



CITY OF SAINT PAUL

ADMINISTRATIVE CITATIONS



Agenda



Problem Statement



Current Tools



Opportunities



Examples



Next Steps



Goals:

- Compliance with the city's codes that is consistent and timely, and
- The response to non-compliance is graduated (emphasizes education/escalates to penalties only when necessary), appropriate, and effective for every situation.

Problem:

The City of Saint Paul's current tools to achieve compliance are not effective nor appropriate options for all situations.

Recommendation:

Include administrative citations as a step that can be used in some situations.



Opportunities: Administrative Citations Could Used to Achieve Better Results

Human Rights and Equal Economic Opportunity (HREEO)

- Earned Sick and Safe Ordinance
- Minimum Wage Ordinance
- Potential Wage Theft Ordinance

Department of Safety and Inspections (DSI)

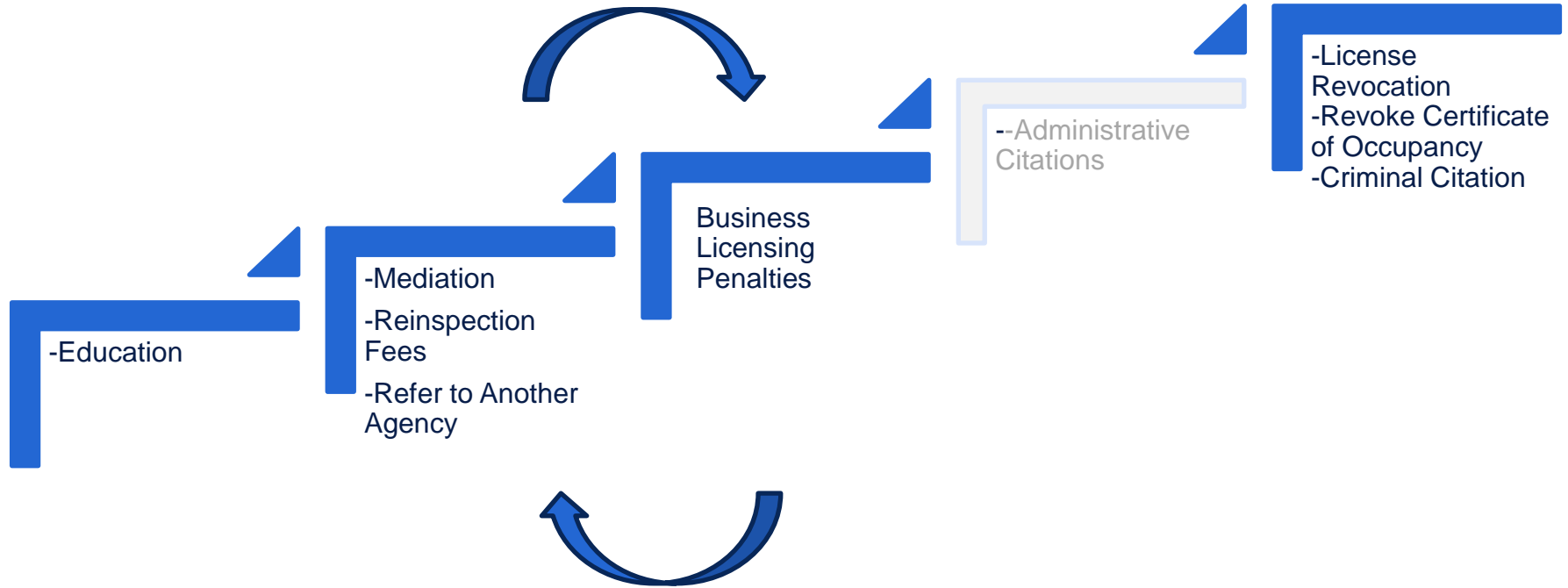
- Animal Control - Unlicensed Animals, Dog Bites, Dog at Large
- Construction - Work without proper permits, Work without competency card, Safety violations, Failure to final permits
- Zoning - Compliance with Site Plans, Un-permitted Signs, Unapproved Land Uses, Lighting Violations
- Rent Stabilization- increasing rent above 3% without approval or meeting an exception

Water Department

- Illegal use of hydrants
- Performing plumbing services without a permit
- Plumber not to shut water on or off
- Drought restriction violations (watering on odd/even)



