



# 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

OCT 16 2019

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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>October 22</u>  Time <u>2:30 p.m.</u> Location of Hearing: <u>Room 330 City Hall/Courthouse</u>
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### Address Being Appealed:

Number & Street: 1731 Ivy Ave E City: ST. PAUL State: MN Zip: 55106

Appellant/Applicant: John J HARRIGAN Email: harriganj@stpmail.com

Phone Numbers: Business \_\_\_\_\_ Residence 651 410 7392 Cell \_\_\_\_\_

Signature: John J Hary Date: \_\_\_\_\_

Name of Owner (if other than Appellant): Thomas R. HARRIGAN DECEASED

Mailing Address if Not Appellant's: John J HARRIGAN  
740 MISSISSIPPI RIVER BLVD ST. PAUL  
MN 55106

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651 410 7392

### 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.)

Comments:

PLEASE SEE  
ATTACHED  
EXPLANATION

John J. Harrigan  
740 Mississippi River Blvd Unit 9-G  
St. Paul, MN 55116

October 15, 2019

To: City of St. Paul

Re: Attachment to Application for Appeal of Vacant Building Registration

The owner of this house, my son Thomas Harrigan, was murdered in the house on September 2. Since the site was a crime scene, it was marked off by yellow tape, and I could not even get into the building for several days until the City gave permission. From that moment on I have spent significant money and energy getting the house cleaned out and preparing to bring it up to code so I can sell it once my son's estate goes into Probate.

I can't believe that the City makes a vacant building declaration every time a home owner dies. Granted, this one is complicated by the fact the building had gotten correction notices. But the only correction notice I found going through my son's stuff was one dated August 27, 2019, and the only item it mentioned was the lack of water service. There may have been other items for all I know, because the kitchen was in the midst of being remodeled and the house was overloaded with stuff. But the only item mentioned in that notice was lack of water service. Water service was restored immediately, and the house had water service the day that my son was murdered on Sept 2. Then on Sept 6, only four days after his murder, the city declared the house a vacant house, even though the only item mentioned in the August 27 correction order had already been corrected. By that date, the house was still sealed off by the St. Paul Police, because it was a murder scene. As soon as the police permitted us to do so, my other son and friends began cleaning out the place. We've devoted considerable energy and money into doing so.

**IN SHORT THE CITY DECLARED THE BUILDING VACANT BEFORE THE POLICE WOULD EVEN ALLOW US TO ENTER THE BUILDING.**

What I am asking for is some consideration for the excruciating circumstances with which I found myself as the person my son's will designated as his personal representative. I agree to get the building brought up to code. But your rush to declare this building abandoned and vacant is resulting in enormous extra expenses, anguish, and energy at a moment when I'm still struggling to grasp the fact that my son was murdered. My ability to move fast on this is also limited by the fact that I will be 84 next Spring and I have a couple of progressive health conditions that make me move more slowly than they did a few years ago.

I ask the City to rescind the declaration of vacant building and any attendant vacant building registration fees.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806Telephone: 651-266-8989  
Facsimile: 651-266-1919  
[www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

October 07, 2019

Thomas R Harrigan  
1731 Ivy Ave E  
St Paul MN 55106-2235

Customer #: 1586183

Bill #: 1460428

**VACANT BUILDING REGISTRATION FEE  
WARNING LETTER**

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$2,127.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

*The fee for the vacant building located at 1731 IVY AVE E is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.*

**DO NOT MAIL CASH**

Saint Paul Legislative Code, Chapter 43, requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid, the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

**The full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

The owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

You may pay this registration fee online by going to [online.stpaul.gov](http://online.stpaul.gov) and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806



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October 07, 2019

Thomas R Harrigan  
1731 Ivy Ave E  
St Paul MN 55106-2235

Customer #: 1586183  
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DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

**Category 2:** Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

**Category 3:** All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Rich Singerhouse, at 651-266-1945.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

Steve Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: tf  
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DEPARTMENT OF SAFETY AND INSPECTIONS

Steve Wagner, Manager of Code Enforcement



CITY OF SAINT PAUL

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

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
www.stpaul.gov/dsi

*Reed S. Loxley 651 266 9120  
DIRECT*

September 06, 2019

Thomas R Harrigan  
1731 Ivy Ave E  
St Paul MN 55106-2235

Customer #:1586183

Bill #: 1460428

## VACANT BUILDING REGISTRATION NOTICE

The premises at **1731 IVY AVE E** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,127.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

**Payment must be received by October 06, 2019 .**

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
**Do Not Mail Cash**

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

**If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

**Category 2:** Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

**Category 3:** All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer , Rich Singerhouse, at 651- 266- 1945 to find out what must be done before this building can be legally reoccupied.**

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Rich Singerhouse, at 651- 266- 1945.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: tf  
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CITY OF SAINT PAUL

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

345

**August 27, 2019**

Thomas R Harrigan  
1731 Ivy Ave E  
St Paul MN 55106-2235

## CORRECTION NOTICE

Date: **August 27, 2019**  
RE: **1731 IVY AVE E**  
File #: **19-077990**

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **August 26, 2019** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code<sup>1</sup> (see footnote 1, below).

- 1. Lack of Water Service. Immediately restore water service. Failure to provide water service will result in these premises being declared Unfit for Human Habitation and ordered vacated for lack of this basic facility.**

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will re-inspect these premises on or after **August 29, 2019**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges<sup>2</sup>** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk at 651-266-8585. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal and pay a filing fee.)

**If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-331-8273.**

Sincerely,



August 27, 2019  
1731 IVY AVE E  
Page 2 of 2

**Stephan Suon**  
**Badge # 345**

**CODE ENFORCEMENT OFFICER**

Footnotes:

- <sup>1</sup> To see the Legislative Code go to [www.stpaul.gov](http://www.stpaul.gov) on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- <sup>2</sup> Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

SS

**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 for compliance after the due date will be collected from the owner rather than being paid for 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 for by the taxpayers of the City. Any such future costs will be collected via assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

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