

October 24, 2006

Douglas Leroy Berends
Auto Mart, Inc
4201 East Lake Street
Minneapolis, MN 55406

NOTICE OF HEARING

In respect to your motor vehicle dealer's license for used vehicles, 4201 East Lake Street, Minneapolis, MN.

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, November 8, 2006 at 1:30 p.m.** or shortly thereafter, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN to consider action with respect to your motor vehicle dealer's license for used vehicles at Auto Mart, Inc, 4201 East Lake Street.
2. This hearing may result in the denial of 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 Ordinances as follows.
 - a. Minneapolis Code of Ordinances 259.15, failure to pay all fees and fines owed to the City of Minneapolis.
 1. Evidence will be presented that Auto Mart, Inc., owes \$700 in false alarm fines from the year 2003.
 - b. Minneapolis Code of Ordinances 259.95. Zoning investigation required to be eligible for a license.
 1. Evidence will be presented that Auto Mart, Inc has not performed the required improvements of the site plan approved under court settlement, in violation of Minneapolis Code of Ordinances Chapter 530.
 2. Evidence will be presented that Auto Mart, Inc., added an addition to the building at 4201 East Lake Street in violation of Minneapolis Code of Ordinances Chapter 531.

- c. Minneapolis Code of Ordinances 259.90. Building investigation required to be eligible for a license.
 - 1. Evidence will be presented that Auto Mart, Inc violated Minneapolis Code of Ordinances 85.20 and Code sections of the MN State Building Code 1300.0120 and 1300.013, in as much as they constructed an addition to the building at 4201 East Lake Street without first submitting plans and obtaining a building permit.
 - 2. Evidence will be presented that Auto Mart, Inc failed to stop work, on the building addition, when given a written order by a Building Inspector.
- d. 259.250. Business license management responsibilities. The following minimum standards and conditions shall be met in order to hold a license, provisional license or permit under Titles 13 and 14 of this Code. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation or suspension of said license or permit.
 - 1. Auto Mart, Inc is in violation of Minneapolis Code of Ordinances 259.250 (2), "It shall be the responsibility of the licensee to maintain and operate the business in compliance with all applicable laws and ordinances, including the zoning, fire, environmental health, environmental management, license, food, liquor, housing and building codes."
 - a. Auto Mart, Inc has failed to operate their motor vehicle dealer's license in compliance with license, zoning and building codes as stated above.

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