Current Tools for Compliance





Example: DSI



High Rise Non-Compliance

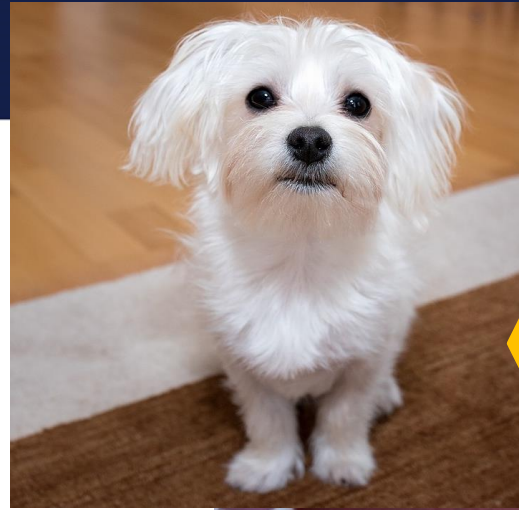
- Downtown commercial/residential building with local manager, investor-owner
 - Repeat attempts to gain compliance for maintenance items are unanswered
 - Filed criminal citation against local manager
 - Settled out of court with compliance path
- *Unused* alternative, disrupt several businesses and make 200+ families homeless
- Total duration: >3 years



Example: DSI

Dog Bite

- Single mother trying to get her kids out the door and the dog escaped into the hallway
 - Bit a person in the hallway
 - Criminal citation issued
 - Faced eviction because of the criminal charge
 - Through ETHOS, expungement granted
 - Being in court made her feel like a criminal
- If no expungement, an isolated incident would have led to many unrelated consequences
- ***She is one of 69 ETHOS participants in the last 4 years in this situation because of a dog bite.***



Criminal Citations





Example: DSI

Criminal Citations

Dog Bite

- Resident's licensed dog bit a nearby park property user.
 - Criminal citation issued
 - Due to the confusing nature of the court system, owner fails to appear before the court for citation
 - Warrant issued for arrest
 - When the owner learned of the issue, they immediately appeared at Court offices to resolve
 - Booked and spent more than 2 hours in jail
 - Await their day in court, with the possibility of receiving a gross misdemeanor violation





Example: DSI

- Resident loses bus driver job because of criminal record
 - Finds out it is because of a citation issued by the City for not painting their house in a timely manner

Most people tell the City Attorney's Office that they are looking for expungement because of housing, education, or employment opportunities.

