaul.mn.us)  
[www.StPaul.gov](http://www.StPaul.gov)



**SAINT PAUL**  
**MINNESOTA**



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

March 12, 2024

AZAK Auto Sales LLC  
Attn: Abdirazak Iddle  
817 Vandalia St Suite 1C  
St Paul MN 55114

Re: Application for AZAK Auto Sales LLC, doing business same, ID #20240000279, located at 817 Vandalia St Ste 1C /  
**Second Hand Dealer – Motor Vehicle**

Dear Applicant:

This letter is to update you on the status involving review of the above referenced pending license application recently submitted to the Department of Safety and Inspections (DSI). At this time DSI has determined *the business license application as submitted is incomplete, the application remains in a pending status, and a license has not yet been issued.*

So that DSI Licensing Division may continue processing your application, **please complete actions including the following by 04/12/2024:**

1. Submit to the District 12 St Anthony Park Community Council the enclosed Class N License District Council Form and supporting plans (which you must first obtain from DSI Zoning Division (see item #2)). Contact information for the organization is: Kathryn Murray, Executive Director, [kathryn@sapcc.org](mailto:kathryn@sapcc.org) Please copy me on any email correspondence with the Community Council. *Copy Jeffrey, fischbach@ci.stpaul.mn.us*
2. Obtain a DSI Zoning Division approved site/parking plan from DSI Zoning Inspector Frances Birch (651-266-9022 / [frances.birch@ci.stpaul.mn.us](mailto:frances.birch@ci.stpaul.mn.us)). Submit a sufficiently detailed plan so that the Zoning review process may begin. *The plan you submitted did not include any information for this business, and may not be sufficiently detailed.*
3. Submit to DSI a current Minnesota Taxpayer Identification number.
4. Submit a completed Personal Affidavit (see enclosed) with a notarized signature. *The Personal Affidavit you submitted was not signed.*
5. Submit to DSI a signed letter describing your method of operation, including information such as the following:
  - \*hours of operation
  - \*maximum number of for-sale vehicles that will be displayed here
  - \*where repairs to vehicles will take place
  - \* number of employees working here
  - \* etc.

This license type requires public notification be sent to your neighbors (within 350 feet), concerned constituents, block club / district councils, and city council, informing them of your application request and giving them 15 days to respond to your application. The results of this notification may require public hearing(s), with City Council review needed once the public notice and any public hearing(s) are completed. *License notification cannot be sent until you have submitted all necessary documentation for an application to be deemed complete, DSI Zoning Division has approved a parking layout/stripping plan, DSI has been informed by the District Council they've received the application, and DSI Licensing Division has completed the initial due diligent review of the application.* I may be contacted at 651-266-9106 or via email at [jeffrey.fischbach@ci.stpaul.mn.us](mailto:jeffrey.fischbach@ci.stpaul.mn.us) with any questions. In my absence you may contact DSI License Inspector Ross Haddow at 651-266-09143 / [ross.haddow@ci.stpaul.mn.us](mailto:ross.haddow@ci.stpaul.mn.us)

Sincerely,

Jeffrey Fischbach,  
DSI Licensing Division

enc.

- c. Frances Birch, DSI Zoning Division  
Ross Haddow, DSI Licensing Division

**Disclaimer:** This letter is not an indication that your application will be granted, nor does it authorize any operation of a business at this location. This letter is intended simply as notice of the ongoing process of your pending application.

## Jeffrey Fischbach

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**From:** Jeffrey Fischbach  
**Sent:** Tuesday, March 19, 2024 1:57 PM  
**To:** kismaayoone@hotmail.com  
**Cc:** Frances Birch  
**Subject:** ZONING PARKING PLAN APPROVAL: 817 Vandalia St Ste 1C / Azak Auto Sales LLC / Pending Second Hand Dealer - Motor Vehicle Lic. App. ID #20240000279

Abdirazak,

Per our discussion today at DSI front counter you need to get DSI Zoning Division approval of a parking plan.

Copied is DSI Zoning Inspector Frances Birch (651-266-9022 / [frances.birch@ci.stpaul.mn.us](mailto:frances.birch@ci.stpaul.mn.us)) who you spoke to this morning. Please follow-up with Ms. Birch to obtain plan approval.

DSI Licensing Division cannot continue with the processing of this application until a parking plan is approved, and you have submitted your application to the District Council.

Thanks,

**Jeff Fischbach**  
**DSI Inspector III**

City of Saint Paul, Department of Safety & Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101  
P: (651) 266-9106  
Email: [Jeffrey.Fischbach@ci.stpaul.mn.us](mailto:Jeffrey.Fischbach@ci.stpaul.mn.us)  
[www.StPaul.gov](http://www.StPaul.gov)



**SAINT PAUL**  
**MINNESOTA**

## Jeffrey Fischbach

---

**From:** Jeffrey Fischbach  
**Sent:** Thursday, September 19, 2024 1:20 PM  
**To:** kismaayoone@hotmail.com  
**Subject:** 817 Vandalia St Ste 1C - Azak Auto Sales LLC - Pending Second Hand Dealer Motor Vehicle Lic. App. ID #20240000279  
**Attachments:** 20240919134223564.pdf; Request to Withdraw\_Fillable Form\_9-9-2024.pdf

Hello Abdirazak,

See attached letter involving the above referenced.

If you are no longer interested in pursuing this license complete the attached Request to Withdraw form and DSI can give you back 75% of your license fee.

Failure to complete required actions by 10/18/2024 will result in your application being forwarded to the City Attorney with a recommendation adverse action be taken to deny your request. You would be unable to get any money back at that point.

