



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

March 21, 2017

NOTICE OF INTENT TO DENY LICENSE

Deon Richardson
Curbside Waste, Inc.
5232 Hanson Court North
Crystal, MN 55429

RE: Solid Waste Hauler & Vehicle license application submitted by Curbside Waste, Inc. d/b/a Curbside Waste, Inc.
for the City of Saint Paul
License ID #: 20160003570

Dear Applicant:

The Department of Safety and Inspections will recommend denial of the Solid Waste Hauler & Vehicle license application submitted by Curbside Waste, Inc. d/b/a Curbside Waste, Inc. for the City of Saint Paul. The basis for the recommendation is based on the following information:

On October 19, 2016, you submitted an application for a Solid Waste Hauler & Vehicle license with the Department of Safety and Inspections (DSI). Later that day, you were sent an email at deon@curbsidewasteinc.com confirming receipt of your license application and stating it could not be processed because your vehicles needed to be inspected and the following information submitted:

- Current certificates of General and Auto Liability insurance that names the City of Saint Paul as certificate holder
- A Schedule of Charges

On January 12, 2017, you were sent a **SECOND REQUEST** email from DSI that your application was still pending and requested that you schedule your vehicle inspection and submit the same information as listed above.

On February 22, 2017, you were sent a **3RD REQUEST LETTER** and **RENEWAL INVOICE** from DSI stating your application was still pending and you would need to have your vehicles inspected and submit the following information to complete the application process:

- Current certificates of General and Auto Liability insurance with VIN numbers that names the City of Saint Paul as certified holder and covers the period of April 12, 2017 to April 12, 2018
- Current Schedule of Charges (attached)
- Approved truck inspections (copy of DOT inspection report for currently licensed vehicles for vehicles new to St. Paul fleet, contact DSI licensing at 651-266-8989 to schedule inspection appointment)
- A completed Certificate of Compliance Minnesota Workers' Compensation Law form (attached)

You were given until March 15, 2017 to complete your vehicle inspection and submit the required information. As of today, neither has been done.

At this time, you have four (4) options on how to proceed:

1. If I have not heard from you by **Friday, March 31, 2017**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. If you wish to admit the facts but you contest the penalty, you may have a public 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 public hearing. I will need to receive your letter by **Friday, March 31, 2017**. The matter will then be scheduled before the City Council to determine whether to deny your Solid Waste Hauler & Vehicle license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. 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 **Friday, March 31, 2017**. 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 public hearing will need to be scheduled. 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 request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

4. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, March 31, 2017**. Information should be directed to the attention of Eric Hudak. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me by Friday, March 31, 2017, I will assume that you do not contest the denial of your Solid Waste Hauler & Vehicle license. 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 feel free to contact me at 266-8710.

Sincerely,



Therese Skarda
Assistant City Attorney

cc: Deon Richardson, 4025 – 85th Avenue North, Brooklyn Park, MN 55444

Schedule of Charges

Residential Solid Waste and Separate Waste Stream Collection

Company Name: _____

In compliance with the Saint Paul Legislative Code, Chapter 357 (Solid Waste), Section 357.05 (Regulations) each licensee shall submit a schedule of advertised charges in connection with the solid waste operation or service at the time of the application for license. Charges shall not be changed except by submitting a revised schedule of charges to the inspector within ten (10) days of the effective date of such changes.

Basic rates for collection services for all residential buildings containing four or fewer dwelling units must be volume-based, not including recyclable materials and other separate waste streams such as yard, brush or appliances. Licensed collectors must provide, at a minimum, one-, two- and three - container rates for these residential units (e.g. 30-60-90 gallon service). Other levels and types of services may be offered in addition to the volume based rates. All licensed solid waste collectors are required to provide or otherwise arrange for yard waste collection to all customers April 1 through November 30.

All Licensed solid waste collectors are required to provide written notice to customers twice yearly detailing rate structures.

Residential Fees, Four or Fewer Dwelling Units

Type of Collection Service: _____ Curb or Alley Collection
 _____ Garage or Walk-Up Collection

<u>Level of Service</u>	<u>Description</u>	<u>Billing Amount</u> Per Week
One Container Rate -	1 thirty to thirty-two gallon can, or an equivalent measure of volume/weight of refuse, not to exceed 40 pounds in weight, per week	\$ _____
Two Container Rate -	2 cans, each not to exceed 40 pounds in weight, 1 sixty-gallon cart not to exceed 80 pounds in weight, or an equivalent measure of volume/weight of refuse, per week	\$ _____
Three Container Rate-	3 cans, each not to exceed 40 pounds in weight, 1 ninety-gallon cart not to exceed 120 pounds in weight, or an equivalent measure, per week	\$ _____
Full Service/Unlimited Rate		\$ _____
Senior Citizen/Low Volume Rate		\$ _____
Yard Waste Per Bag Rate	1 thirty to thirty-two gallon bag or can, not to exceed 50 pounds in weight.	\$ _____
Tree Limbs/Branches/Brush		\$ _____
Auto Tires		\$ _____

Other Fees

Other Rates (list per yard, per box, etc.) You may attach a list if necessary.

	\$ _____
	\$ _____
	\$ _____

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

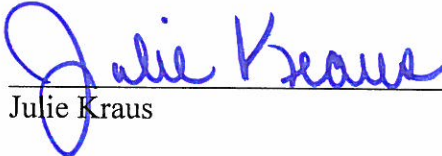
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 21st day of March she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Deon Richardson
Curbside Waste, Inc.
5232 Hanson Court North
Crystal, MN 55429

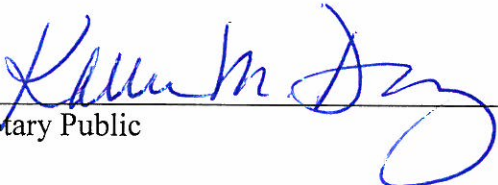
Deon Richardson
4025 – 85th Avenue North
Brooklyn Park, MN 55444

(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 21ST day of March, 2017



Notary Public

