

March 6, 2006

**In the Matter of the  
Motor Vehicle Repair Garage for  
Fred and Frem, Inc  
3013 Pillsbury Avenue South  
Minneapolis, MN 55408**

**Findings of Fact,  
Conclusions and  
Recommendation**

This matter came before a Technical Advisory Committee hearing on Monday, March 6, 2006 at 1:00 p.m... Appearing for the licensee was Fernando Brady. Appearing for the Department were Business License Manager Grant Wilson and License Inspector Julie Casey. Based on the evidence presented at the hearing, the department makes the following findings of fact:

#### **FINDINGS OF FACT**

1. On November 29, 2004, Fernando Brady signed conditions to be placed on his business license in regard to keeping litter off the property and within 100 feet, keeping vehicles off the sidewalks and no telephone payphones next to the building. These conditions were suggested due to prior problems with the previous business licensee.
2. On March 21, 2005, Business Licenses received a complaint concerning the numbers of vehicles parked on the streets and sidewalks. An order was sent to the licensee to park all vehicles on the inside of the building, not on the sidewalks or next to the building.
3. On May 16, 2005, a \$200 administrative citation was issued for parking vehicles on the city right of way. This citation was not appealed and only a partial payment of \$80.00 was received. Notices to pay this citation were mailed on June 13, 2005 and November 10, 2005
4. On September 1, 2005, the motor vehicle repair garage license for Fred and Frem Inc was not renewed. Notices were sent in November 2005 to renew the license. The license was not renewed until a site visit on December 20, 2005.
5. On September 16, 2005, a Warning notice was sent to cease parking vehicles on the city right of ways in violation of Minneapolis ordinance 317.160(e).

6. On December 29, 2005, an administrative citation in the amount of \$400 was issued for parking on the sidewalks. On the same date, another citation in the amount of \$200 was issued for use of the city right of ways to store vehicles. These citations were not paid or appealed by the due date. A late penalty notice was sent on January 20, 2006.
7. On February 15, 2006, an administrative citation in the amount of \$400 was issued for use of the city right of ways to park vehicles.
8. Due to the number of unpaid citations, late renewal and continued violation of the Minneapolis code of ordinances and license conditions a technical advisory committee hearing was scheduled for March 6, 2006.
9. The above violation history was presented. The owner, Fernando Brady stated that he was trying to operate his business in compliance with city ordinances and the license conditions. Mr. Brady stated he found it very difficult to keep vehicles off the sidewalks since he has only four off street parking spaces available. Mr. Brady stated he is attempting to lease another location to operate the mechanical engine repair and vehicle storage aspect of the business, and would only keep this site for auto body and painting work. He has located another space and is in the process of attempting to lease that space. He felt that he could comply with city ordinances if he found a new space.

## **CONCLUSIONS**

1. Fred and Frem, Inc failed to pay his administrative fines in a timely manner in violation of Minneapolis code of ordinances 259.15.
2. Fred and Frem, Inc failed to renew his motor vehicle repair garage license by the September 1, 2005 due date.
3. Fred and Frem, Inc failed to comply with Minneapolis Code of Ordinance 317.160(e) by continuing to use the city right of way to park and store customer vehicles.

4. Fred and Frem, Inc failed to comply with Minneapolis Code of Ordinance 478.90 by parking vehicles on city sidewalks.

### **RECOMMENDATIONS**

Based on the evidence presented at the hearing, the department makes the following recommendations.

1. Fred and Frem, Inc agrees to lease another building to solely handle the estimating, mechanical engine repair of his business, vehicle storage aspect of his business, and repair estimates, thereby ceasing all customer use of the building at 3013 Pillsbury Avenue within 60 days.
2. Fred and Frem, Inc agrees to pay their outstanding administrative citations, in the amount of \$1180 within 60 days.
3. Fred and Frem, Inc agrees to keep customer vehicles off the city right of ways, sidewalks and streets.
4. Fred and Frem, Inc understand that failure to comply with this agreement may result in the loss of his business license.

**I have read the above report and recommendations. I agree with the report, and I agree with the above recommendations. I understand that failure on my part of the part of my business to adhere to this agreement with the Department may lead to further action against my license. I understand that this report must be accepted by the Minneapolis City Council and signed by the Mayor. I understand that future violations may put my license in jeopardy.**

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**President** **Date**

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**Witness** **Date**

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**Grant Wilson, Business License Manager** **Date**