Jeff Fischbach  
DSI Inspector III  
City of Saint Paul, Department of Safety & Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101  
P: (651) 266-9106  
Email: Jeffrey.Fischbach@ci.stpaul.mn.us www.StPaul.gov



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

2<sup>nd</sup> APPLICATION INCOMPLETE LETTER

September 19, 2024

Abdirazak Iddle  
2743 12<sup>th</sup> Ave S  
Minneapolis MN 55407

Re: Application for AZAK Auto Sales LLC, doing business same, ID #20240000279, located at 817 Vandalia St Ste 1C / **Second Hand Dealer – Motor Vehicle**

Dear Applicant:

As per the Department of Safety and Inspections (DSI) previous letter to you dated 03/12/2024 (see enclosed) *the business license application referenced above is incomplete, the application remains in a pending status, and a license has not yet been issued.* So that DSI may continue processing your application, **please complete actions including the following by 10/18/2024:**

1. Obtain a DSI Zoning Division approved site/parking plan from DSI Zoning Inspector Frances Birch (651-266-9022 / [frances.birch@ci.stpaul.mn.us](mailto:frances.birch@ci.stpaul.mn.us)). Submit a sufficiently detailed plan so that the Zoning review process may begin. *The plan you submitted did not include any information for this business, and may not be sufficiently detailed.*
2. Submit to the District 12 St Anthony Park Community Council the enclosed Class N License District Council Form and supporting plans (which you must first obtain from DSI Zoning Division (see item #1)). Contact information for the organization is: Kathryn Murray, Executive Director, [kathryn@sapcc.org](mailto:kathryn@sapcc.org) Please copy me on any email correspondence with the Community Council at [jeffrey.fischbach@ci.stpaul.mn.us](mailto:jeffrey.fischbach@ci.stpaul.mn.us)

**Alternatively, if you are no longer interested in pursuing this license you may complete and return the enclosed Request to Withdraw / Request for Refund form.**

*Failure to complete the above referenced actions, or return a Request to Withdraw / Request for Refund form in a timely manner will result in your application being forwarded to the City Attorney with a recommendation to deny your request.*

Finally, this license type requires public notification be sent to your neighbors (within 350 feet), concerned constituents, block club / district councils, and city council, informing them of your application request and giving them 15 days to respond to your application. The results of this notification may require public hearing(s), with City Council review needed once the public notice and any public hearing(s) are completed. *License notification cannot be sent until you have submitted all necessary documentation for an application to be deemed complete, DSI Zoning Division has approved a parking layout/stripping plan, DSI has been informed by the District Council they've received the application, and DSI Licensing Division has completed the initial due diligent review of the application.* I may be contacted at 651-266-9106 or via email at [jeffrey.fischbach@ci.stpaul.mn.us](mailto:jeffrey.fischbach@ci.stpaul.mn.us) with any questions.

Sincerely,

Jeff Fischbach,  
DSI Licensing Division

enc.

- c. Frances Birch, DSI Zoning Division  
Abdirazak Iddle, Home Address  
Abdirazak Iddle, via email at [kismaayoone@hotmail.com](mailto:kismaayoone@hotmail.com)

**Disclaimer:** This letter is not an indication that your application will be granted, nor does it authorize any operation of a business at this location. This letter is intended simply as notice of the ongoing process of your pending application.



**RE: Request to Withdraw  
Request for Refund**

License Number: \_\_\_\_\_

I/We, \_\_\_\_\_, respectfully request to withdraw my/our license(s) located at \_\_\_\_\_.

List applications license types to withdraw: \_\_\_\_\_

Reason(s) for the withdraw: \_\_\_\_\_

I am also requesting a 75% refund of my license application fee per chapter 310.10 of the City of Saint Paul's Legislative Code.

Mail the refund check to the attention of: \_\_\_\_\_

Mail the refund check to this address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip Code: \_\_\_\_\_

_____	_____	_____	_____
Applicants Printed Name	Signature	Title	Date
_____			
Phone Number			

_____	_____	_____	_____
Applicants Printed Name	Signature	Title	Date
_____			
Phone Number			

## Ordinance Violations

### **Sec. 401.03. Application; requirements.**

- (d) *Site plan.* In addition to other information required by the inspector, the applicant shall submit two (2) copies of a site plan approved by the planning commission or its delegate, pursuant to section 62.108 of the zoning code and other applicable sections. Such site plan, in addition to all other requirements, shall show the location and the ground area of the premises, and the location of all buildings or other structures existing thereon or to be placed thereon; the location of the premises upon which the applicant proposes to carry on the business of secondhand motor vehicle parts dealer, and whether the applicant proposes to use an adjacent lot or lots for the processing or storage of motor vehicle parts; and whether the applicant has ever been engaged in a similar business, and if so, the location thereof and the date when so engaged.

### **Sec. 310.02. Uniform procedures for application for the grant or issuance of the license, new application investigation and review, application denial, notice, levels of approval, objections and renewal procedures by license type.**

#### 2) *Class N Licenses.*

- (b) *New application investigation and review.* the director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minn. Stats., chapter 364, and is otherwise available by law. The director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, as may be involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinances and statutes. The approval of such other divisions or departments is not required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the zoning administrator or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new license will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the building official or their designee and inspections for investigation and recommendation.
1. *Verification of Class N License District Council Notification Form.* the director must take reasonable efforts to ensure that the district council has notified the department by email that the Class N License District Council Notification Form has been received.



Sec. 310.01. - Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section have the following meanings:

*Adverse action* means 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.

*Bond* means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

*Building official* means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

*Chapters and these chapters* mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

*Class R licenses* means those licenses and certain permits which can be issued by the director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
<b>CLASS R</b>			

Agricultural Vehicle Permit	\$23.00	R	<u>165</u>
Amusement Rides—Annual	\$85.00	R	<u>317</u>
Animal Boarding (Commercial)	\$83.00	R	<u>348</u>
Animal Boarding (Home Occupation)	\$83.00	R	<u>348</u>
Animal Day Care (Commercial)	\$83.00	R	<u>348</u>
Animal Day Care (Home Occupation)	\$83.00	R	<u>348</u>
Animal Foods Manufacturing and Distribution	\$85.00	R	<u>316</u>
Bituminous Contractor	\$210.00	R	<u>320</u>
Bowling Centers	\$210.00	R	<u>426</u>
Building Contractors	\$210.00	R	<u>326</u>
Building Trade Business License	\$188.00	R	<u>369</u>
Building Trades Certificate of Competency	\$24.00	R	<u>370</u>
Bulk Oil Storage	\$210.00	R	<u>342</u>
Christmas Tree Sales	\$85.00	R	<u>323</u>
Commercial Vehicle	\$78.00	R	<u>158</u>
Commercial Vehicle—Exempt	\$0.00	R	<u>158</u>
Courtesy Bench	\$26.00	R	<u>127</u>
Courtesy Benches Transfer	\$17.00	R	<u>127</u>
Finishing Shop	\$85.00	R	<u>371</u>

