



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

August 24, 2023

NOTICE OF INTENT TO DENY LICENSE

ARRC Enterprise, LLC
d/b/a Stress Less Towing Powered by ARRC
118 Acker Street East
Saint Paul, MN 55117-5509

RE: Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by ARRC Enterprise, LLC, d/b/a Stress Less Towing Powered by ARRC for the premises located at 118 Acker Street in Saint Paul
License ID #: 20230000508

Dear Applicant:

The Department of Safety and Inspections will recommend denial of the Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by ARRC Enterprise, LLC, d/b/a Stress Less Towing Powered by ARRC ("Licensee") for the premises located at 118 Acker Street East in Saint Paul ("Licensed Premises").

Legal Basis for Adverse Action:

Saint Paul Legislative Code §310.01, defines Adverse Action as:

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code §310.02(1)(b) requires that new license applications be investigated and reviewed stating:

"The Director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minnesota Statutes, chapter 364, and is otherwise available by law."

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

The Saint Paul City Attorney's Office does not discriminate
based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status
in the delivery of services or employment practices.



Saint Paul Legislative Code §361.02 states:

"No person shall provide any wrecker or tow truck service as described in section 361.01 nor shall any person permit such service vehicles to be kept or maintained in the City of Saint Paul without being licensed under this chapter.

Saint Paul Legislative Code §361.18 (5) sets forth causes for license denial:

Sec. 361.18. – Denial, suspension and revocation

Any license under this chapter may be denied, suspended, revoked or renewal refused for any one (1) or more of the following causes:

(5) Failure to comply with any provision of this chapter.

Adverse Action Recommendation:

Because you have been notified a number of times that your license application was insufficient and you were given multiple chances to provide the information that led to the deficiencies, the Department of Safety and Inspections will recommend denial of the Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses based on violation to Saint Paul Legislative Code §310.02(1)(b).

Factual basis for denial of Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses:

On March 27, 2023, you submitted a Class "N" License Application for a Tow Truck/Wrecker (Operator) and a Tow Truck/Wrecker (Vehicle) license. On May 24, 2023 you received an email from DSI Inspector Vang stating the in order to complete processing your application he would need the following two documents:

1. A copy of your lease
2. A letter or email stating the address of your business and what type of security do you have on the property



On May 30, 2023, you received a second (2nd) email from Inspector Vang concerning possible relocation of your business. Inspector Vang informed you that if you were to relocate your business you would need to start a whole new application and go through the process all over again.

On June 21, 2023, you received a third (3rd) email from Inspector Vang with an Attached Request for Withdraw/Request for Refund and stating DSI would need something in writing from you if you are choosing to withdraw your license application.

On July 6, 2023, you were sent an email from DSI Inspector Voyda and two (2) letters from Inspector Vang sent to the licensed premises and your home address. The email and letters informed you that your time had elapsed to submit a property lease or proof of ownership and a letter stating location and security of the lot for the application that you submitted.

Inspector Voyda and Inspector Vang both stated that you had two (2) options regarding your pending license application:

1. You may complete an attached fillable PDF request to withdraw form and hand-deliver the completed document to DSI located at 375 Jackson Street, Suite 220, Saint Paul, MN 55101. You could also mail the form back to the address above or email the completed form to either joseph.voyda@ci.stpaul.mn.us or allan.vang@ci.stpaul.mn.us
2. Do nothing and DSI will forward your application to the City Attorney's Office for adverse action which would be license denial.

The email and letters both stated that if you failed to take appropriate action in this matter by July 17, 2023, the Department of Safety and Inspections will recommend that adverse action be taken to deny your license application.

As of today, the Department of Safety and Inspections has not received the information requested in order to continue processing your license application.

You have five (5) options on how to proceed:

1. If I have not heard from you by **September 5, 2023**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Agenda for approval of the proposed remedy and denial of you license application.



SAINT PAUL
CITY ATTORNEY

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Civil Division, 15 Kellogg Blvd. West, 400 City Hall
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2. Submit the required information requested to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **September 5, 2023**. A self-addressed envelope is enclosed for your convenience.

3. If you wish to admit the facts but you contest the penalty, you may have a hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a Council hearing no later than **September 5, 2023**. The matter will then be scheduled before the City Council to determine whether to deny your Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses. You will have an opportunity to appear before the City Council and make a statement on your own behalf.

4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge ("ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **September 5, 2023**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a hearing will need to be scheduled before the City Council. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to recommend that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code §310.03 (k).

