

The background image shows a city skyline with a prominent clock tower and red-roofed buildings. A large, leafy tree is on the left, and a bronze statue of a person reading a book is on the right. A semi-transparent blue banner covers the bottom half of the image, containing text.

CITY OF SAINT PAUL

ADMINISTRATIVE CITATIONS

SAUL.GOV
City of Saint Paul
Office of the City Clerk



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

The City of Saint Paul is proposing an amendment to the City Charter to allow the City to use administrative citation as a tool.

Currently, many ordinances can only be enforced by criminal citation. The City is seeking to join several other large Minnesota cities and create an administrative process for certain ordinance violations. This administrative process would involve imposing civil fines.



WHAT AND WHY

- **What is an administrative citation?**

An administrative citation is a civil fine that is issued in response to a violation of local ordinance.

- **Why is the city proposing this change?**

The goal in implementing administrative citations is to develop a fair and effective tool to obtain compliance with city ordinances. Currently, many ordinances can only be enforced by criminal citation. The use of criminal citations can result in unintended consequences, such as the creation of a criminal record, for business owners and residents who are cited. Also, an administrative enforcement system will establish a city managed process that will improve timelines for resolving violations and ensure that penalties are proportional to the situations where enforcement takes place.



Charter Language Proposed

Section 6.03.1 of the Saint Paul City Charter is hereby amended to read as follows:

Section 6.03.1 - Legislative ordinances

Subdivision 1. Every act of the council which defines, licenses, regulates, suppresses, prevents or prohibits any act, business or person, grants or modifies or modifies any franchise, imposes a civil penalty or is in any way an exercise of legislative powers, shall be done by legislative ordinance. Except as otherwise provided in this Charter, such ordinances shall require an affirmative vote of at least four (4) members of the council.



Charter Language proposed continued...

Subdivision 2. With the exception of the failure to pay fines or fees, the council may establish, alter, amend or repeal an ordinance to impose a civil penalty for each violation of a city ordinance. For each ordinance the City would like to enforce using a civil penalty, the Council must adopt or amend an ordinance (a) outlining the amount of fine and other penalties that can be imposed for a first or subsequent violation of that ordinance; and (b) describing the procedure to impose civil penalties. The procedure to impose civil penalties must include notice of an ordinance violation and an opportunity to be heard, prior to imposition of a civil penalty. Any civil monetary penalty amount must be imposed equitably and ,excluding restitution, must not exceed twice the maximum fine amount authorized for misdemeanor offenses for violation of the City Code. The district court has jurisdiction to enforce any order to pay a civil monetary penalty imposed under this section.



PROCESS

Implementation of administrative citations involves the following steps:

AMEND THE CITY CHARTER:

- City Council asks Charter Commission to recommend changes
- Charter Commission holds public hearing;
- Charter Commission recommends the change; and
- City Council approves ordinance change by 7-0 vote; OR
- If Charter Commission does not recommend a change, the City Council can submit the amendment to the voters

CREATE PROCEDURES CHAPTER OF ADMINISTRATIVE CODE:

- City Council proposes an administrative ordinance outlining Hearing Procedures
- City Council holds a public hearing
- Ordinance is adopted by at least a 4-3 vote



PROCESS continued....

AMEND LEGISLATIVE CODE TO ADDRESS ADMINISTRATIVE FINES:

- City Council amends EACH ordinance to be enforced using administrative citations outlining:
 - Specific hearing requirements
 - Penalties for specific violations
 - City Council holds public hearing
 - Ordinance is adopted by at least a 4-3 vote



WHERE IT COULD BE USED

Department of Safety and Inspections

- Enforcement of animal control laws
- Enforcement of zoning requirements
- Enforcement of liquor, tobacco, or automotive related business licenses
- Enforcement of construction trade competency card requirements, i.e., working without proper competency certification

Human Rights and Equal Economic Opportunity

- Enforcement of Earned Sick and Safe Time
- Enforcement of Minimum Wage
- Enforcement on Prohibition of Conversion Therapy

Saint Paul Regional Water Service

- Enforcement for unauthorized use of fire hydrants
- Enforcement of plumbing permit requirements
- Enforcement for unauthorized water shutoffs or activations



THANK YOU!!!!