Game Room	\$210.00	R	<u>406</u>
House Sewer Contractor	\$210.00	R	<u>338</u>
Laundry/Dry-cleaning Plant	\$210.00	R	<u>327</u>
Laundry/Dry-cleaning Pick Up Station	\$85.00	R	<u>327</u>
Lawn Fertilizer and Pesticide Applicator	\$85.00	R	<u>377</u>
Liquid Fuel Dealer	\$210.00	R	<u>332</u>
Liquid Fuel Dealer Vehicle	\$85.00	R	<u>332</u>
Liquor Catering (State Cater/City Liq)	\$192.00	R	<u>409</u>
Mechanical Amusement Device	\$21.00	R	<u>318</u>
Massage Center—A (1 Practitioner)	\$100.00	R	<u>414</u>
Massage Center—A (Commercial)	\$262.00	R	<u>412</u>
Massage Center—B (Home Location)	\$106.00	R	<u>412</u>
Massage Practitioner	\$106.00	R	<u>414</u>
Massage Practitioner-Additional Location	\$31.00	R	<u>412</u>
Mercantile Broker	\$85.00	R	<u>340</u>
Mobile Retail Vehicle	\$85.00	R	<u>346</u>
Pedal Car	\$118.00	R	<u>374</u>
Pedal Car Business	\$352.00	R	<u>374</u>
Pedal Car Driver	\$51.00	R	<u>374</u>

Peddler	\$85.00	R	<u>345</u>
Peddler—Fee Waived	\$0.00	R	<u>345</u>
Pedicab Driver	\$51.00	R	<u>374</u>
Pedicab Vehicle	\$113.00	R	<u>374</u>
Pest Control	\$210.00	R	<u>334</u>
Pet Grooming Facility	\$85.00	R	<u>382</u>
Pet Shop	\$210.00	R	<u>347</u>
Pool & Billiard Hall	\$210.00	R	<u>322</u>
Recycling Collection Center	\$210.00	R	408
Recycling Processing Center	\$958.00	R	408
Rental of Hospital Equipment	\$85.00	R	<u>350</u>
Rental of Hospital Equip-Vehicle	\$85.00	R	<u>350</u>
Rental of Kitchenware	\$85.00	R	<u>351</u>
Roller Rink	\$85.00	R	<u>353</u>
Sanitary Disposal Vehicle	\$405.00	R	<u>354</u>
Second-Hand Dealer	\$85.00	R	<u>355</u>
Second-Hand Dealer (Comp/Elec)	\$85.00	R	<u>355</u>
Second-Hand Dealer (Antiques/Comp/Elec)	\$85.00	R	<u>356</u>
Second-Hand Dealer (Antiques)	\$85.00	R	<u>355</u>

Second Hand Dealer—Motor Vehicle Parts	\$507.00	R	<u>355</u>
Second-Hand Dealer—Multiple Dealers	\$405.00	R	<u>355</u>
Short-Term Rental (Non-Owner Occupied)	\$45.00	R	<u>379</u>
Short-Term Rental (Owner Occupied)	\$45.00	R	<u>379</u>
Short-Term Rental Platform	\$11,181.00	R	<u>379</u>
Sidewalk Cafe	\$40.00	R	106
Sidewalk Contractor	\$210.00	R	<u>356</u>
Solicitor	\$85.00	R	<u>345</u>
Solid Fuel Dealer	\$210.00	R	<u>333</u>
Solid Fuel Dealer Vehicle	\$85.00	R	<u>333</u>
Solid Waste Hauler & Vehicle	\$405.00	R	<u>357</u>
Solid Waste Hauler (Ea Add'l Veh)	\$85.00	R	<u>357</u>
Solid Waste Transfer Station	\$1,913.00	R	<u>357</u>
Sound Trucks & Broadcast Vehicle	\$85.00	R	<u>359</u>
Swimming Pool—Public	\$405.00	R	<u>360</u>
Tanning Facility	\$106.00	R	<u>380</u>
Taxicab Driver	\$51.00	R	<u>376</u>
Taxicab Vehicle	\$469.00	R	<u>376</u>
Taxicab Vehicle (Reciprocity Event)	\$37.00	R	<u>376</u>

Taxicab Service Company	\$456.00	R	<u>376</u>
Theaters and Movie Theaters	\$210.00	R	<u>416</u>
Tire Recapping Plant	\$85.00	R	<u>372</u>
Tobacco Products Shop	\$535.00	R	<u>324</u>
Tobacco Shop	\$535.00	R	<u>324</u>
Tow Truck/Wrecker (Operator)	\$405.00	R	<u>361</u>
Tow Truck/Wrecker (Vehicle)	\$85.00	R	<u>361</u>
Trade Worker Registration—Tier 1	\$37.00	R?	<u>370</u>
Trade Worker Registration—Tier 2	\$70.00	R	<u>370</u>
Trade Worker Registration—Tier 3	\$59.00	R	<u>370</u>
Trailer Rental	\$210.00	R	<u>352</u>
Tree Trimmer & 1 Vehicle	\$210.00	R	<u>362</u>
Tree Trimmer—Each Add'l Vehicle	\$85.00	R	<u>362</u>
Vehicle Immobilization Service	\$405.00	R	<u>383</u>
Veterinary Hospital	\$210.00	R	<u>364</u>
Window Cleaning	\$210.00	R	<u>365</u>
Wrecking of Buildings	\$65.00	R	<u>368</u>

*Class T licenses* means those licenses which can be approved or denied by the director, if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class T Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation

and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in [Section 310.02\(3\)](#). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