5. You can withdraw your Auto Repair Garage license application. Complete and return the attached REQUEST TO WITHDRAW REQUEST FOR REFUND form to the Department of Safety and Inspections (DSI), located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **September 5, 2023**. A self-address envelope is enclosed for your convenience.

If you have not contacted me by September 5, 2023, I will assume that you do not contest the denial of your Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact my Legal Assistant, Julie Kraus at (651) 266-8776.



SAINT PAUL
CITY ATTORNEY

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LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

Sincerely,

LS/

Therese Skarda
Assistant City Attorney
License No. 0402652

Cc: Raquan Cunnigan, 5725 Balsam Road, Madison, WI 53711
Stressless Properties, LLC, 118 Acker Street East, Saint Paul, MN 55117-5509
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Street
Saint Paul, MN 55117

Attachment: Copy of Class N license Application dated 3/27/2023
Email from Inspector Vang to licensee dated 5/24/2023
Email from Inspector Vang to licensee dated 5/30/2023
Email from Inspector Vang to licensee dated 6/21/2023
Email Inspector Voyda to licensee dated 7/6/2023
Letters from Inspector Vang to licensee at the licensed premises and
licensee's home address dated 7/6/2023
License Group Comments Text dated 7/28/2023
REQUEST TO WITHDRAW REQUEST FOR REFUND
Saint Paul Legislative Code §310.01
Saint Paul Legislative Code §310.02
Saint Paul Legislative Code §361.02
Saint Paul Legislative Code §361.18

STATE OF MINNESOTA)

) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 24th day of August she served the attached **NOTICE OF INTENT TO DENY LICENSE** as follows:

ARRC Enterprise, LLC
d/b/a Stress Less Towing Powered by ARRC
118 Acker Street East
Saint Paul, MN 55117-5509

Raquan Cunnigan
5725 Balsam Road
Madison, WI 53711

Stressless Properties, LLC
118 Acker Street East
Saint Paul, MN 55117-5509

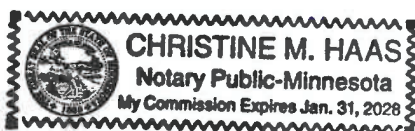
Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Street
Saint Paul, MN 55117

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
This 24th day of August 2023


Notary Public



**CITY OF SAINT PAUL**

Department of Safety and Inspections
Ricardo X. Cervantes, Director
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101
Phone: 651-266-8989
Web: www.stpaul.gov/dsi

Class "R" License Application**Received****LICENSES ARE NOT TRANSFERRABLE****MAR 27 2022**

Payment must be received with Each Application
This application is subject to review by the public.

Types of License(s) being applied for:

City of Saint Paul - DSI

Fee(s):

a.

Tow Truck operator

b.

Tow Truck Vehicle

c.

d.

Total:

\$

-

Business/Applicant Information

Business Address:

118 Ackles St E

St Paul

MN

55117

Mail To Address:

↓

Street

ARRC Enterprise LLC

City

State

Zip

Company Name:

Stress Less Towing

Doing Business As:

Stress Less Towing powered by ARRC

Company Type:

Corporation

Partnership

Sole Proprietorship

Licensee/Owner Name:
(Responsible Party)

R. Quan

Brian Benjamin

Cunnigan

Title:

CEO

Driver's License:

Date of Birth:

Applicant Home Address:

5725 Balsam Rd

Madison

WI

53711

Home Phone #:

Business Phone #:

Fax #:

Email:

arcc.power@gmail.com

Supplemental Required Information

Business Manager, If different from Applicant

Manager's Name:

First

Middle

Last

Home Address:

Street

City

State

Zip

Date of Birth:

/ /

Phone #:

Email Address:

(Continued on back)

Please list all other Person(s) to Appear on the Business License (Attach another sheet if applicable.)

Select Type: Officer _____ Partner ☒ Shareholder _____

Officer Name: Anthony Gregory Rouse
First Middle Last

Home Address: 428 E Acker St Paul MN 55117
Street City State Zip

Date of Birth: [REDACTED] Phone #: [REDACTED]

