

June 14, 2006

Tuyet Lai
Pho Tauh Bay Corp
2837 Nicollet Avenue
Minneapolis, MN 55407

NOTICE OF HEARING

In respect to your Restaurant license located at 2837 Nicollet Avenue South, 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, June 21, 2006** or shortly thereafter, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN to consider action with respect to your Restaurant License located at 2837 Nicollet Avenue South, Minneapolis, MN.
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 259.15, failure to pay all fees and fines owed to the City of Minneapolis. Evidence will be presented that Pho Tauh Bay Corp. was issued two administrative citations in the amount of \$600 for failure to clean litter and debris from their business property. The business did not appeal any of the citations issued as allowed under Minneapolis Code of Ordinances Chapter 2.

Under Minneapolis Code of Ordinance 2.90," (b) If a civil fine is not paid within the time specified and no request for a hearing is timely received, the nonpayment of the civil fine will constitute a personal obligation of the violator. A personal obligation may be collected by the city by any appropriate legal means."

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;...:

Minneapolis Code of Ordinances 259.15, 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.

This hearing can be avoided by tendering payment in the amount of \$660.00 (\$600 for the citation and \$60.00 for the late fee) to the Business License Department.

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