<b>Business Licenses</b>	<b>Fee</b>	<b>Class</b>	<b>Ordinance/ Legislative Code</b>
<b>CLASS T</b>			
Amusement Rides—Temporary	\$32.00	T	<u>317</u>
Bingo/Rfls/P-Tabs/Tpbrds/Pdlwhls	\$59.00	T	402
Close Out Sale	\$85.00	T	<u>325</u>
Entertainment—Temporary	\$35.00	T	<u>411</u>
Liquor Catering (State Cater Only)	\$59.00	T	<u>409</u>
Liquor—Extension of Service Area	\$68.00	T	410
Liquor—Under Age Access (Temporary)	\$35.00	T	<u>409</u>
Liquor On Sale—Temporary	\$59.00	T	<u>409</u>
Malt On Sale (3.2)—Temporary	\$59.00	T	410
Massage Practitioner—Temporary	\$50.00	T	<u>412</u>
Second Hand Dealer—Exhibition	\$210.00	T	<u>355</u>
Tag Days	\$26.00	T	<u>391</u>
Temp On Sale Malt Brewery/Distillery	\$59.00	T	410
Transient Merchant	\$85.00	T	<u>345</u>

Wine On Sale-Temporary	\$59.00	T	<u>409</u>
Winery Annual Festival—Temporary	\$59.00	T	<u>409</u>

*Class N licenses* means those licenses which must be approved or denied by the council. Class N Licenses follow the Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in [Section 310.02\(2\)](#). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

Business Licenses	Fee	Class	Ordinance/ Legislative Code
<b>CLASS N</b>			
Auto Body Repair Shop	\$507.00	N	<u>423</u>
Auto Body Repair/Painting Shop	\$507.00	N	<u>423</u>
Auto Repair Garage	\$507.00	N	<u>423</u>
Bingo Hall	\$229.00	N	403
Cabaret—Class A	\$210.00	N	<u>322</u>
Cabaret—Class B	\$210.00	N	<u>426</u>
Conversation/Rap Parlor(A)	\$405.00	N	<u>413</u>
Conversation/Rap Parlor (B)	\$405.00	N	<u>413</u>
Culinary On Sale—Wine/Malt	\$255.00	N	<u>409</u>
Dance or Rental Halls	\$497.00	N	405



Dance Halls—Exempt	\$0.00	N	405
Entertainment—Extension	\$0.00	N	<u>411</u>
Entertainment (A)	\$278.00	N	<u>411</u>
Entertainment (B)	\$672.00	N	<u>411</u>
Entertainment (C)	\$3,191.00	N	<u>411</u>
Firearms	\$405.00	N	<u>225</u>
Gambling Hall	\$445.00	N	<u>278</u>
Gambling Location	\$84.00	N	<u>225</u>
Gas Station	\$154.00	N	<u>424</u>
Health/Sport Club	\$405.00	N	<u>427</u>
Health/Sport Club—Adult	\$405.00	N	<u>427</u>
Health/Sport Club-Exercise Only Facility	\$405.00	N	<u>427</u>
Infectious Waste Processing Facility	\$1,913.00	N	<u>427</u>
Liquor-Extension of Service Hours	\$405.00	N	<u>409</u>
Liquor—Microdistillery Cocktail Room	\$712.00	N	<u>409</u>
Liquor—Off Sale Micro Distillery	\$205.00	N	<u>409</u>
Liquor Off Sale	\$1,500.00	N	<u>409</u>
Liquor On Sale—100 seats or less	\$5,361.00	N	<u>409</u>
Liquor On Sale—101-180 Seats	\$5,937.00	N	<u>409</u>

Liquor On Sale—181-290 Seats	\$6,360.00	N	<u>409</u>
Liquor On Sale—291 or more Seats	\$6,448.00	N	<u>409</u>
Liquor On Sale—2 AM Closing	\$59.00	N	<u>409</u>
Liquor On Sale—Exempt	\$0.00	N	<u>409</u>
Liquor On Sale—Over 100 seats (B)	\$5,022.00	N	<u>409</u>
Liquor On Sale—Over 200 seats (A)	\$5,454.00	N	<u>409</u>
Liquor On Sale—Sunday	\$200.00	N	<u>409</u>
Liquor On Sale—Sunday—Exempt	\$0.00	N	<u>409</u>
Liquor On Sale—Theater	\$1,914.00	N	<u>409</u>
Liquor On Sale—Additional Family Members	\$62.00	N	<u>409</u>
Liquor On Sale (Government Agencies)	\$0.00	N	<u>409</u>
Liquor On Sale (Small Brewery—128 oz)	\$30.00	N	<u>409</u>
Liquor On Sale-Club under 200 Mbrs—A	\$300.00	N	<u>409</u>
Liquor On Sale-Club 201-500 Mbrs—B	\$500.00	N	<u>409</u>
Liquor On Sale-Club 501-1000 Mbrs—C	\$650.00	N	<u>409</u>
Liquor On Sale-Club 1001-2000 Mbrs—D	\$800.00	N	<u>409</u>
Liquor On Sale-Club 2001-4000 Mbrs—E	\$1,000.00	N	<u>409</u>
Liquor On Sale-Club 4001-6000 Mbrs—F	\$2,000.00	N	<u>409</u>
Liquor On Sale-Club over 6000 Mbrs—G	\$3,000.00	N	<u>409</u>

Liquor-Outdoor Service Area (Patio)	\$85.00	N	<u>409</u>
Liquor-Outdoor Service Area (Sidewalk)	\$40.00	N	<u>409</u>
Malt Off Sale (Brewery)	\$205.00	N	410
Malt Off Sale (Growler)	\$205.00	N	410
Malt Off Sale	\$225.00	N	410
Malt On Sale (3.2)	\$712.00	N	410
Malt On Sale (3.2)—Fee Waived	\$0.00	N	410
Malt On Sale (3.2)—2 AM Closing	\$0.00	N	410
Malt On Sale (Brewery Taproom)	\$712.00	N	410
Malt On Sale (Strong)	\$712.00	N	410
Massage Center—C (Adult)	\$405.00	N	<u>412</u>
Mini Motion Picture Theater-Adult (C)	\$405.00	N	<u>415</u>
Minnesota Currency Exchange	\$405.00	N	<u>381</u>
Motor Vehicle Dealer—New Vehicles	\$405.00	N	401
Motor Vehicle Salvage Dealer	\$405.00	N	<u>422</u>
Motorcycle Dealer	\$210.00	N	401
Parking Lot	\$405.00	N	<u>417</u>
Parking Lot/Parking Ramp	\$405.00	N	<u>417</u>
Parking Ramp (Government)	\$0.00	N	<u>417</u>

