

September 25, 2006

Alex Oman  
C.P.E.S., LLC  
1730 New Brighton Boulevard - #249  
Minneapolis, MN 55413

### NOTICE OF HEARING

**In respect to your Vehicle Immobilization license for C.P.E.S. LLC, License number L270-50006, located at 1730 New Brighton Boulevard #249, 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, October 11, 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 vehicle immobilization business, C.P.E.S. LLC, located at 1730 New Brighton Boulevard #249, Minneapolis, Minnesota.
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 regarding administrative fines:
  - a. Administrative Citation in the amount of \$1600 for the 4<sup>th</sup> violation of section 320.45(c) of the Minneapolis Code of Ordinances (MCO) was issued on April 12, 2006 in addition, a late fee of \$160 issued on May 31, 2006. These fines were paid on August 22, 2006.
  - b. Administrative Citation in the amount of \$200 for violation of section 385.65 of the MCO was issued on July 28, 2006 to C.P.E.S. LLC. In addition, a late fine of \$20 was issued on August 24, 2006. This citation was not appealed nor paid.
  - c. Administrative Citation in the amount of \$200 for violation of section 320.50(c) of MCO was issued on August 25, 2006 to C.P.E.S. LLC. In addition a late fine of \$20 was issued on September 18, 2006. This citation was not appealed nor paid.
  - d. Administrative Citation in the amount of \$400 for 2<sup>nd</sup> violation of section 320.45(a) of MCO was issued on August 30, 2006 to C.P.E.S. LLC. In addition a late fine of \$40 was issued on September 20, 2006. This citation was not appealed nor paid.
  - e. Administrative fine in the amount of \$200 for violation of section 320.70 MCO was issued on September 7, 2006 to C.P.E.S. LLC. This citation is still within the 20 day appeal process at this time.

f. Administrative Citation in the amount of \$800 for 3<sup>rd</sup> violation of section 320.45(a) MCO was issued on September 12, 2006 to C.P.E.S. LLC. This citation is still within the 20 day appeal process at this time.

In addition to the above listed violations, C.P.E.S. LLC is also in violation of the Technical Advisory Committee agreement made between Licensing and Consumer Services and C.P.E.S. LLC dated February 10, 2006 which agreement was adopted by the full City Council on March 10, 2006. This agreement states, "The licensee will comply with all other applicable City Ordinances dealing with the operation of a vehicle immobilization service" and "The licensee understands that any additional violations of the Minneapolis City Ordinances, involving the operation of C.P.E.S. (Clampdown) will result in revocation of its Vehicle Immobilization Service Company License".

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."

The evidence presented will show that the owner of C.P.E.S. LLC when these citations were issued and violations of the TAC agreement were made, was Mr. Alex Oman. Mr. Oman currently holds a vehicle immobilization license for C.P.E.S. LLC. The fines issued to C.P.E.S. LLC would be considered a personal obligation of Mr. Oman under MCO 2.90 (b), thereby allowing action to be taken against his license C.P.E.S. LLC.

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. 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.

If you have further questions regarding the issues or conduct of the hearing, you may contact License Inspector Richard J. Tuffs at 612-673-3911.

Sincerely,

Ricardo X. Cervantes, Deputy Director  
Licenses and Consumer Services