Criminal Citations

Reinspection Fees

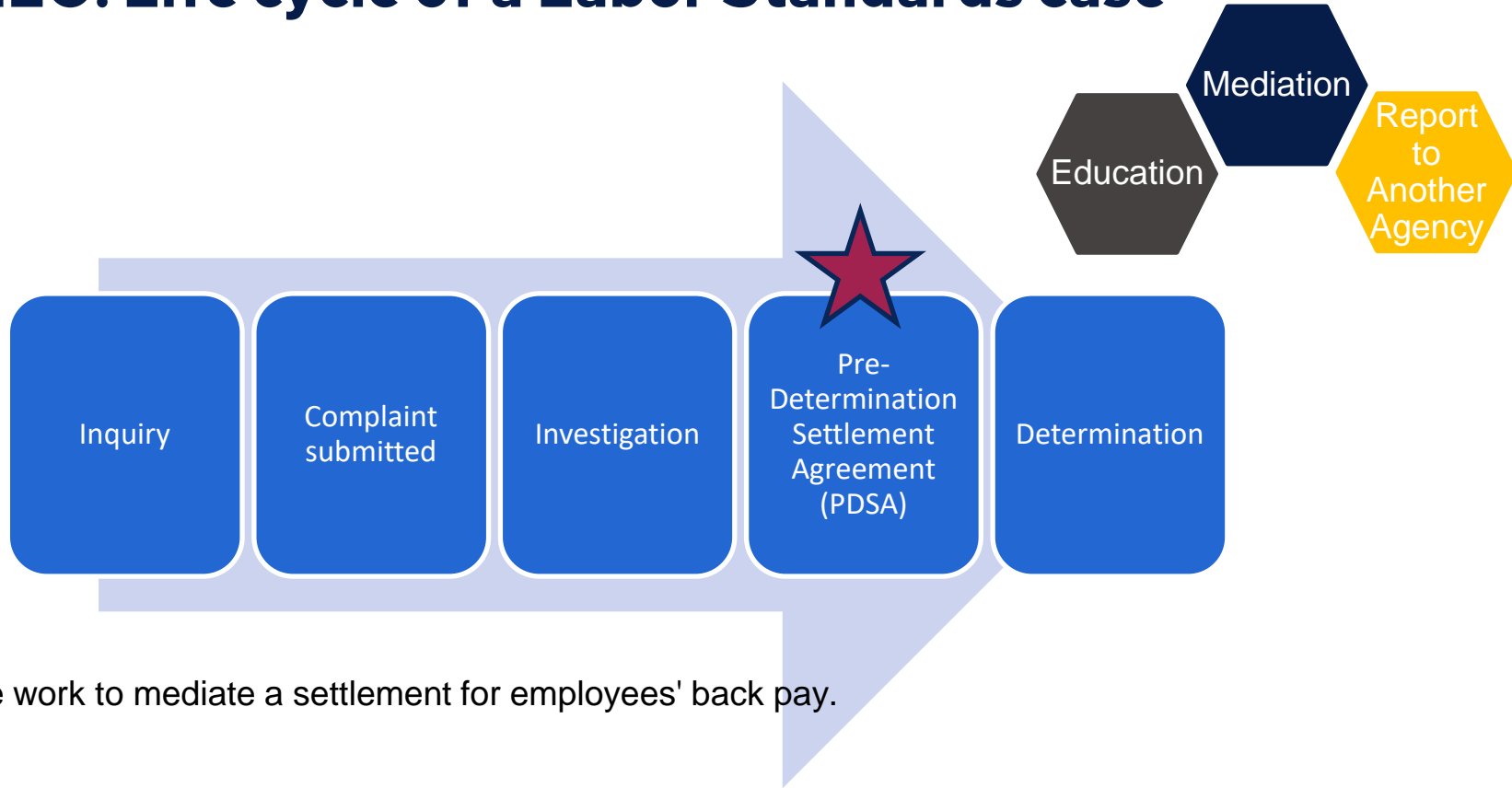
Education





Example: HREEO

HREEO: Life cycle of a Labor Standards case



We work to mediate a settlement for employees' back pay.



Example: HREEO

Homecare Employee Statements

I always made up missed time because I needed the pay.

Complainant stated they were not paid for time taken off to take care of a family member in December 2018.

I did not know we were eligible to receive any paid sick leave and have gone into work when sick.

I called in for time off but did not get paid.

We do not get paid if we call in sick for work. I stopped asking because I knew we would not get paid.

If I had paid sick time I would have used it. I requested time off and was allowed to take it unpaid.

I switched shifts to cover time, but I have never called in sick because there is no pay.

I took unpaid leave for medical and childcare closure reasons.

There is no vacation pay or sick leave. We were allowed to work and makeup hours.





Example: HREEO

Mediation

Education

Report to Another Agency

Minimum Wage: Negotiate with Employees' Real Wages

	Total Hours Worked 2023	2023 Hourly Pay Rate up to 7/1/23	2023 Hourly Pay Rate after 7/1/23	City Minimum Wage 2023, Large Business Size: July 1, 2022	City Minimum Wage 2023, Large Business Size: July 1, 2023	2023 Re-Calculated Wages: July 1, 2021 (1/2 Total Hours Worked 2022 x City MW July 1, 2021)	1st Half 2023 Actual Wages Paid (1/2 Total Hours Worked 2022 x Actual Hourly Payrate 2022)	Total 2023 Back Pay (2023 Re-Calculated Wages - 2023 Actual Wages Paid)
1	1412.77	\$13.33	\$15.00	\$13.50	\$15.00	\$9,536.20	\$9,416.11	\$120.09
2	1096.50	\$12.08	\$15.00	\$13.50	\$15.00	\$7,401.38	\$6,622.86	\$778.51
3	1336.03	\$11.00	\$15.00	\$13.50	\$15.00	\$9,018.20	\$7,348.17	\$1,670.04
4	774.78	\$12.08	\$15.00	\$13.50	\$15.00	\$5,229.77	\$4,679.67	\$550.09
5	1043.15	\$12.08	\$15.00	\$13.50	\$15.00	\$7,041.26	\$6,300.63	\$740.64
6	392.02	\$11.79	\$15.00	\$13.50	\$15.00	\$2,646.14	\$2,310.96	\$335.18
7	560.70	\$12.08	\$15.00	\$13.50	\$15.00	\$3,784.73	\$3,386.63	\$398.10
8	\$610.27	\$12.00	\$15.00	\$13.50	\$15.00	\$4,119.32	\$3,661.62	\$457.70
						Total		\$5,050.34



Administrative Fines

- ✓ Minimum Wage First Violation: \$500 (payment to City)
- ✓ Possible Retaliation Under MW: 8 Employees x \$1,000 = \$8,000 (payment to Employees)
- ✓ Possible Retaliation Under MW: 8 Employees x \$1,000 = \$8,000 (payment to City)
- ✓ Lack of MW Notice & Posting: \$1,000 (payment to City)
- ✓ Insufficient Minimum Wage Records: \$1,000 (payment to City)