Parking Ramp	\$405.00	N	<u>417</u>
Parking Ramp/Garage (Private)	\$396.00	N	<u>417</u>
Pawn Shop	\$3,191.00	N	<u>344</u>
Second Hand Dealer—Motor Vehicle	\$507.00	N	<u>344</u>
Steam Room/Bath House (A)	\$405.00	N	<u>428</u>
Steam Room/Bath House (B)—Adult	\$405.00	N	<u>428</u>
Theaters and Movie Theaters-Drive In	\$210.00	N	<u>416</u>
Transportation Network Company	\$41,115.00	N	<u>373</u>
Wine On Sale	\$2,000.00	N	<u>409</u>
Wine On Sale (Government Agencies)	\$0.00	N	<u>409</u>

*Department* means the department of safety and inspections.

*Director* means the director of the department of safety and inspections and/or the director's designee or designees.

*Fee* means and includes both the license fee and application fee unless otherwise provided.

*License* means and includes all licenses and permits provided for or covered by these chapters.

License also includes licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of such licenses, for the purposes of making procedures in chapter 310 of the Legislative Code applicable to the approval or disapproval of such licenses.

*Class N License District Council Notification Form* means the form, provided by the Department to the license applicant as part of the Class N License application packet, which must be mailed or personally delivered to the district council by the license/applicant prior to the submission of the application for a license.

*Person* means and includes any person, firm, corporation, partnership, company, organization, agency, club or any group or association thereof. It shall also include any executor, administrator, trustee, receiver or other representative appointed by law.

*Zoning administrator* means the official in the department of safety and inspections charged with responsibility for enforcement of the zoning code.

(Ord 22-46, § 2, 11-9-22; Ord 23-32, § 2, 9-6-23)

Sec. 310.02. - Uniform procedures for application for the grant or issuance of the license, new application investigation and review, application denial, notice, levels of approval, objections and renewal procedures by license type.

1) *Class R Licenses.*

(a) *Application.*

1. *Form.* All applicants for a Class R License issued pursuant to these chapters must make both original and renewal applications to the director on such forms as are provided by the department. Such applications will not be received by the director until the director deems the application meets the substantially complete criteria. Subsequently, issuance of a license cannot occur until insurance policies, 01s, deposits, sureties, and indemnifications or certificates required by these chapters, together with the certification required in paragraph 2 below, are received and approved.
2. *Taxes.* No applicant will be granted a license or a renewal of a license required by the Saint Paul Legislative Code unless, in addition to any other requirements, rules or ordinances heretofore or hereafter required, the director determines that said applicant has paid all taxes, real or personal, before said taxes become delinquent, on any property, real or personal, situated within the City of Saint Paul and used in connection with the business operated under said license.
3. Notwithstanding the previous paragraph, the council or the director may issue or renew a license if it is found that:
  - (a) The applicant has made an agreement satisfactory to the Ramsey County Attorney to pay delinquent taxes in periodic installments;
  - (b) The applicant has properly commenced a proceeding to contest the amount of tax due or the valuation of their property, and has made all partial payments required by law in connection with such proceeding; or
  - (c) The business property with respect to which taxes are delinquent is not owned by the applicant, but by a lessor, and it would be inequitable to require the lessee to pay such taxes.

If a license is issued or renewed because of the existence of an agreement as described in subsection (a) above, the license may be revoked if the licensee defaults upon such agreement.

4. *Additional information.* the director will prescribe the information required to be submitted by each applicant in their application, in addition to that required by specific sections in these chapters, as may be necessary to carry out and enforce any provision hereunder. The director will require in every case the applicant to submit their name;

business or corporate name; names of partners, officers, directors, shareholders, or trustees involved in the business; age; address; description or blueprint of the premises, if any, and the owner thereof, and locations and addresses of other business locations in Minnesota.

5. *No reapplication within one (1) year after denial or revocation.* Unless an applicant is claiming evidence of rehabilitation as outlined in Minn. Stats. § 364.03, subd. 3, no applicant may apply for any license within one (1) year of the denial or revocation of the same or similar license by the city council, if such denial or revocation was based solely or partially upon misconduct or unfitness of the applicant, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. A license is "similar," within the meaning of this paragraph, if the basis upon which the revocation or denial of the original license was made would have been a relevant basis on which to deny or revoke a license of the type subsequently applied for.
  6. *Reapplication after denial; "interest" of applicant in revoked license.* An application by a person having an interest in, or whose shareholders or officers have an interest in, any premises or enterprise whose license has been revoked or to which a license has been denied will be treated as an application by the person whose license was denied or revoked. The term "interest," as used in this paragraph, includes any pecuniary interest in the ownership, operation, management or profits of an establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least one hundred fifty (150) or more rental units holding a license in conjunction therewith; or ten (10) percent or less interest in any other corporation holding a license.
  7. *Prohibition on reapplication; exception.* The prohibition on reapplication herein provided will not apply in cases where it is otherwise expressly provided by statute or ordinance.
- (b) *New application investigation and review.* the director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minn. Stats., chapter 364, and is otherwise available by law. The director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinances and statutes. The approval of such other divisions or departments is not required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the zoning administrator

or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new license will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the building official or their designee for investigation and recommendation.

(c) *Application denial.*

1. Denial of a Class R License application is adverse action and the procedures for notice and hearing outlined in Saint Paul Legislative Code Section 310.03 must be followed.

(d) *Notice.*

1. Upon verification that an application for a Class R License is substantially complete, the notification requirements outlined in ENS Chapter A-11(11)(c) must be followed and the required ENS notice must be provided within two (2) public business days.