Email Address: Anthony Arac. Power @ gmail.com

Select Type: Officer _____ Partner _____ Shareholder _____

Officer Name: _____
First Middle Last

Home Address: _____
Street City State Zip

Date of Birth: ____/____/____ Phone #: _____

Email Address: _____

Select Type: Officer _____ Partner _____ Shareholder _____

Officer Name: _____
First Middle Last

Home Address: _____
Street City State Zip

Date of Birth: ____/____/____ Phone #: _____

Email Address: _____

Select Type: Officer _____ Partner _____ Shareholder _____

Officer Name: _____
First Middle Last

Home Address: _____
Street City State Zip

Date of Birth: ____/____/____ Phone #: _____

Email Address: _____

FALSIFICATION OF ANSWERS GIVEN OR MATERIAL SUBMITTED WILL RESULT IN DENIAL OF APPLICATION

I hereby state that I have answered all of the preceding questions and that the information contained herein is true and correct to the best of my knowledge and belief. I hereby state further that I have received no money or other consideration by way of loan, gift, contribution, or otherwise, other than already disclosed in the application which I herewith submitted. I also understand this premise may be inspected by police, fire, health and other city officials at any time when the business is in operation.

☒ M [Signature]
Applicant Signature

☒ CEO
Title

☒ 03-27-23
Date

Allan Vang

From: Allan Vang
Sent: Wednesday, May 24, 2023 1:19 PM
To: ARRC
Subject: Regarding application

Hi Raquan,

I was notified that DSI need two more document from you to process your application. The following is what I would need from you either by email, mail, or drop off at 375 Jackson St. 2nd floor.

1. Need a copy of your lease
2. A letter or email stating the address of your business and what type of security do you have on the property

Let me know if you have any questions.

Respectfully,

Allan Vang

Inspector I

Department of Safety and Inspections (DSI)

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-1915 Fax: 651-266-9124

General Information & Complaints 651-266-8989

[Business Licenses And Permits | Saint Paul Minnesota \(stpaul.gov\)](#)



**SAINT PAUL
MINNESOTA**

Think Before You Click: This email originated **outside** our organization.

Please give me a call , 608-692-9988

On Tue, May 30, 2023 at 8:22 AM Allan Vang <Allan.Vang@ci.stpaul.mn.us> wrote:

Hi Raquan,

After talking to my colleague regarding the possible of relocating your business. If you were to relocate your business you will have to start a new application and go through the whole process over again. Let me know a best time call so we can talk over this more or you may call me.

Respectfully,

Allan Vang

Inspector I

Department of Safety and Inspections (DSI)

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-1915 Fax: 651-266-9124

General Information & Complaints 651-266-8989

[Business Licenses And Permits | Saint Paul Minnesota \(stpaul.gov\)](https://stpaul.gov/business/licenses-and-permits)



SAINT PAUL
MINNESOTA

Allan Vang

From: Allan Vang
Sent: Wednesday, June 21, 2023 2:54 PM
To: ARRC
Subject: FW: Regarding pending application- possible relocation
Attachments: Request to Withdraw Form_8-12-2022_Fillable_PDF.pdf

See attachment and need something in writing stating your are withdrawing your application,

Allan Vang

Inspector I

Department of Safety and Inspections (DSI)

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-1915 Fax: 651-266-9124

General Information & Complaints 651-266-8989

[Business Licenses And Permits | Saint Paul Minnesota \(stpaul.gov\)](https://www.stpaul.gov/business/licenses-and-permits)



**SAINT PAUL
MINNESOTA**

From: Allan Vang
Sent: Tuesday, May 30, 2023 9:15 AM
To: ARRC <arrc.power@gmail.com>
Subject: RE: Regarding pending application- possible relocation

Raquan,

Attached is the withdraw form if you wish to withdraw your current pending application from the City of Saint Paul. Let me know if you have any questions.

Respectfully,

Allan Vang

Inspector I

Department of Safety and Inspections (DSI)

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-1915 Fax: 651-266-9124

General Information & Complaints 651-266-8989

[Business Licenses And Permits | Saint Paul Minnesota \(stpaul.gov\)](https://www.stpaul.gov/business/licenses-and-permits)



**SAINT PAUL
MINNESOTA**

From: ARRC <arrc.power@gmail.com>
Sent: Tuesday, May 30, 2023 8:53 AM
To: Allan Vang <Allan.Vang@ci.stpaul.mn.us>
Subject: Re: Regarding pending application- possible relocation

Allan Vang

From: Joseph Voyda
Sent: Thursday, July 6, 2023 3:39 PM
To: arrc.power@gmail.com
Cc: Allan Vang
Subject: Pending Application ID#20230000508
Attachments: Request to Withdraw_Fillable Form_12-28-2022.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

**RE: 118 Acker Street East – DBA: Stress Less Towing Powered By Arrc
Pending Tow Truck/Wrecker (Operator) & Truck/Wrecker (Vehicle) - Application – ID 20230000508**

Raquan Cinningan,

This email is to inform you that your time has elapsed to submit a property lease or proof of ownership and letter stating location and security of the lot, for the application that was submitted on 1/31/2023.