Total Admin Fines = Up to \$18,500

Recommendation

**Develop a Fair and Effective Tool to Obtain
Compliance with City Ordinances**

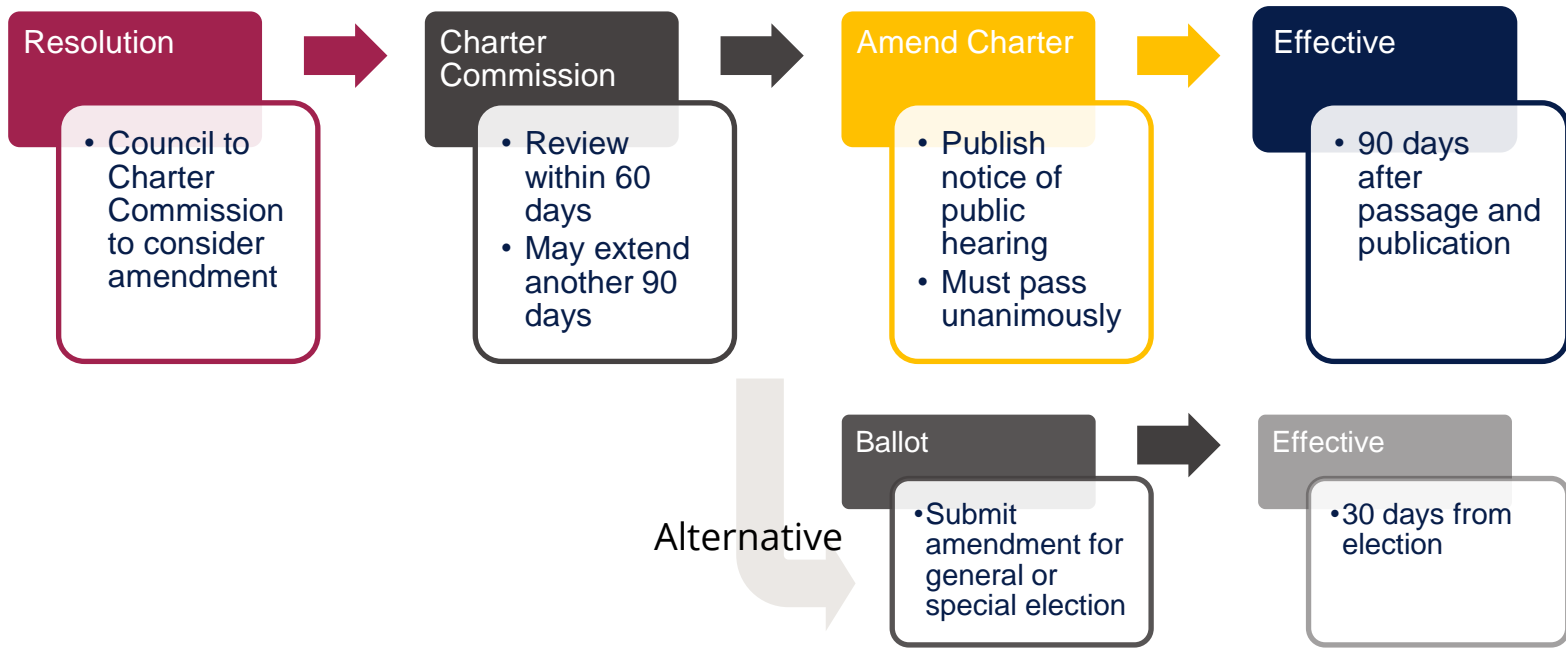


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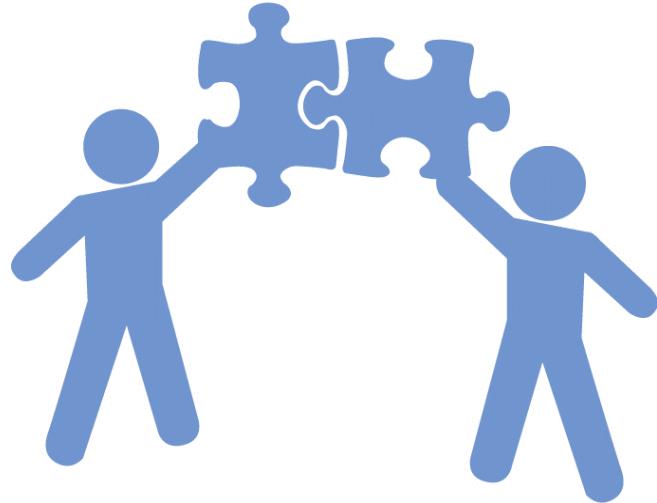
Legislative Process and Timeline





Next Steps

- Engagement on Charter Language
- Engagement on Proposed Ordinance Changes
- Budget Discussions
- Develop Processes
- Training/Education
- Implementation





Questions?