(e) *Levels of approval:*

1. *Approval recommended without conditions.* Where an application for the grant, issuance or renewal of a Class R License meets all the requirements of law, and there exists no grounds for denial, revocation or suspension of, or the imposition of conditions upon, such license, the director must grant, issue, or renew said license in accordance with the application.
2. *Approval recommended with conditions.* If upon review of an application for the grant, issuance, or renewal of a Class R License the director determines that there exist grounds for imposition of conditions, the director must provide the applicant or licensee notice and an opportunity to be heard in accordance with section 310.03.
3. If the prospective licensee does not object to the proposed conditions, the director will request that the matter be placed on the council consent agenda. The director shall notify the prospective licensee.
4. If the prospective licensee objects to the conditions proposed by the director, the director must follow the hearing procedures outlined in Saint Paul Legislative Code Section 310.03 and refer the matter to a hearing examiner.
5. *Revocation or suspension.* If the director determines that the renewal application for the renewal of a license does not meet all of the requirements of law or that there exist grounds for revocation or suspension of a Class R License the director will follow the hearing procedures as outlined in Saint Paul Legislative Code Section 310.03.

(f) *Objections.* An appeal to the city council may be taken by any person aggrieved by the grant, issuance, or renewal of a Class R License provided that:

1. The appeal must be filed with the city clerk within thirty (30) days after the action by the director.



2. The only grounds for appeal will be that there has been an error of law in the grant, issuance, or renewal of the license.
3. The appeal will be in writing and will set forth in particular the alleged errors of law.
4. The council will conduct a public hearing on the appeal within thirty (30) days of the date of filing and will notify the licensee and the appellant at least ten (10) days prior to the hearing date.
5. The procedures set forth in section 310.03, insofar as is practicable, will apply to this hearing. Following the hearing, the council may affirm or remand the matter to the director, may reverse the director's decision, or place conditions upon the license based on the council's determination that the director's decision was based on an error of law.
6. The filing of an appeal will not stay the issuance of the license.

(g) *Renewal procedures.*

1. Class R Licenses may be automatically renewed by the director.
2. No waiver by renewal. The renewal of a Class R License will not be deemed to be a waiver of any past violations or of any grounds for imposition of adverse action against such license.

2) *Class N Licenses.*

(a) *Application.*

1. *Form.* All applicants for a Class N License issued pursuant to these chapters will make both original and renewal applications to the director on such forms as are provided by the department. Such applications will not be received by the director until the director deems the application meets the substantially complete criteria. Subsequently, issuance of a license cannot occur until insurance policies, bonds, deposits, sureties, and indemnifications or certificates required by these chapters, together with the certification required in paragraph 2 below are received and approved.
2. *Taxes.* No applicant will be granted a license or a renewal of a license required by the Saint Paul Legislative Code unless, in addition to any other requirements, rules or ordinances heretofore or hereafter required, the director determines that said applicant has paid all taxes, real or personal, before said taxes become delinquent, on any property, real or personal, situated within the City of Saint Paul and used in connection with the business operated under said license.
3. Notwithstanding the previous paragraph, the council or the director may issue or renew a license if it is found that:
  - (a) The applicant has made an agreement satisfactory to the Ramsey County Attorney to pay delinquent taxes in periodic installments;

- (b) The applicant has properly commenced a proceeding to contest the amount of tax due or the valuation of their property, and has made all partial payments required by law in connection with such proceeding; or
- (c) The business property with respect to which taxes are delinquent is not owned by the applicant, but by a lessor, and it would be inequitable to require the lessee to pay such taxes.

If a license is issued or renewed because of the existence of an agreement as described in subsection (a) above, the license may be revoked if the licensee defaults upon such agreement.

4. *Additional information.* the director will prescribe the information required to be submitted by each applicant in their application, in addition to that required by specific sections in these chapters, as may be necessary to carry out and enforce any provision hereunder. The director will require in every case the applicant to submit their name; business or corporate name; names of partners, officers, directors, shareholders, or trustees involved in the business; age; address; description or blueprint of the premises, if any, and the owner thereof, and locations and addresses of other business locations in Minnesota.
5. *No reapplication within one (1) year after denial or revocation.* Unless an applicant is claiming that they have evidence of rehabilitation as outlined in Minn. Stats. § 364.03, subd. 3, no applicant may apply for any license within one (1) year of the denial or revocation of the same or similar license by the city council, if such denial or revocation was based solely or partially upon misconduct or unfitness of the applicant, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. A license is "similar," within the meaning of this paragraph, if the basis upon which the revocation or denial of the original license was made would have been a relevant basis on which to deny or revoke a license of the type subsequently applied for.
6. *Reapplication after denial; "interest" of applicant in revoked license.* An application by a person having an interest in, or whose shareholders or officers have an interest in, any premises or enterprise whose license has been revoked or to which a license has been denied will be treated as an application by the person whose license was denied or revoked. The term "interest," as used in this paragraph, includes any pecuniary interest in the ownership, operation, management or profits of an establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an

interest in a corporation owning or operating a hotel but having at least one hundred fifty (150) or more rental units holding a license in conjunction therewith; or ten (10) percent or less interest in any other corporation holding a license.

7. *Prohibition on reapplication; exception.* The prohibition on reapplication herein provided will not apply in cases where it is otherwise expressly provided by statute or ordinance.

(b) *New application investigation and review.* the director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minn. Stats., chapter 364, and is otherwise available by law. The director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, as may be involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinances and statutes. The approval of such other divisions or departments is not required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the zoning administrator or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new license will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the building official or their designee and inspections for investigation and recommendation.

1. *Verification of Class N License District Council Notification Form.* the director must take reasonable efforts to ensure that the district council has notified the department by email that the Class N License District Council Notification Form has been received.

(c) *Application denial.*

1. Denial of a Class N License application is adverse action and the procedures for notice and hearing outlined in Saint Paul Legislative Code Section 310.03 must be followed.

(d) *Notice.*

1. Upon receipt of an application for a Class N License, the notification requirements outlined in ENS Chapter A-11(11)(c) must be followed.

The application must then be reviewed and once the director deems the application fully reviewed as required by these chapters and makes a recommendation, both the notice requirements outlined in ENS Chapter A-11 (14) and the required mailing must be provided. Notices must describe the license application received, staff recommendations (e.g., any conditions) and the process for public comment and objections.

