



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

DEC 07 2016

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number _____)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>Dec. 13, 2016</u></p> <p>Time <u>11:00 a.m.</u></p> <p>Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>

Address Being Appealed:

Number & Street: 419 THOMAS AVE City: ST. PAUL State: MN Zip: 55103

Appellant/Applicant: MARIO LEE Email LEEEXX103@HOTMAIL.COM

Phone Numbers: Business 651-248-2491 Residence 651-917-9195 Cell 651-815-2747

Signature: Mario A. Lee Date: 5 DECEMBER 2016

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/
 - Revocation of Fire C of O
 - Summary/Vehicle Abatement
 - Fire C of O Deficiency List/Correction
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- REMOVE MATTRESS ILLEGALLY DUMPED IN ALLEY, BY OTHERS.

Mario R. Lee

5 December 2016

Dear Legislative Hearing Officer for the City of Saint Paul:

On Tuesday 29 November 2016, someone unknown to us illegally dumped a soiled twin sized mattress and box spring in the alley in front of my garage at 419 Thomas Avenue in Saint Paul. Unfortunately, we did not catch nor see the culprit, but we know when the dumping occurred because I left my home near 1330hrs to go to the local post office (the alley was clear); when I returned ~1400hrs the alley was clear. At ~1530hrs my wife headed out to work and noticed the bedding in the alley near our garage.

I immediately notified Saint Paul, Department of Safety and Inspection (DSI) via the Report an Incident form on the DSI website, as I was instructed the last time something like this happened. Meanwhile several motorists traveling through the alley moved and shifted the bedding, including the waste removal providers and propped the box spring against the wall of my garage. We never touched the items.

To my disbelief, I receive in the mail a Summary Abatement Order dated 2 December 2016 from Inspector Ross to remove the mattresses from the alley as if we were responsible for creating the nuisance! I believe this action is punishing the victim or more like shooting the messenger. The mattress set is not ours nor did we put it there, but many hands touched it since 29 November.

I'm concerned that the issuance of the abatement order could be retaliation for a recent correspondence to Mayor Chris Coleman regarding DSI and Public Works delay in removing rubbish (soiled clothes) that was dumped on the side of my garage this past June (attached). Another point worth noting, is the property located directly across the alley from ours at 418 Lafond Avenue belongs to the City of Saint Paul. Finally, the box spring propped against our garage is in the same area that the soiled clothes were dumped in June. Public Works removed those clothes, so what is different that the code inspector did not give the soiled box spring/mattress equal treatment and request Public Works to remove them? We dare not risk the potential health hazards by even getting near these items, not to mention actually touching them.

We did nothing wrong. Why should we be punished for someone else's crime? We ask that the abatement order be dismissed and St Paul Public Works pick up the box spring and mattress in the alley near our garage.

Thank you



Mario Lee

December 02, 2016

16 - 102977



320

CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806
SUMMARY ABATEMENT ORDER

Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266- 8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266- 8989. No costo.

MARIO LEE
419 THOMAS AVE
ST PAUL MN 55103- 1626

As owner or person(s) responsible for : 419 THOMAS AVE you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

1. Remove improperly stored or accumulated refuse including: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from property, boulevard, alley and yard areas **INCLUDING PLEASE REMOVE THE MATTRESSES IN THE ALLEY. THANKS! Comply before December 8, 2016**

If you do not correct the nuisance or file an appeal **before December 08, 2016** , the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.

Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipments, etc. The rate will be approximately \$260 per hour plus expensed for abatement.

**You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times
FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION**

Issued by: John Peter Ross Badge: 320 Phone Number: 651- 266- 1914

If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Also Sent To:
Occupant

APPEALS: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, which ever comes first. **No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266- 8688. You must submit a copy of this Summary Abatement Notice with your appeal application.**

***WARNING** Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within said 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

sa.rpt 9/15

Mario R. Lee

8 July 2016

Dear Mayor Coleman,

I'd like to bring to your attention an issue we have with the city's failure to clean up an illegal rubbish dumping in the alley against our garage at 419 Thomas Avenue. On 23 June 2016 between 11:30 am and 6:50 pm an unscrupulous party dumped a broken bag of soiled clothing and a microwave against my garage. I immediately called St. Paul police department to report it and was transferred to St. Paul Public Works who in turn told me to report the incident to Saint Paul Department of Safety and Inspections (DSI) who will in turn write up a work order. I sent an email to DSI and followed up with DSI on the phone the next day. A DSI staff said that she will dispatch an inspector to investigate. That is the last I've heard of DSI or Public Works.

We went on vacation in Canada from 24 June to 7 July. You can imagine the dismay upon our return to find the rubbish still against our garage. And it appears more items were added to our alley (see photos taken on 7 July). I'm wondering why these items were not picked up?

Unfortunately, this is not an isolated incident, for rubbish is often dumped in our alley almost every month of the year.

Sincerely,

Mario R. Lee

Mario R. Lee

651-917-9195

651-815-2747

419 Thomas





419

419 Thomas