



City of Minneapolis
Licenses and Consumer Services Division
 350 South Fifth Street Room 1-C City Hall
 Minneapolis, Minnesota 55415
www.minneapolismn.gov

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**FINDINGS OF FACT,
 CONCLUSIONS AND
 RECOMMENDATIONS**

In the Matter of License No. L318 50028 TACOS EL PRIMO
 for MOBILE FOOD VEHICLE VENDOR

Held by:
TACOS EL PRIMO LLC
ATTN: MARIA LORENA YEPEZ
2717 12TH AVE S
MINNEAPOLIS, MN 55407

13-0977811

This matter came before the Division of Licenses and Consumer Services at a License Settlement Conference on Thursday, May 23, 2013 at 2:00 PM in Room 1C, Minneapolis City Hall. Appearing on behalf of the licensee were Maria Lorena Yopez and Juan Ortega. Appearing for the City of Minneapolis were Grant Wilson, Manager, Licenses and Consumer Services, Linda Roberts, District Supervisor, Licenses and Consumer Services, Craig Eliason, Inspector, Licenses and Consumer Services and Sonya Monzel, Inspector, Environmental Health Department. Based on information presented at the hearing, the Division makes the following findings of fact, conclusions and recommendations:

FINDINGS OF FACT

1. Tacos El Primo LLC has held a Mobile Food Vehicle Vendor license since 2011.
2. On May 22, 2013 the Tacos El Primo mobile food vehicle was parked behind the residential property at 2717 12th Avenue South in Minneapolis.

3. On May 22, 2013 the Tacos El Primo mobile food vehicle was inspected and unsanitary conditions were found.
4. On May 22, 2013 the Tacos El Primo mobile food vehicle was being supplied with food items being prepared from the residential kitchen at 2717 12th Avenue South in Minneapolis.
5. On May 22, 2013 the Tacos El Primo mobile food vehicle was disposing of garbage and litter at the residential property at 2717 12th Avenue South in Minneapolis.

CONCLUSIONS

1. On May 22, 2013 the Tacos El Primo mobile food vehicle was found to be in violation of Minneapolis Code of Ordinances 188.485(f)(15), which prohibits mobile food vehicles from being kept, stored, or maintained on a residentially zoned property.
2. On May 22, 2013 the Tacos El Primo mobile food vehicle was found to be in violation of Minneapolis Code of Ordinances 188.580(1)(l), which prohibits the presence of any condition that poses an imminent risk of substantial harm to the public health, safety or welfare.
3. On May 22, 2013 the Tacos El Primo mobile food vehicle was found to be in violation of Minneapolis Code of Ordinances 188.485(f)(3), which requires all food preparation and storage to occur at a licensed food establishment.
4. On May 22, 2013 the Tacos El Primo mobile food vehicle was found to be in violation of Minneapolis Code of Ordinances 188.485(f)(7), which requires all waste liquids, garbage, litter and refuse to be disposed of at a licensed food establishment.

RECOMMENDATIONS

Based on evidence presented at the hearing, the Division makes the following recommendations:

1. Tacos El Primo LLC shall not keep, store or maintain the mobile food vehicle at any residential property.
2. Tacos El Primo LLC shall dispose of all waste and rubbish at its licensed food establishment.
3. Tacos El Primo LLC shall store and prepare all food items at its licensed food establishment.
4. Tacos El Primo LLC shall clean the vehicle at its licensed food establishment.

5. Tacos el Primo LLC agrees to a 30 day suspension from operating its mobile food vehicle. Twenty-five days are stayed pending no further violations are found for a period of 1 year from the signing of this agreement.

Tacos El Primo LLC understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

TACOS EL PRIMO

By: [Signature]
(signature)

Its: OWNER
(title)

Dated: 5/28, 2013

For the City of Minneapolis:

[Signature]
Grant J. Wilson
Manager

Dated: 5-28, 2013