(a) Required mailing. The director must notify by mail all owners and occupants who own property or reside within three hundred fifty (350) feet of the establishment to which the license is to be issued, of any such application, said three hundred fifty (350) feet

being calculated and computed as the distance measured in a straight line from the property line of the building where the prospective license will be located to the property line owned, leased or under the control of the resident and owners of the existence of an application and set the deadline for public comment at least fifteen (15) days after the date of mailing. The director must submit to the council a list of the names and addresses of each person or organization to whom notice was sent, and certification of such list by the director will be conclusive evidence of such notice and such notice will be attached to the resolution before council.

- (b) The failure to give mailed notice to owners or occupants residing within three hundred fifty (350) feet, or to community organizations, or defects in the notice, does not invalidate the council approval provided a bona fide attempt to comply with this section has been made. A bona fide attempt is evidenced by a notice addressed to "owner" and to "occupant" of the listed address. Only one (1) notice need be mailed to each house or each rental unit within a multiple-family dwelling regardless of the number of occupants.
- (c) *Notice requirement not applicable in downtown business district.* The notification requirements of this section shall not be applicable where the license is to be transferred to a place located within the downtown business district. For purposes of this section, downtown business district shall include all that portion of the City of Saint Paul lying within and bounded by the following streets: Beginning at the intersection of Shepard Road with Chestnut Street, Chestnut Street to Interstate Freeway 35E, Interstate Freeway 35E to Tenth Street, Tenth Street to Interstate Freeway 94, Interstate Freeway 94 to Lafayette Bridge, Lafayette Bridge to where the bridge crosses over Warner Road, Warner Road to the Wabasha Bridge, the Wabasha Bridge across the Mississippi River to the water line on the south bank of the river, thence in a westerly direction along the shore line to the point at which it intersects with "Line A," and then in a straight line across the Mississippi River to the intersection of Chestnut Street with Shepard Road. The location and legal description of "Line A" is indicated on the map attached hereto and incorporated and adopted herein by reference.
- (e) *Levels of Approval.*
  1. *Approval with or without conditions.* All Class N Licenses require council approval. If there are no conditions or the prospective licensee does not object to the proposed conditions, the director will request that the matter be placed on the council consent agenda. The director will notify the prospective licensee.
  - 2.

*If the prospective licensee objects to the conditions proposed by the director and/or the conditions added by the legislative hearing officer after a hearing, the director must follow the hearing procedures as outlined in Saint Paul Legislative Code Section 310.03 and refer the matter to a hearing examiner.*

3. *Revocation or suspension.* If the director determines that the application for renewal does not meet all of the requirements of law or that there exist grounds for revocation or suspension of a Class N License, the director must follow the hearing procedures as outlined in Saint Paul Legislative Code Section 310.03.

(f) *Objections.* If the director is recommending issuance of the Class N License, but the affected neighborhood organization(s) or other interested persons give notice within the fifteen (15) day period for public comment of objection to issuance of the license, the director must refer the matter for a hearing before the legislative hearing officer.

a. The legislative hearing officer will set a hearing date and give notice of the time, place, and date of the hearing to the affected neighborhood organizations(s) and the applicant.

b. At the hearing, the legislative hearing officer will take testimony from all interested persons.

c. If the applicant cannot agree with license conditions suggested by the legislative hearing officer, the legislative hearing officer will make a recommendation to the council as to whether the matter should be referred for a hearing before an independent hearing examiner in accordance with the procedures set forth in section 310.03.

d. After the legislative hearing, the legislative hearing officer must prepare a report and recommendations for council and set the matter on the council consent agenda.

If no objections are received, the legislative hearing officer will notify the director and have the matter placed on the council consent agenda. The director will notify the applicant and the affected neighborhood organizations established for citizen participation purposes of the placement of the application on the council agenda.

(g) *Renewal procedures.*

1. *Renewal procedures.* Class N Licenses may be automatically renewed by the director.

2. *No waiver by renewal.* The renewal of a Class N License will not be deemed to be a waiver of any past violations or of any grounds for imposition of adverse action against such license.

3) *Class T Licenses (Temporary).*

(a) *Application.*

1.

*Form.* All applicants for a Class T License issued pursuant to these chapters will make original applications to the director on such forms as are provided by the department. Such applications will not be received by the director until the director deems the application meets the substantially complete criteria.

Subsequently, issuance of a license cannot occur until insurance policies, bonds, deposits, sureties, and indemnifications or certificates required by these chapters, together with the certification required in paragraph 2 below are received and approved.

2. *Taxes.* No applicant will be granted a license or a renewal of a license required by the Saint Paul Legislative Code unless, in addition to any other requirements, rules or ordinances hereafter required, the director determines that said applicant has paid all taxes, real or personal, before said taxes become delinquent, on any property, real or personal, situated within the City of Saint Paul and used in connection with the business operated under said license.
3. Notwithstanding the previous paragraph, the council or the director may issue a license if it is found that:
  - a. The applicant has made an agreement satisfactory to the Ramsey County Attorney to pay delinquent taxes in periodic installments;
  - b. The applicant has properly commenced a proceeding to contest the amount of tax due or the valuation of their property, and has made all partial payments required by law in connection with such proceeding; or
  - c. The business property with respect to which taxes are delinquent is not owned by the applicant, but by a lessor, and it would be inequitable to require the lessee to pay such taxes.

If a license is issued because of the existence of an agreement as described in subsection (a) above, the license may be revoked if the licensee defaults upon such agreement.

4. *Additional information.* the director will prescribe the information required to be submitted by each applicant in their application, in addition to that required by specific sections in these chapters, as may be necessary to carry out and enforce any provision hereunder. The director will require in every case the applicant to submit their name; business or corporate name; names of partners, officers, directors, shareholders, or trustees involved in the business; age; address; description or blueprint of the premises, if any, and the owner thereof, and locations and addresses of other business locations in Minnesota.
5. *No reapplication within one (1) year after denial or revocation.* Unless an applicant is claiming that they have evidence of rehabilitation as outlined in Minn. Stats. 364.03, subd. 3, no applicant may apply for any license within one (1) year of the denial or revocation of the same or similar license by the city council, if such denial or revocation was based

solely or partially upon misconduct or unfitness of the applicant, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. A license is "similar," within the meaning of this paragraph, if the basis upon which the revocation or denial of the original license was made would have been a relevant basis on which to deny or revoke a license of the type subsequently applied for.

