



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

Fax: (651) 266-8574

Email: legislativehearings@ci.stpaul.mn.us

RECEIVED

JUL 31 2014

CITY CLERK

We need the following to process your appeal:

- ☒ \$25 filing fee payable to the City of Saint Paul
(if cash: receipt number check 9385)
- ☒ 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, August 5, 2014

Time 11:00 AM

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 559 McKnight Road S. City: St. Paul State: MN Zip: 55119-6911

Appellant/Applicant: Ferdinand F. Peters as attorney for Owner Email ferdpeters@ferdlaw.com

Phone Numbers: Business 651-647-6250 Residence _____ Cell _____

Signature: [Signature] for Leonard N. Anderson Date: 7-31-14

Name of Owner (if other than Appellant): Leonard N. Anderson

Mailing Address if Not Appellant's: 559 McKnight Road S., St. Paul, MN 55119-6911

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
- ☒ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

See attached letter

FERDINAND F. PETERS, ESQ. LAW FIRM
Lakes & Plains Office Building
842 Raymond Avenue, Suite 200
St. Paul, Minnesota 55114
Phone: (651) 647-6250 Fax: (651) 251-1183
ferdpeters@ferdlaw.com

July 31, 2014

Shari Moore - City Clerk
City of Saint Paul
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102

HAND DELIVERED TO CITY CLERK'S OFFICE

Subject: Correction Notice - 559 McKnight Rd. S.
File #: 14-311354

Dear Ms. Moore:

I have been retained to represent Leonard N. Anderson ("Owner") in the matter relating to the Correction Notice dated July 23, 2014 (the "Notice") he received for his property located at 559 McKnight Road S., Saint Paul, MN 55119 (the "Property"). This letter, along with the additional materials enclosed, constitute my client's formal appeal of the Notice sent by Saint Paul Regional Water Services ("SPRWS"). I have reviewed the Notice and met with my client regarding this matter and want you to be aware of several items.

First, my client has informed me that he has previously sent numerous correspondences to you (at least 3 separate letters) regarding this matter that have gone unanswered. These letters have informed you of my client's current situation as well as his efforts to resolve the issues relating to the water meter at the Property. Therefore, it is not for lack of effort on my client's behalf that this matter has not been resolved prior to his receipt of the Notice, but rather is primarily a result of your, and the SPRWS's, refusal to work with my client in good faith to accommodate his needs and desires relating to the Property and the 2010-2013 SPRWS Meter Replacement Project. My client also believes he faxed the Application for Alternate Metering System to the SPRWS on September 21, 2012 and no action was taken as a result of that application.

Second, of utmost importance is that my client has had numerous surgeries in recent years for various forms of skin cancer and as a result is **absolutely opposed** to having a radio metering system (which produce potentially damaging levels of radiation) installed at the Property. **My client is also opposed to the non-radio metering system as it is currently offered by SPRWS.** At this time, as a result of the complete lack of communication and information from SPRWS and the City of Saint Paul regarding alternative metering systems, my client has been in contact with Neptune Technology Group regarding what types of non-radio metering systems are available

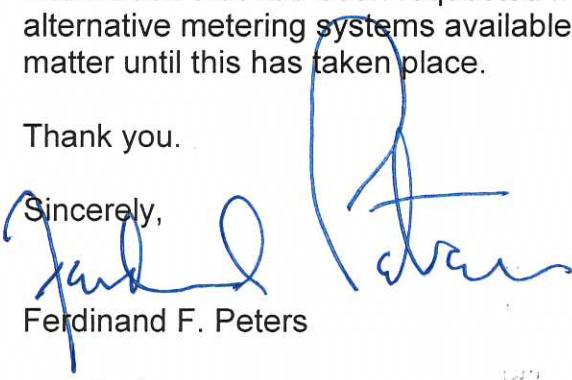
Mr. Ed Smith
July 31, 2014
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and what, if any, negative consequences may result from these metering systems to the Property and/or the health and safety of those occupying the Property.

I hereby request that you allow additional time for my client to receive and analyze the information that has been requested from Neptune Technology Group regarding the alternative metering systems available and do not take any additional action on this matter until this has taken place.

Thank you.

Sincerely,



Ferdinand F. Peters

cc: client



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

325.0

July 28, 2014

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION AND ORDER TO VACATE

Leonard N Anderson
559 Mcknight Rd S
St Paul MN 55119-6911

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **559 MCKNIGHT ROAD S** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **July 29, 2014** and ordered vacated no later than **July 30, 2014**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION
UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL;
DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE
ENFORCEMENT**

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

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

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

2. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.
3. The chimney is defective, deteriorated or in a state of disrepair. Replace all missing or defective bricks, tuckpoint as needed to restore the chimney to a professional state of maintenance and repair. Permit may be required.
4. The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.
5. The exterior walls and/or trim of the house has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.
6. There are missing or defective guardrails. Provide all stairways, porches, decks or steps which are more than 30" high with guardrails and intermediate rails with openings in the guardrail no more than four (4) inches apart and in accordance with the State Building Code.
7. The exterior walls of the house are defective. Repair all holes, breaks, loose or rotting siding, to a professional state of maintenance.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8688. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Ed Smith, at 651-266-1917. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Ed Smith
Enforcement Officer

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c: Posted to ENS

uhh60103 4/11



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

- 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 llamamos al (651)266-8989. No costo.

325

July 23, 2014

Leonard N Anderson
559 Mcknight Rd S
St Paul MN 55119-6911

CORRECTION NOTICE

RE: 559 MCKNIGHT ROAD S
File #: 14-311354

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **July 23, 2014** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (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. St Paul Regional Water Services have shut off the water service due to an issue with the water meter at the property. Contact St Paul Regional Water Services at 651-266-6350 to make arrangements to have the water meter inspected/replaced immediately.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **July 28, 2014**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** 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 651-266-1917.

Sincerely,

July 23, 2014
559 MCKNIGHT ROAD S
Page 2 of 2

Ed Smith
Badge # 325

CODE ENFORCEMENT OFFICER

Footnotes:

- ¹ To see the Legislative Code go to 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.
- ² 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.

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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 such 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.

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