



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

AUG 23 2013

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee 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>9-3-13</u>
Time <u>11:00 AM</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2036 SHERWOOD AVE-E City: ST-PAUL State: MN Zip: 55119

Appellant/Applicant: DANIEL M. SIMMER Email dsimmer42@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-310-8540

Signature: Daniel M. Simmer 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

I HAD CORRECTED THE ITEMS LISTED IN THE FIRST VISIT, AND THEN WAS CITED FOR OTHER THINGS THAT HAD NOT BEEN AN ISSUE THE FIRST VISIT. I HAVE A VERY RACIST/HOMOPHOBIC NEIGHBOR ACROSS MY ALLEY WHO WND HAS HARASSSED ME FOR YEARS BECAUSE OF MY FRIENDSHIPS. I DO DEMOLITION DERBY IN THE SUMMER (PLEASE SEE ATTACHED SHEET) PLEASE SEE PAGE 7

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AND AM CONSTANTLY BEING HARASSED BY ONE PARTICULAR NEIGHBOR ACROSS MY ALLEY, FROM VULGAR LANGUAGE TO MENACING LOOKS AND GESTURES. THE CAR IN MY FIRST CITATION WAS ~~MY~~ MY GOOD FRIEND + NEIGHBOR'S, WHICH HAD BEEN DEMOLISHED BY A ~~DRUNK~~ DRUNK DRIVER, AND WE WERE FIRST ATTEMPTING TO RETAKE IT, BUT DECIDED TO USE IT IN A DEMOLITION ~~PERBIS~~ WHEN IT WAS DEEMED UNSAFE FOR ROAD USE. IT STILL HAD ITS PLATES WHEN THE FIRST CITATION WAS ISSUED, WITH CURRENT TAXES, MY OTHER NEIGHBOR KNEW THIS, KNEW THAT IT WAS MY NEIGHBOR'S DAILY DRIVER FOR OVER FIVE YEARS, AND KNEW WE WERE WORKING ON IT, BUT I'M CONVINCED THAT THEY CALLED THE CITY ABOUT IT IN ORDER TO HARASS BOTH MY NEIGHBOR AND I, WHO IS BLACK. I STILL COMPLETED WITH EVERY DETAIL OF MY NOTICE, AND LESS THAN A WEEK LATER, I RECEIVED THE SECOND NOTICE, WHICH WAS FOR ISSUES THAT WERE NEVER EVEN MENTIONED IN THE FIRST! I EVEN LEFT A MESSAGE W/THE INSPECTOR, CRAIG MASHUGA, BARGE # 335, W/INSTRUCTIONS TO CALL ME AFTER HIS FIRST VISIT, AND HE NEVER REPLIED! CITY RECORDS WILL SHOW THAT THIS HARASSMENT HAS BEEN GOING ON FOR YEARS, FROM THE SAME NEIGHBOR, AND I'M TIRED OF BEING THE LIGHTNING ROD FOR WHOM MY FRIENDS ARE. I DO DEMOLITION PERBIS EVERY SUMMER, AND THEN RECYCLE THE CARS, WITH ALL THEIR ENTIRE CONTENTS, AT THE END OF EACH SEASON, WHICH WRAPS UP IN LATE SEPTEMBER. THE "MAKE SHIT BOX" IS WHERE I HAVE BEEN STORING THE CARS INTERIORS ONCE STRIPPED →

