



Request for City Council Committee Action from Licenses and Consumer Services

Date: July 22, 2014

To: Council Member Goodman, Chair,
Community Development & Regulatory Services Committee

Subject: Denial of Renewal of the Rental Hall license for Avestek Consulting Group, LLC; dba 42nd Avenue Ballroom at 705 42nd Avenue North, Minneapolis.

Recommendation: That the Community Development and Regulatory Services Committee recommend denial of renewal of the of the Rental Hall license for Avestek Consulting Group, LLC; dba 42nd Avenue Ballroom due to an unpaid citation owed to the City of Minneapolis.

Previous Directives: None

Department Information

Prepared by: Michele Harvet, Lead License Inspector, (612) 673-5484

Approved by:

Cathy Polasky, Director of Economic Policy and Development

Grant Wilson, Manager of Business Licenses

Presenters in Committee: Grant Wilson & Michele Harvet

Financial Impact

- No financial impact

Supporting Information

259.15. Payment of taxes prerequisite to issuance of license. No license or license permit shall be issued or maintained for operation on any premises, on which taxes, assessments or other financial claims of the city or of the state are due, delinquent or unpaid. In the event an action has been commenced pursuant to the provisions of Chapter 278, Minnesota Statutes, questioning the amount or validity of taxes,

the council may, on application by the licensee, waive strict compliance with this provision; no waiver may be granted, however, for taxes or any portion thereof, which remain unpaid for a period exceeding one (1) year after becoming due unless a payment plan has been entered into or the liability is under litigation or appeal.

42nd Avenue Ballroom has one unpaid citation due to the Licenses & Consumer Services Division in the amount of \$440 (including late penalties). This became past due on May 26, 2014.

On June 2, 2014, Licenses and Consumer Services notified the owner, Mr. Tyler Avestini, of the unpaid citation and how it could adversely affect his business license. On June 26, 2014, Licenses and Consumer Services notified Mr. Avestini of the date of this hearing and the potential for adverse license action. Payment has not been received from Mr. Avestini for this past due citation in the amount of \$440.



**City of Minneapolis
Licenses and Consumer Services Division**

350 South Fifth Street Room 1-C City Hall
Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkanii oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no tau koj dawb, hu 612-673-2800
English- Attention. If you need this material in an alternate format, have questions, are deaf or hard-of-hearing, please call 612-673-3000.
TTY: 612-673-2626 or 612-673-2157

AVESTEK CONSULTING GROUP LLC
ATTN: TYLER J AVESTINI
5035 HARBOR LN N
PLYMOUTH, MN 55446

05-MAY-14

Request number: 14-1034312

**CITATION NOTICE
VIOLATIONS OF THE CODE OF ORDINANCES**

RE: 705 42ND AVE N

Enclosed is an administrative citation that has been issued for noncompliance of city ordinances as follows:

Under Minneapolis Code of Ordinance 259.250 it is the responsibility of the licensee to fully comply with all conditions. The agreed upon conditions for your business license have been violated as detailed in Inspector comments. Violations may result in adverse action being taken against your license including non-renewal, license revocation or administrative citation

Inspector's Comments: The Minneapolis Council approved business license operating conditions for your Rental Hall license on January 29, 2010. Condition #1 states; "The licensee will not operate the Rental Hall after 10:00 p.m. Sunday thru Thursday and 11:00 p.m. Friday and Saturday." License Inspectors inspected your rental hall on May 3, 2014, at approximately 11:53pm to 12:00am and observed at least 20 patrons inside the rental hall. They were sitting and standing around. At least one person was consuming a beer. Almost all of these people did not appear to be actively involved in cleaning up after the event. This is a violation of your conditions. There was manager on duty. He identified himself as Bounxiou. He did not appear to be asking anyone to leave. I asked if he knew about the license conditions for the rental hall and if he knew where they were posted. He didn't know about them or where they were. He said that the owner, Mr. Avestini, would be back later that night. He didn't know long it would be before Mr. Avestini got back.

Management must ensure that the business does not operate after the authorized times.

The fine amount for this citation is indicated on the citation. Failure to pay this citation before 25-MAY-14 will result in an additional late fee penalty. . If you fail to comply with the above city ordinance, additional citations may be issued and fines may double daily. Nonpayment of fines may result in loss of your business license.

You may request a hearing to contest this citation. A request for a hearing must be in writing and must be received within twenty days from issuance of the citation. Your inspector cannot waive, reduce or dismiss this fine. If you decide to request a hearing, please be aware that the hearing officer has the following authority:

- (1) Mediate and enforce a settlement of the dispute;
- (2) Determine whether a violation occurred;
- (3) Dismiss the administrative citation;
- (4) Impose the scheduled fine;
- (5) Reduce, stay or waive a scheduled fine upon compliance with appropriate conditions; or
- (6) Increase the scheduled fine when the actual costs of enforcement are shown by a preponderance of the evidence to be greater than the amount of the scheduled fine.

