APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED
AUG 01 2014
CITY CLERK

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

We need the following to process your appeal:

- [x] $25 filing fee payable to the City of Saint Paul (if cash: receipt number 465283)
- [x] Copy of the City-issued orders/letter being appealed
- [x] Attachments you may wish to include
- [x] This appeal form completed
- [x] 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 a.m.
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1060 Avon St. N #1 City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Donald J Klemmer Email

Phone Numbers: Business Residence Cell 651-399-0736

Signature: Donald J Klemmer Date: 8-1-2014

Name of Owner (if other than Appellant): Donald J Klemmer

Mailing Address if Not Appellant's: 1060 Avon St N. #2

Phone Numbers: Business Residence Cell 651-399-0736

What Is Being Appealed and Why? *Attachments Are Acceptable*

- [x] Vacate Order/Condemnation/ Revocation of Fire C of O — Due to lack of Electricity to Unit #1
- ☐ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List
- [x] Code Enforcement Correction Notice — I Reside in Unit #2
- ☐ Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

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

Donald J Klemmer
1060 Avon St N
Saint Paul MN 55103-1307

Occupant
1060 Avon St N Unit #1
Saint Paul MN 55103-1307

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1060 AVON ST N Unit #1** 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 Electricity. Immediately restore electrical service. Failure to provide proper electrical service has resulted in these premises being declared Unfit for Human Habitation and ordered vacated for lack of this basic facility. Use of candles, fuel operated lighting or extension cord wiring is not permitted while the power is off.

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

2. NA

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

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DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

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

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July 23, 2014

Donald J Klemmer
1060 Avon St N
Saint Paul MN 55103-1307

Occupant
1060 Avon St N Unit #1
Saint Paul MN 55103-1307

CORRECTION NOTICE

RE: **1060 AVON ST N**
File #: **14-311435**

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 Code[1] (see footnote 1, below).

1. Lack of Electricity in Unit #1. Immediately restore electrical service. Failure to provide proper electrical service will result in these premises being declared Unfit for Human Habitation and ordered vacated for lack of this basic facility. Use of candles, fuel operated lighting or extension cord wiring is not permitted while the power is off.

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 27, 2014**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges**[2] 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,

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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