You have the following two options regarding to your pending license application referenced above.

- 1) You may complete the attached fillable PDF request to withdraw form and hand deliver the completed document to DSI's offices located at 375 Jackson Street, Suite 220 – St. Paul, MN 55101, you may mail the form, or for your convenience you may email me the completed withdraw form to joseph.voyda@ci.stpaul.mn.us.

NOTE: by selecting this choice DSI will refund 75% of your license application fee.

(or)

- 2) Do nothing, DSI will forward your application to the City Attorney's Office for adverse action for application denial.

NOTE: by selecting this choice DSI will refund 0% of your license application fee.

DSI will move forward with adverse action for denial of application if the attached request to withdraw form is not submitted by July 17, 2023.

Questions regarding this email you may contact me directly at phone number 651-266-9014.

Respectfully,



**SAINT PAUL
MINNESOTA**

*Joseph Voyda – Inspector III
License Investigations & Compliance Checks
Department of Safety and Inspections (DSI)
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-9014 Fax: 651-266-9124
General Information & Complaints 651-266-8989
[Business Licenses And Permits | Saint Paul Minnesota \(stpaul.gov\)](https://www.stpaul.gov/business-licenses-and-permits)*



July 6, 2023

Raquan Cunnigan
118 Acker Street East
St. Paul, MN 55117

RE: 118 Acker Street East – DBA: Stress Less Towing Powered By Arrc

Pending Tow Truck/Wrecker (Operator) & Truck/Wrecker (Vehicle) - Application – ID 20230000508

Raquan Cunnigan,

This email is to inform you that your time has elapsed to submit a property lease or proof of ownership and letter stating location and security of the lot, for the application that was submitted on 1/31/2023.

You have the following two options regarding to your pending license application referenced above.

- 1) You may complete the attached fillable PDF request to withdraw form and hand deliver the completed document to DSI's offices located at 375 Jackson Street, Suite 220 – St. Paul, MN 55101, you may mail the form, or for your convenience you may email me the completed withdraw form to allan.vang@ci.stpaul.mn.us.

NOTE: by selecting this choice DSI will refund 75% of your license application fee.

(or)

- 2) Do nothing, DSI will forward your application to the City Attorney's Office for adverse action for application denial.

NOTE: by selecting this choice DSI will refund 0% of your license application fee.

DSI will move forward with adverse action for denial of application if the attached request to withdraw form is not submitted by July 17, 2023.

Questions regarding this email you may contact me directly at phone number 651-266-1915.

Respectfully,

Allan Vang
DSI Licensing Inspector

CC: 5725 Balsam Road, Madison, WI 53711



SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

July 6, 2023

Raquan Cunnigan
5725 Balsam Road
Madison, WI 53711

RE: 118 Acker Street East – DBA: Stress Less Towing Powered By Arrc

Pending Tow Truck/Wrecker (Operator) & Truck/Wrecker (Vehicle) - Application – ID 20230000508

Raquan Cunnigan,

This email is to inform you that your time has elapsed to submit a property lease or proof of ownership and letter stating location and security of the lot, for the application that was submitted on 1/31/2023.

You have the following two options regarding to your pending license application referenced above.

- 1) You may complete the attached fillable PDF request to withdraw form and hand deliver the completed document to DSI's offices located at 375 Jackson Street, Suite 220 – St. Paul, MN 55101, you may mail the form, or for your convenience you may email me the completed withdraw form to allan.vang@ci.stpaul.mn.us.

NOTE: by selecting this choice DSI will refund 75% of your license application fee.

(or)

- 2) Do nothing, DSI will forward your application to the City Attorney's Office for adverse action for application denial.

NOTE: by selecting this choice DSI will refund 0% of your license application fee.

DSI will move forward with adverse action for denial of application if the attached request to withdraw form is not submitted by July 17, 2023.

Questions regarding this email you may contact me directly at phone number 651-266-1915.

