



## Request for City Council Committee Action from the Department of Regulatory Services- License Division

Date November 7, 2007

To Public Safety and Regulatory Services Chair Don Samuels

**Subject** Revocation of the grocery, tobacco and 3.2 off sale beer licenses for MISR, Inc, dba Market Express, 3159 Chicago Avenue

### Recommendation

The Business License Division recommends that grocery, tobacco and 3.2 off sale beer licenses for MISR, Inc, located at 3159 Chicago Avenue, be revoked for failure to pay administrative citations in the amount of \$1400.

Prepared or Submitted by Julie Casey, Inspector, Licenses and Consumer Services.  
Ricardo Cervantes, Deputy Director, Licenses and Consumer Services

Approved by

Ricardo Cervantes, Deputy Director

Burt Osborne, Director of Licenses

Rocco Forte, Assistant City Coordinator

**Policy Review Group (PRG) Not Applicable**

Presenters in Committee Julie Casey, License Inspector, Ricardo Cervantes, Deputy Director, Licenses and Consumer Services

## **Financial Impact**

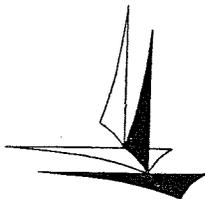
No financial impact – or – Action is within current department budget

## **Background/Supporting Information Attached**

Evidence packet sent under separate cover.

The license holder is in violation of Minneapolis Code of Ordinance 259. 15 by failing to pay administrative citations in the amount of \$1400.

- a. On July 13, 2007, an \$800 administrative citation was issued for having more than 30% of the windows blocked in the business. The licensee appealed the fine. A hearing was scheduled for September 25, 2007. The hearing notice was sent to the business address as indicated on the license applications. The licensees did not appear and the administrative fine was upheld. This fine remains unpaid.
- b. On July 13, 2007, a \$400 administrative citation was issued for sale of single cigarettes. The licensee appealed the fine. A hearing was scheduled for September 25, 2007. The hearing notice was sent to the business address as indicated on the license applications. The licensee did not appear and the administrative fine was upheld. This fine remains unpaid.
- c. On September 12, 2007, a \$200 administrative citation was issued for failure to maintain the dumpster by screening it with a fence. The 20 day appeal expired on October 2, 2007. We received a request for an appeal on October 4, 2007. The request for an appeal was rejected because it was received after the 20 day appeal date. This fine remains unpaid.



**Minneapolis**  
City of Lakes

**Regulatory Services  
Department**

**Licenses &  
Consumer Services  
Division**

350 South 5th Street – Room 1C  
Minneapolis MN 55415-1391

Office 612 673-2080  
Fax 612 673-3399  
TTY 612 673-2157

November 7, 2007

Hatem El-Hommosani, Officer  
MISR, Inc, dba Market Express  
3159 Chicago Avenue  
Minneapolis, MN 55407

### **NOTICE OF HEARING**

**In respect to your Grocery, Tobacco dealer and 3.2 Off Sale beer licenses for MISR, Inc, dba Market Express, located at 3159 Chicago Avenue.**

#### **PLEASE TAKE NOTE:**

1. This is to notify you that a hearing will be held before the Public Safety and Regulatory Services Committee of the Minneapolis City Council on Wednesday, December 12, 2007 at 1:00 p.m. or shortly thereafter, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN to consider action with respect to your grocery, tobacco dealer and 3.2 off sale beer licenses for MISR, Inc, dba Market Express, 3159 Chicago Avenue, Minneapolis, MN 55407
2. This hearing may result in revocation of all your business licenses resulting in discontinuance of business activities.
3. An attorney may represent you if you so desire.
4. Pursuant to Minneapolis Charter Chapter 4, the Committee will determine whether or not the license holder is in violation of Minneapolis Code of Ordinance 259. 15 by failing to pay administrative citations in the amount of \$1400.
  - a. On July 13, 2007, an \$800 administrative citation was issued for having more than 30% of the windows blocked in the business. The licensee appealed the fine. A hearing was scheduled for September 25, 2007. The hearing notice was sent to the business address as indicated on the license applications. The licensees did not appear and the administrative fine was upheld. This fine remains unpaid.
  - b. On July 13, 2007, a \$400 administrative citation was issued for sale of single cigarettes. The licensee appealed the fine. A hearing was scheduled for September 25, 2007. The hearing notice was sent to the business address as indicated on the license applications. The licensee did not appear and the administrative fine was upheld. This fine remains unpaid.

- c. On September 12, 2007, a \$200 administrative citation was issued for failure to maintain the dumpster by screening it with a fence. The 20 day appeal expired on October 2, 2007. We received a request for an appeal on October 4, 2007. The request for an appeal was rejected because it was received after the 20 day appeal date. This fine remains unpaid.

259.15. Payment of taxes prerequisite to issuance, renewal of license. No license shall be granted, maintained, or renewed, 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.

Minneapolis Charter Chapter 4, Section 16 states, "Licenses May be Revoked. Any license issued by the authority of the City Council may be revoked by the City Council at any time upon proper notice and hearing for good cause..."

If you have further questions regarding the issues or conduct of the hearing, you may contact License Inspector Julie Casey at 612-673-3905.

Sincerely,  
  
Ricardo X. Cervantes, Deputy Director  
Licenses and Consumer Services