

MINUTES OF THE LEGISLATIVE HEARING
ORDERS TO REMOVE/REPAIR, CONDEMNATIONS,
ABATEMENT ASSESSMENTS AND ABATEMENT ORDERS

Tuesday, June 1, 2010

Room 330 City Hall, 15 Kellogg Blvd. West
Marcia Moermond, Legislative Hearing Officer

The hearing was called to order at 10:05 a.m.

STAFF PRESENT: Joel Essling, Department of Safety and Inspection (DSI) – Code Enforcement; A.J. Neis, DSI – Fire; Leanna Shaff, DSI – Fire; Mai Vang, City Council Offices; and Joe Yannarely, DSI – Vacant Buildings

EXCERPT RE: 315 LARCH

8. Appeal of John Norris to a Notice of Condemnation and Order to Vacate for property at 315 Larch Street.

John Norris Sr., appellant, appeared with his son, John Norris Jr. Joe Keller, Joe's Hot Dogs, appeared in support of the appellant. A.J. Neis and Leanna Shaff appeared on behalf of the department, DSI – Fire.

Inspector Neis stated that he first inspected the property on April 19, 2010 and found multiple code violations including unapproved roofing and storage structures; improper storage, handling and use of hazardous materials; excessive accumulation of materials; disorderly storage of materials; lacked necessary egress as there was only one exit from the building; and overall found it to be structurally unsafe and posing a fire danger. He re-inspected the property on May 10 and was able to gain access to areas he had been unable to gain entry on his inspection in April. He condemned the building due to the conditions found and placarded the building with a re-inspection scheduled for May 27. He conducted another inspection on May 27 and found that the property owner was working to address the deficiencies listed in the orders. He noted that Ramsey County Hazardous Waste also issued orders due to the hazardous conditions found at the property.

Mr. Norris Sr. stated that he didn't understand the orders which was why he filed the appeal. They were working on cleaning out the yard as well as the inside of the building. Ms. Moermond asked what type of business he conducted. Mr. Norris Sr. responded that he was a "green cycler" where he collected used electrical parts and would break down the components for resale. He said they were working to clean up the property but needed more time.

Mr. Norris Jr. stated that they had hired some additional staff to help clean out the building; however, staff needed more supervision and it was taking more time than he had expected. He said that the property had been burglarized through the roof which had been repaired on the exterior so it did not leak; however, they had not yet repaired the interior. They had also gotten two large dumpsters which they filled and removed and were getting two more. He requested a couple of months to comply with the orders.

Inspector Neis said that he found the conditions at the building posed a danger to firefighters to be able to navigate through the building as there was only one exit in and out. The roofing structure

also posed a serious danger as there was one structure covering three separate buildings. Awnings were also installed without permits being pulled. He also found that the materials being stored could fall and injure anyone occupying the building.

Ms. Shaff stated that the property owner would need to have an engineer review the safety issues with the structure of the buildings concerning appropriate egress; the roofing structure would also need to be reviewed by an engineer and the building official would need to conduct a separate review.

Mr. Norris Sr. responded that he had contacted two engineers to come and look at the property and was waiting to schedule a time. He said he objected to the number of inspections that had been conducted with photographs being taken and the fact that the police were present which he believed was hurting his business.

Ms. Moermond asked Mr. Norris Sr. what his customer base was and whether he was the sole owner of the business. Mr. Norris Sr. responded that he and his wife owned the business and he had approximately 25,000 customers which included the City of St. Paul, the school district and electricians who would buy his used parts. Ms. Moermond asked for an explanation of the police presence at the property.

Inspector Neis explained that at his initial inspection in April, he met with Mr. Norris Sr. who became very belligerent, loud and confrontational when he had two other people basically corner him in the building with only one escape route. He was aware that Mr. Norris Sr. had a permit to carry a gun and also hired shady characters from off the street. He requested the police accompany him on further inspections of the property as a precaution and said Mr. Norris Sr. also became extremely belligerent when he took photographs of the property. On the last inspection when Mr. Norris Jr. was present, he seemed to be more reasonable where he did not feel threatened.

Ms. Moermond responded that from what was described, she believed police presence was warranted for the inspections. She asked Mr. Norris Sr. whether he would be willing to allow Jr. to handle working with the inspector for future inspections. Mr. Norris Sr. responded that they could all attempt to work together but acknowledged that Jr. was more the voice of reason than he was as he tended to blow things up.

Ms. Moermond reviewed the photographs of the conditions found at the property from the May 10 inspection. She suggested Inspector Neis write an explanation of the violations on the photographs for the Norris' so that they could understand what work needed to be done. She recommended denying the appeal and indicated that customers were not allowed inside the building. Any business would have to be conducted at least three yards away from the building only if the license permitted for an extension of service of the business.

The hearing adjourned at 1:05 p.m.

Submitted by:
Vicki Sheffer