Respectfully,

Allan Vang
DSI Licensing Inspector

CC: 118 Acker Street East, St. Paul, MN 55117

Licensee: ARRC ENTERPRISE LLC

DBA: STRESS LESS TOWING POWERED BY ARRC

License #: 20230000508

7/6/2023 Left VM to LH regarding application withdraw. JNV emailed withdraw notice to LH. Withdraw notice letter mailed out to LH. Deadline to resp.
7/17/2023. AYV

6/21/2023 Spoke/emailed LH Raquan regarding withdraw application. Need to return Sticker # 22 back to DSI. AYV

5/31/2023 Spoke to licensee regarding possible refund or submit new application for a new location. AYV

5/30/2023 Spoke to licensee regarding withdraw or possible relocation. Emailed withdraw application to licensee. AYV

5/30/2023 Emailed licensee the process if to relocate the business. AYV

5/26/2023 Spoke with licensee (Raquan) regarding missing documents. Licensee will send update documents once complete. AYV

5/24/2023 Emailed regarding missing document needed. AYV

4/26/2023 Spoke/emailed to Raquan and vehicle inspection is set for 5/3/2023. AYV

4/19/2023 Spoke to Raquan (608-692-9988) regarding vehicle inspection. AYV



SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

**RE: REQUEST TO WITHDRAW
REQUEST FOR REFUND**

License ID # _____

I/We, _____, respectfully request to withdraw
my/our license(s) at the address listed below:

List all licenses to withdraw: _____

Application/Business address: _____

Reason(s) for request: _____

I am also requesting a 75% refund of my license application fee per chapter 310.10 of the City of Saint Paul's Legislative Code.

Mail the refund check to the attention of: _____

Mailing address: _____

City: _____ State: _____ Zip Code: _____

Applicant(s) Printed Name, Signature and Title

Date

Applicant(s) Phone Number

Applicant(s) Printed Name, Signature and Title

Date

Applicant(s) Phone Number

RESOLVED, that the Council of the City of Saint Paul does ordain:

SECTION 2

Chapter 310.01 of the Saint Paul Legislative Code is hereby amended as follows:

Chapter 310. Uniform License Procedures

The procedures in this chapter are meant to govern the issuance of all licenses and certain permits in the City of Saint Paul unless a different process is required by statute. The requirements laid out in this chapter are meant to supersede all requirements laid out in ordinance related to Applications for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures.

Sec. 310.01. Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R, for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section will have the following meanings:

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Bond means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

Building official means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

Chapters and these chapters mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

Class R licenses means those licenses and certain permits which can be issued by the Director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

SECTION 3

Section 310.04 is hereby renumbered 310.02 and amended as follows to enumerate Uniform Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections and Renewal Procedures by License Type:

Sec. 310.02. - Uniform Procedures for Application for the Grant or Issuance of the License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections and Renewal Procedures by License Type.

1) Class R Licenses.

(a) Application.

1. *Form.* All applicants for a Class R License issued pursuant to these chapters must make both original and renewal applications to the Director on such forms as are provided by the Department. Such applications will not be received by the Director until the Director deems the application meets the substantially complete criteria. Subsequently, issuance of a license cannot occur until insurance policies, 01s, deposits, sureties, and indemnifications or certificates required by these chapters, together with the certification required in paragraph 2 below, are received and approved.
2. *Taxes.* No applicant will be granted a License or a renewal of a License required by the Saint Paul Legislative Code unless, in addition to any other requirements, rules or ordinances heretofore or hereafter required, the Director determines that said Applicant has paid all taxes, real or personal, before said taxes become delinquent, on any property, real or personal, situated within the City of Saint Paul and used in connection with the business operated under said License.
3. Notwithstanding the previous paragraph, the Council or the Director may issue or renew a License if it is found that:
 - (a) The applicant has made an agreement satisfactory to the Ramsey County Attorney to pay delinquent taxes in periodic installments;
 - (b) The applicant has properly commenced a proceeding to contest the amount of tax due or the valuation of their property, and has made all partial payments required by law in connection with such proceeding; or
 - (c) The business property with respect to which taxes are delinquent is not owned by the applicant, but by a lessor, and it would be inequitable to require the lessee to pay such taxes.

If a License is issued or renewed because of the existence of an agreement as described in subsection (a) above, the license may be revoked if the licensee defaults upon such agreement.