IF YOU HAVE ANY QUESTIONS ABOUT THESE ORDERS, OR IF YOU ARE NOT THE OWNER, AGENT, OR OCCUPANT, PLEASE CALL THE INSPECTOR LISTED BELOW.

The Minneapolis Code of Ordinances is available at:

- Minneapolis Public Library, Government Documents Section
- City Clerk's Office, Room 304 City Hall, 350 South 5th Street
- www.minneapolismn.gov/government/laws

Information on business licenses can be reached on line at www.minneapolismn.gov/business-licensing .

ALL MATERIALS AND SERVICES ARE AVAILABLE IN ACCESSIBLE FORMATS

TTY NUMBER: 612-673-3300

MICHELE HARVET, LICENSING INSPECTOR, Phone: (612) 673-5484

Office hours 8:00 a.m. – 4:00 p.m.



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Licenses and Consumer Services Division
 350 South Fifth Street Room 1-C City Hall
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05-MAY-14

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 5035 HARBOR LN N
 PLYMOUTH, MN 55446

ADMINISTRATIVE CITATION

This citation charges you with a violation of Minneapolis City Code of Ordinances.
 For information on how to respond to this citation, see the reverse side of this form.

Violation number: 14-1034312
Violation Location: 705 42ND AVE N
Violation Date: 03-MAY-14

Violation: LV084
 Failure to comply with your business license operating conditions per MCO 259.250.

FINE: \$400 (If not paid by 25-MAY-14 a 10% late payment fee will be added)

MICHELE HARVET, LICENSING INSPECTOR, Phone: (612) 673-5484

**Warning – Failure to respond to this citation within twenty (20) days will
 result in increased penalties and fees assessed.**
DO NOT COMBINE THIS PAYMENT WITH ANY OTHER CITY BILLING

Make Checks Payable to: MINNEAPOLIS FINANCE DEPARTMENT

MICRO-PERFORATED: Detach and return this portion with payment. Do not fold this

ADMINISTRATIVE CITATION BILLING STATEMENT

Location: 705 42ND AVE N	MAIL PAYMENTS TO Licenses and Consumer Services Division 350 South 5 th St, Room 1-C Minneapolis MN 55415-1316	Date Due 25-MAY-14	Amount Due Now \$400
Please write this number on your check: 14- 1034312		Amount Due After Above Due Date: \$ 440	



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AVESTEK CONSULTING GROUP LLC
ATTN: TYLER J AVESTINI
5035 HARBOR LN N
PLYMOUTH, MN 55446

02-JUN-14
Request Number: 14-1034312

NON PAYMENT OF FEES

RE: 705 42ND AVE N

Our records indicate that you have failed to pay required fees to the City of Minneapolis. Payment of all fees is required to maintain your business license in good standing.

Minneapolis ordinance 259.15/360.140 requires all financial claims be paid before a license be granted or renewed. Our records indicate that you have an unresolved financial claim. The type of financial obligation and the amount is listed below. Please pay the fees by the due date or an action will be initiated to add additional fines, suspend or revoke your business license resulting in discontinuance of business activity.

Inspector's Comments: Your business had a \$400 citation due on May 25, 2014. Our records indicate that this payment has not been received. It is now past due. Please pay \$440 by due date to avoid adverse license action.

Due Date: 15-JUN-14

If these fees are not paid by the due date listed above, adverse license action could result. Adverse license action includes, but is not limited to, administrative fines, suspension or revocation of your business license.

IF YOU HAVE ANY QUESTIONS ABOUT THESE FEES, OR IF YOU ARE NOT THE OWNER, AGENT OR OCCUPANT, PLEASE CALL THE INSPECTOR LISTED BELOW.

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26-JUN-14

Request Number: 14-1034312

NOTICE OF PENDING HEARING FOR UNPAID FEES

You have been previously notified that you owed fines or fees to the City of Minneapolis. The fine or fee remains unpaid. Minneapolis Code of Ordinances 259.15/360.140 prohibits the issuance or renewal of business licenses when fines or fees are owed.

A hearing is being scheduled on July 22, 2014, at approximately 1:30 P.M., to consider the denial or revocation of your business license application due to your failure to make payment on your unpaid fine or fee. It is the intention of the Business License Division to request that the City Council deny or revoke your license application resulting in discontinuance of business activities. This hearing can be avoided by tendering payment in the amount of \$440 to the Business License Division.

Licenses and Consumer Services
350 South 5th Street, Room 1-C, City Hall
Minneapolis, MN 55415

If you have any questions concerning the payment of the fine or fee, please call the inspector listed below.

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