6. *Reapplication after denial; "interest" of applicant in revoked license.* An application by a person having an interest in, or whose shareholders or officers have an interest in, any premises or enterprise whose license has been revoked or to which a license has been denied will be treated as an application by the person whose license was denied or revoked. The term "interest," as used in this paragraph, includes any pecuniary interest in the ownership, operation, management or profits of an establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least one hundred fifty (150) or more rental units holding a license in conjunction therewith; or ten (10) percent or less interest in any other corporation holding a license.

7. *Prohibition on reapplication; exception.* The prohibition on reapplication herein provided will not apply in cases where it is otherwise expressly provided by statute or ordinance.

(b) *New application investigation and review.* the director will determine the sufficiency and accuracy of each new application and obtain any pertinent criminal history information as may be used under Minn. Stats., chapter 364, and is otherwise available by law. The director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, as may be involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinances and statutes. The approval of such other divisions or departments is not required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the zoning administrator or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new license will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the building official or their designee for investigation and recommendation.

(c) *Application denial.*

a. Denial of a Class T License application is adverse action and the procedures for notice and hearing outlined in Saint Paul Legislative Code Section 310.03 must be followed.

- (d) *Notice.* There is no notice requirement for Class T licenses.
- (1) Temporary liquor license applications do not require notification action by the director upon receipt of an application under Chapter A-11. Notification requirements, if any, are handled by the applicant as part of the application process as outlined in the relevant section of the Saint Paul Legislative Code.
- (e) *Levels of approval.*
- (1) *Approval recommended without conditions.* Where an application for the grant or issuance of a Class T License meets all the requirements of law, and there exists no grounds for denial, revocation suspension of, or the imposition of conditions upon such license, the director must grant or issue said license in accordance with the application.
- (2) *Approval recommended with conditions.* If upon review of an application for the grant, or issuance of a Class T License the director determines that there exist grounds for imposition of conditions the director must provide the applicant or licensee notice and an opportunity to be heard in accordance with the hearing procedures outlined in Saint Paul Legislative Code Section 310.03.
- (f) *Objections.* An appeal to the city council may be taken by any person aggrieved by the grant, issuance or renewal of a Class T License provided that:
1. The appeal must be filed with the city clerk within thirty (30) days after the action by the director.
  2. The only grounds for appeal will be that there has been an error of law in the grant, issuance, or renewal of the license.
  3. The appeal will be in writing and will set forth in particular the alleged errors of law.
  4. The council will conduct a hearing on the appeal within thirty (30) days of the date of filing and will notify the licensee and the appellant at least ten (10) days prior to the hearing date.
  5. The procedures set forth in section 310.05, insofar as is practicable, will apply to this hearing. Following the hearing, the council may affirm or remand the matter to the director, may reverse the director's decision or place conditions upon the license based on the council's determination that the director's decision was based on an error of law.
  6. The filing of an appeal will not stay the issuance of the license.
- (g) *Renewal procedures.* Class T Licenses are not automatically renewed. If a licensee wishes to Renew a Class T License, they must file a new application for a new Class T License.

(Ord 22-46, § 5, 11-9-22; Ord 23-32, § 3, 9-6-23)



## Sec. 401.03. - Application; requirements.

- (a) *New motor vehicles.* No license shall be issued to deal in new motor vehicles unless the applicant is licensed under Section 168.27, Minnesota Statutes.
- (b) *Bonds.* Before any person shall be licensed as a motor vehicle parts dealer, such applicant shall file with the inspector a bond in the sum of five thousand dollars (\$5,000.00), with a duly licensed surety company as surety thereon, conditioned that such licensee shall observe the ordinances of said city in relation to the business to which such applicant has applied for a license, and that such licensee will conduct said business in conformity therewith and will account for and deliver to any person legally entitled thereto any motor vehicle or motor vehicle parts which may have come into the possession of such licensee or in lieu thereof such licensee shall pay in money to such person or persons the reasonable value thereof.
- (c) *Police to investigate.* Before any person shall be licensed to conduct business as a secondhand motor vehicle dealer in said city, a copy of the application for such license shall be delivered to the director of the department of police of said city. The director or officers of the department shall investigate the applicant and report the result of such investigation to the inspector, together with the approval or disapproval of such application by said director; provided, however, that no person shall be licensed under the terms hereof who may at any time prior to the issuance of said license have been duly convicted in any court of competent jurisdiction of having received stolen goods or of any infraction of the terms and provisions of this chapter or any of the ordinances of the City of Saint Paul regulating the business for which said applicant has applied for a license; provided, however, that this subdivision shall be subject to the requirements of Laws of Minnesota for 1974, Chapter 298 (Minnesota Statutes, Chapter 364).
- (d) *Site plan.* In addition to other information required by the inspector, the applicant shall submit two (2) copies of a site plan approved by the planning commission or its delegate, pursuant to section 62.108 of the zoning code and other applicable sections. Such site plan, in addition to all other requirements, shall show the location and the ground area of the premises, and the location of all buildings or other structures existing thereon or to be placed thereon; the location of the premises upon which the applicant proposes to carry on the business of secondhand motor vehicle parts dealer, and whether the applicant proposes to use an adjacent lot or lots for the processing or storage of motor vehicle parts; and whether the applicant has ever been engaged in a similar business, and if so, the location thereof and the date when so engaged.
- (e) *Age, character of applicant.* No license to engage in the business of secondhand motor vehicle parts dealer shall be issued to anyone other than a person over eighteen (18) years of age, and of good moral character and repute.
- (f)

*Public hearing.* The inspector shall cause a notice of the hearing required by section 310.04(d) to be mailed at least thirty (30) days prior thereto to every known owner or agent of real estate situated within three hundred (300) feet of the proposed location, as set out in the application, addressed in each instance to the owner or agent at his last known place of abode.

(g) *Driveways.* All licensees entering and commencing said business and licensed shall have two (2) driveways on their premises.

(Code 1956, §§ 343.03, 343.04, 343.06, 343.07; Ord. No. 17133, 5-10-84; C.F. No. 96-1114, § 1, 11-27-96)