4. *Additional information.* The Director will prescribe the information required to be submitted by each applicant in their application, in addition to that required by specific sections in these chapters, as may be necessary to carry out and enforce any provision hereunder. The Director will require in every case the applicant to submit their name; business or corporate name; names of partners, officers, directors, shareholders, or trustees involved in the business; age; address; description or blueprint of the premises, if any, and the owner thereof, and locations and addresses of other business locations in Minnesota.
 5. *No reapplication within one (1) year after denial or revocation.* Unless an applicant is claiming evidence of rehabilitation as outlined in Minnesota Statute 364.03, subd. 3, no applicant may apply for any license within one (1) year of the denial or revocation of the same or similar license by the city council, if such denial or revocation was based solely or partially upon misconduct or unfitness of the applicant, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. A license is "similar," within the meaning of this paragraph, if the basis upon which the revocation or denial of the original license was made would have been a relevant basis on which to deny or revoke a license of the type subsequently applied for.
 6. *Reapplication after denial; "interest" of applicant in revoked license.* An application by a person having an interest in, or whose shareholders or officers have an interest in, any premises or enterprise whose license has been revoked or to which a license has been denied will be treated as an application by the person whose license was denied or revoked. The term "interest," as used in this paragraph, includes any pecuniary interest in the ownership, operation, management or profits of an establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least one hundred fifty (150) or more rental units holding a license in conjunction therewith; or ten (10) percent or less interest in any other corporation holding a license.
 7. *Prohibition on reapplication; exception.* The prohibition on reapplication herein provided will not apply in cases where it is otherwise expressly provided by statute or ordinance.
- (b) *New Application Investigation and Review.* The Director will determine the sufficiency and accuracy of each new application and obtain such criminal history information as may be used under Minnesota Statutes, chapter 364, and is otherwise available by law. The Director will make reasonable and appropriate investigation of the premises or personal property, vehicles, or facilities, involved in or related to the licensed activity, and will request, where appropriate, the assistance of DSI divisions and other city divisions or departments in making additional investigations for the purpose of determining whether the applicant is or will be in compliance with all applicable ordinances and statutes. The approval of such other divisions or departments is not

required for issuance of a license unless otherwise required by specific sections in these chapters. All new applications will be reviewed by the Zoning Administrator or their designee for compliance with all requirements of the Saint Paul Zoning Code, and no new License will be granted without full compliance with said requirements. All new applications involving a premise, location, building or structure will be reviewed by the Building Official or their designee for investigation and recommendation.

(c) Application Denial

1. Denial of a Class R License application is adverse action and the procedures for notice and hearing outlined in Saint Paul Legislative Code Section 310.03 must be followed.

(d) Notice.

1. Upon verification that an application for a Class R License is substantially complete, the notification requirements outlined in ENS Chapter A-11(11)(c) must be followed and the required ENS notice must be provided within two (2) public business days.

(e) Levels of Approval:

1. Approval recommended without conditions. Where an application for the grant, issuance or renewal of a Class R License meets all the requirements of law, and there exists no grounds for denial, revocation or suspension of, or the imposition of conditions upon, such license, the Director must grant, issue, or renew said license in accordance with the application.
2. Approval recommended with conditions. If upon review of an application for the grant, issuance, or renewal of a Class R License the Director determines that there exist grounds for imposition of conditions, the Director must provide the applicant or licensee notice and an opportunity to be heard in accordance with Section 310.03.
3. If the prospective licensee does not object to the proposed conditions, the Director will request that the matter be placed on the council consent agenda. The Director shall notify the prospective licensee.
4. If the prospective licensee objects to the conditions proposed by the Director, the Director must follow the hearing procedures outlined in Saint Paul Legislative Code Section 310.03 and refer the matter to a hearing examiner.
5. Revocation or suspension. If the Director determines that the renewal application for the renewal of a license does not meet all of the requirements of law or that there exist grounds for revocation or suspension of a Class R License the Director will follow the hearing procedures as outlined in Saint Paul Legislative Code Section 310.03.

Sec. 361.02. License required.

No person shall provide any wrecker or tow truck service as described in section 361.01 nor shall any person permit such service vehicles to be kept or maintained in the City of Saint Paul without being licensed under this chapter.

(C.F. No. 93-1795, § 2, 12-16-93)

Sec. 361.18. Denial, suspension and revocation.

Any license under this chapter may be denied, suspended, revoked or renewal refused for any one (1) or more of the following causes:

- (1) Fraud, misrepresentation or bribery in securing a license;
- (2) The making of any false statement as to a material matter in any application for a license;
- (3) Repeatedly causing damage or injury to vehicles being serviced due to the negligence or lack of skill of the owner or operator of the licensed vehicle;
- (4) Failure to pay or make arrangements to pay within ninety (90) days any final judgment arising out of the ownership, use or operation of a licensed vehicle;
- (5) Failure to comply with any provision of this chapter.

(C.F. No. 93-1795, § 21, 12-16-93)