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UNTIL ITS TIME TO RELEASE THE CAR, WHICH THEN
I EMPTY THE BOX BACK INTO THE CAR AND TOW IT OFF.
MY NEIGHBOR, WHO CARS THE CITY, KNOWS THIS, AS ITS
WHAT I'VE DONE EACH AND EVERY YEAR FOR OVER FOUR
YEARS. I'VE HAD TO ENDURE THEIR HATEFUL LOOKS, GESTURES
AND LANGUAGE FOR OVER TEN YEARS NOW, AND WISH TO
FILE HARASSMENT CHARGES FROM ALL OF THIS, WHICH I
REALIZE HIS NORMIN TO DO W/CODE ENFORCEMENT, EXCEPT
FOR I WILL BE REQUESTING CITY RECORDS FROM CODE
ENFORCEMENT PROVING MY NEIGHBOR'S BIAS, AND I WOULD
HAVE LIKED TO HAVE MY PHONE CALL TO THE CODE ENFORCEMENT
INSPECTOR RETURNED, AS WELL AS AN EXPLANATION OF
WHY I WAS THEN CITED FOR OTHER ITEMS THAT WERE
ALREADY PRESENT, BUT NOT CITED ON HIS FIRST VISIT.
THOSE TWO FACTORS COMBINED DOES NOT FEEL BALANCED
OR IMPARTIAL ON THE CITY'S BEHALF. THANK YOU.

SINCERELY,

PAV SCANNER

2036 E. SWEETWOOD AVE.

ST. PAUL MN 55119



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

August 22, 2013

VEHICLE ABATEMENT ORDER

Daniel M Simmer
 2036 Sherwood Ave E
 St Paul MN 55119-3243

Occupant
 2036 SHERWOOD
 St Paul MN 55119-3243

- 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 2036 SHERWOOD AVE

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

Vehicle	#1	#2	#3
Make	UNKNOW/TARPED	UNKOWN/TARPED	
Color	N/A	N/A	
License	RGL811	NO PLATE	
Violation	A,B,C,D,E	A,B,C,D,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 29, 2013** 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: Craig Mashuga Badge Number: 335 Phone Number: 651-266-1909

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

August 22, 2013

13 - 224421

SUMMARY ABATEMENT ORDER

335

- 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.
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Daniel M Simmer
 2036 Sherwood Ave E
 St Paul MN 55119-3243

Occupant
 2036 SHERWOOD AVE
 St. Paul, MN 55119-3243

As owner or person(s) responsible for: 2036 SHERWOOD AVE you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

- Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. **INPROPERLY STORED TREE DEBRIS ,PILE TIRES AND MAKE SHIFT BOX OF AUTO PARTS AND DEBRIS COVERED WITH BLUE TARP.**
- Cut and remove tall grass, weeds and rank plant growth.
- Remove and properly dispose of all animal feces from yard areas.
- IMMEDIATELY** secure all buildings which are open to unauthorized entry, including:
- Other:

If you do not correct the nuisance or file an appeal before **August 29, 2013**, 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, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses 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: Craig Mashuga Badge Number 335 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.

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 Correction Order 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 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.



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

August 08, 2013

13 - 217318

SUMMARY ABATEMENT ORDER

335

- 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.
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Daniel M Simmer
 2036 Sherwood Ave E
 St Paul MN 55119-3243

Occupant
 2036 SHERWOOD AVE
 St. Paul, MN 55119-3243

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- Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. **SCATTERED DEBRIS AND TRAILER OF AUTO PARTS AND DEBRIS.**
- Cut and remove tall grass, weeds and rank plant growth.
- Remove and properly dispose of all animal feces from yard areas.
- IMMEDIATELY** secure all buildings which are open to unauthorized entry, including:
- Other:

If you do not correct the nuisance or file an appeal before **August 16, 2013**, 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, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses 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: Craig Mashuga Badge Number 335 Phone Number 651-266-1909
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August 08, 2013

VEHICLE ABATEMENT ORDER

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 St Paul MN 55119-3243

Occupant
 2036 SHERWOOD
 St Paul MN 55119-3243

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 OF THE SAINT PAUL LEGISLATIVE CODE, CHAPTERS 45, OR 163:**

Vehicle	#1	#2	#3
Make	UNKNOWN 4 DOOR SEDAN		
Color	BLUE		
License	NO PLATES		
Violation	A,B,C,D,F		
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 UNSAFE CONDITION ON JACKS

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).

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