



**CITY OF SAINT PAUL**  
OFFICE OF THE CITY COUNCIL  
310 CITY HALL  
15 WEST KELLOGG BOULEVARD  
SAINT PAUL, MN 55102-1615  
Marcia Moermond, Legislative Hearing Officer  
EMAIL: [legislativehearings@ci.stpaul.mn.us](mailto:legislativehearings@ci.stpaul.mn.us)  
PHONE: (651) 266-8585 FAX: (651) 266-8574

February 10, 2020

LaVern Veit  
South Town Plumbing  
6636 Penn Ave S  
Richfield, MN 55423

Via Email: [plumber@southtownplumbing.com](mailto:plumber@southtownplumbing.com)

Re: Water Appeal for Property at 565 Jefferson Avenue

Dear Mr. Veit:

At the Legislative Hearing on January 21, 2020, you appealed the \$1,000 fine for illegal use of unmetered water at 565 Jefferson Avenue in Saint Paul. You indicated this was a mistake and unintentional on your company's part.

On November 26, 2019, Saint Paul Regional Water Services (SPRWS) staff investigated why there was no metered water usage at this property from approximately April 2019, when the property was re-occupied, through November 2019. The determined the reason was that the meter had been removed and was on the floor; and a "spacer" had been put in place. You indicated this action was preparatory for a plumbing inspection, as your company pulled 2 plumbing permits – both of which were finalized December 18, 2018. You went on to say that the breakplate on the meter was leaking and your standard practice in these cases is to call the water department, so they can come out and replace the meter. However, in this case there was an oversight and your plumber left the meter on the floor, the spacer in place, and failed to call SPRWS.

The Chapter 88.14 of the Saint Paul Legislative Code provides the following:

*It is illegal to use unmetered water, except where the water utility has approved a flat rate account or has established special temporary service. Where evidence of illegal unmetered water use is found, charges will be applied to the account at regular water rates based on an estimated amount of unmetered water. In addition, the property owner shall be subject to a fine of one thousand dollars (\$1,000.00), which shall be applied to the regular water bill. Unmetered water use at a property includes, and can arise from, activity such as illegally tapping the water line ahead of the metering system, installing a spacer in the meter setting without notifying the water utility, tampering with the water metering system or other willful violations of this Code.*

Given that there is no dispute of the facts of this case, I am recommending the SPRWS Board deny your appeal. Should you wish to appeal this matter further, it will be scheduled for consideration by the SPRWS Board of Commissioners on **March 10, 2020, 2019 at 5:00 p.m. in Room 330 City Hall**. Please contact Mai Vang at 651-266-8563 or [mai.vang@ci.stpaul.mn.us](mailto:mai.vang@ci.stpaul.mn.us) if you plan on attending this meeting.



Sincerely,

*Marcia Moermond*

Marcia Moermond  
Legislative Hearing Officer

c: Osterbauer LLC c/o Joe Osterbauer, 15520 Logarto Lane, Burnsville, MN 55306-5134  
Via Email: [josterbauer@osterbauerlawfirm.net](mailto:josterbauer@osterbauerlawfirm.net)  
Tyneshia West, 565 Jefferson Avenue, Saint Paul, MN 55102-3215  
Steve Schneider, SPRWS General Manager  
Dolly Ludden, SPRWS Business Manager  
Derek Olson, Senior Customer Service Representative  
Patrick Shea, SPRWS