



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

AUG 23 2017

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

CITY CLERK

Telephone: (651) 266-8585

WARD 1

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number *1184)
 - 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>August 29, 2017</u> <u>Sept 5, 2017</u> Time <u>11:00 A.M.</u> <u>HL</u> |
| Location of Hearing: Room 330 City Hall/Courthouse |

Address Being Appealed:

Number & Street: 601 Topping St. City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Michael Gerard Behm Email michael.behm@co.dakota.mn.us

Phone Numbers: Business _____ Residence _____ Cell 320-444-2190

Signature: [Signature] Date: _____

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 Pre-existing gravel parking area grandfathered in.
- Vacant Building Registration _____
- Other (Fence Variance, Code Compliance, etc.) _____



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

August 16, 2017
 17 - 070291

VEHICLE ABATEMENT ORDER

Michael G Behan
 601 Topping St
 Saint Paul MN 55103-1531

Occupant
 601 TOPPING
 St Paul MN 55103-1531

- 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.

As owner or person(s) responsible for 601 TOPPING ST

**YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING VEHICLES ARE IN VIOLATION
 OF THE SAINT PAUL LEGISLATIVE CODE, CHAPTERS 34, 45, OR 163**

| Vehicle | #1 | #2 | #3 |
|-----------|-------------------------|----|----|
| Make | BOAT, MOTOR AND TRAILER | | |
| Color | WHITE | | |
| License | UNKNOWN | | |
| Violation | E | | |
| Vehicle | #4 | #5 | #6 |
| Make | | | |
| Color | | | |
| License | | | |
| Violation | | | |

VIOLATION CODE: A - Lacks current license/tabs D - Appears undriveable/inoperative
 B - Open to entry/unsecured E - Unimproved surface
 C - Missing vital parts/dismantled F - Other violation

FAILURE TO COMPLY MAY RESULTS IN TAGGING AND/OR TOWING.

CHARGES: If the City impounds and disposes of the vehicle(s), the charges assessed to the above property will be approximately \$1,000.00 for each vehicle. This charge does not include impound fees and other related costs for release of vehicle(s).

Vehicles found to be in violation on or after August 24, 2017 will be removed, impounded and disposed of in accordance with law. The cost of this abatement will be charged against the property as a special assessment to be collected in the same way as property taxes. Noncompliance with this order and repeat violations will result in the issuance of criminal citation
Issued by: Richard Kedrowski Badge Number: 320 Phone Number: 651-266-9141

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, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Vehicle Violation Notice with your appeal application.

***WARNING** Code inspection and enforcement trips cost the taxpayers money. If multiple trips within a year to your property are required to insure compliance with the law, you may be charged for the cost of inspections and enforcement trips to your property. Such charges are in addition to any other fines or assessments which may be levied against you and your property.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-9101
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

DATE: November 18, 2016

TO: City of Saint Paul Mayor and Council Members

FROM: Ricardo Cervantes-Director of the Department of Safety and Inspections (DSI)

SUBJECT: Chapter 34 of the Saint Paul Legislative Code (SPLC)

Rulings from the Supreme Court of Minnesota and the Minnesota Court of Appeals have determined that municipalities cannot require existing buildings to meet property maintenance/building code standards that were not in effect at the time the property was constructed (*Morris v. Sax Invs. Inc.* 2008, *Builders Assoc. of Minnesota v. City of Saint Paul* 2012). These court rulings were published in 2008 and 2012.

In response to these rulings, DSI inspection staff have adopted policies/practices to ensure that inspectors are only requiring property owners to correct deficiencies based upon the code requirements that were in place at the time the building was constructed. However, Chapter 34 of the SPLC has not been updated to reflect these court rulings or DSI practices.

The City Attorney's office, Legislative Hearing Officer's office, and DSI have partnered to develop the attached amendment to Chapter 34 of the SPLC to reflect those court rulings among other modifications. Specifically, the proposed amendment includes the following changes:

- Requires property owners to ensure their property meets code provisions that were in place only at the time of construction.
- Provides clarifying and consistent language throughout the chapter.
- Allows pre-existing driveways to be maintained as currently constructed (including gravel) unless they are expanded upon.

For additional questions, please contact me at 651-266-9101 or Deputy Director Travis Bistodeau at 651-266-1922.