

October 4, 2004

Dwight Alan Bonewell

101 Blu

3001 Hennepin Avenue South

Minneapolis, MN 55408

In respect to your Sidewalk Café permit for 101 Blu, LLC, located at 3001 Hennepin Avenue South:

PLEASE TAKE NOTE:

1. This is to notify you that a hearing will be held before the Public Safety and Regulatory Service Committee on Wednesday, October 13, 2004 at 1:30 p.m. in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN 55415 to consider adverse action with respect to the Sidewalk Café permit at the above listed location.
2. This hearing may result in the revocation or suspension of your Sidewalk permit license requiring discontinuance of business activities.
3. You may be represented by an attorney if you so desire.
4. At the Hearing, you will have:
 - a. An opportunity to challenge such charges;
 - b. An opportunity to present witnesses under oath;
 - c. An opportunity to cross-examine opposing witnesses under oath.
5. The subject matter at the hearing will be:

a. 265.280. Authorized; permit required. (a) Any licensee under Chapter 188, 362 or 366 of this Code who is licensed to sell food, beer or liquor for consumption on designated premises may apply to the city council by and through the department of licenses and consumer services for a special permit to conduct a portion of such licensed business in a sidewalk cafe on a part of the public way immediately adjoining the licensed premises.

1. Extension of the sidewalk café beyond the approved plans.

b. 259.15. Payment of taxes prerequisite to issuance, renewal of license. No license shall be granted, 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. 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 year after becoming due unless a payment plan has been entered into or the liability is under litigation or appeal.

2. 101 Blu has failed to pay for three administrative fines equal to \$800.00.

If you have any questions concerning the conduct of the hearing, please contact License Inspector Julie Casey at 612-673-3905.

Sincerely,

James J. Moncur, Director

Licenses and Consumer Services