



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

RECEIVED

DEC 05 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

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

Address Being Appealed:

Number & Street: 106 Magnolia City: St Paul State: MN Zip: 55117

Appellant/Applicant: Jenni/Nathan Xiong Email nathantxiong@gmail.com

Phone Numbers: Business 651 431 0852 Residence _____ Cell 651 210-7716

Signature: [Signature] Date: 12/4/16

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 11085 James Curve, Woodbury MN 55129

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 16-102059 See attachments
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)



326

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

November 28, 2016

16 - 102059

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.

NENG C XIONG
11085 JAMES CURV
SAINT PAUL MN 55125-6267

As owner or person(s) responsible for : 106 MAGNOLIA AVE W 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 yard areas. **INCLUDING: Couch near the alley. Comply before December 5, 2016**

If you do not correct the nuisance or file an appeal **before December 05, 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: Daniel Hesse Badge: 326 Phone Number: 651- 266- 1909
If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

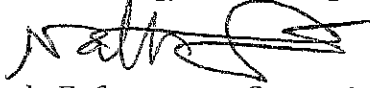
Also Sent To:
Occupant

Jenni Xiong 11085 James Curve Woodbury MN 55129-9866

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.

To: City Clerk/St Paul City Council
From: Nathan Xiong/Jenni Xiong



Re: Code Enforcement Correction Notice #16-102059
Date: 12/4/2016

We received this notice on Thursday, and we visited the property on Friday December 2, 2016. We noticed: 1) tires, household items such as buckets, bottles, and a bike and some bushes that have been cut, but still left over inside of the fence. 2) A broken couch was left on the ally outside of my fence and property.

All items listed on #1 are being corrected; we know it is our responsibility to what is required to keep the City clean and livable.

We disagree with the officer's order to have us corrected the couch listed under #2 above. First, the couch does not belong to our tenant who lives at the property. They told us they had no idea whose couch that was. It was left there without their knowledge. The couch was left outside of the fence, six feet below a retaining wall of our property on the ally. Our tenant even said the City can exam the foot and fingers prints on the couch, and if they are the cult-print or owner of the couch, the City can file a criminal complaint against them. Secondly, this is the second or third time, somebody has dumped trash or garbage on this same ally spot. In the past, we have complied with the City's order by taking care of the trash left on the ally even they did not belong to our tenants. We no longer can tolerate this type of behavior because we are just a small landowner who obeys that government, pay property tax to the City, and has no control over the hidden ally. We are reaching for help; we suggest the City puts a camera on the spot to catch the cult-print.

This appeal will not have come to you, the City Clerk, if the couch left on the ally belongs to our tenants or we know who dumped the couch there. Or, to put it in a different scenario: for example, bushes, shrubs and tree on our property have created a nuisance on the ally, we would certainly have taken appropriate action to correct the order.

We hope this writing gives you sufficient information to consider our appeal and rule in our favor. Thank you for your time and consideration.