

February 22, 2019

St. Paul Office of Assessments  
700 City Hall  
15 West Kellogg Blvd  
St. Paul, MN 55102

**VIA U S Mail and electronic upload to:[www.stpaul.gov/disputegarbage](http://www.stpaul.gov/disputegarbage)**

Re: 1294 Jefferson Ave  
Property ID: 10-28-23-13-0027

I am writing to dispute your claim for charges allegedly due for garbage services at my home address. In September of 2018, I notified Waste Management that I would not be using their services. To date, not one piece of trash has been collected from my home by this city assigned hauler.

Your undated letter post-marked February 12, 2019, claims that I owe \$ 60.83 for garbage services provided by Waste Management for October through December, 2018. You state that I have until March 13, 2019, to pay the bill before these charges will be "assessed" against my home.

You state that these charges "will be collected by a special assessment under the authority of Minn. Stat. Chap. 443.29 and the Saint Paul City Charter by the procedure outlined in Minn. Stat. Chap. 429."

In disputing your claim that you have any right to assess my property, I refer you to:

- 1) The entire Chapter 443 which is a law passed in 1945 to address "rubbish disposal," i.e., the process by which rubbish is burned, buried or destroyed, not merely collected. You specifically cite Minn. Stat. 443.29 as your authority for this assessment. That statute states in relevant part:

**The rates for rubbish disposal shall be a charge against the premises from which rubbish is collected, and the owner, lessee, or occupant of the premises, or against any or all of them, and any claim for unpaid rates . . . . (Emphasis supplied.)**

Therefore, assuming solely for the sake of argument that Minn. Stat. 443.29 even applies to this scenario, your right to assess charges only arises when someone has *actually collected* some rubbish. That is not the case here. Waste Management has not collected one piece of rubbish from my property.

- 2) Your Invoice and Notice also cite Minn. Stat. Chapter 429 as a basis for your assessment, although you fail to identify any part of Chap. 429 you claim as authority for your right to make this assessment.

The entire Chapter 429, also appears inapplicable to this situation, as it pertains to the city's right to make assessments for property improvements to construct roads, water systems, storm sewers, etc.

The only reference to rubbish in that statute, appears as Minn. Stat. 429.101, Subd. 1(a)(1), pertaining to "rubbish removal from sidewalks." No claim for removal of sidewalk rubbish is presented here.

Based on the information you have provided, I can find no justification for your invoice. If there is some specific law pertaining to your claim not stated in your Invoice and Notice, please let me know.

If you have any additional information to support your claim, or any questions, please contact me.

Sincerely,



Patricia Hartmann  
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St. Paul, MN 55105

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