



HEARING REQUEST

**To: THOMAS SEMPLE
1380 DESOTO ST
SAINT PAUL MN 55130-3555**

From: Saint Paul Regional Water Services

Date: July 20, 2021

**RE: Account Number: 9999999
Customer Number: 150830
Service Address: CODE VIOLATION**

Dear SPRWS Customer,

You have a right to a hearing if there is a disagreement regarding your account. Hearings are held with an impartial Hearing Officer, who listens to your concerns, considers all relevant information and makes a recommendation for a settlement. The Hearing Officer will contact you to arrange for a hearing after this completed and signed form is returned to Saint Paul Regional Water Services, 1900 Rice St Saint Paul MN 55113.

Sincerely,

Customer Service
Saint Paul Regional Water Services
1900 Rice St., Office Building
Saint Paul Minnesota 55113
Phone: 651-266-6351

Reason for Hearing:
(Please Print)

*I dispute The Enforcement of The St Paul water Dept.
on July 4 2021 of The sum of \$ 1,000*

Signature: Thomas M Semple

Date: 7-30-21

Name: THOMAS M. SEMPLE
(Please print)

Telephone Number: 651.968.6934



**To: THOMAS SEMPLE
1380 DESOTO ST
SAINT PAUL MN 55130-3555**

From: Saint Paul Regional Water Services (SPRWS)

Date: July 07, 2021

**RE: Account Number: 9999999
Service Address: CODE VIOLATION**

Subject: Illegal Operation of Water Hydrant

This letter is to notify you of the fines and charges imposed for the illegal operation of a hydrant as provided for in the Legislative Code of the City of Saint Paul. (See attachments)

SPRWS observed you drawing water from a hydrant in violation of 90.01 of the Legislative Code of the City of Saint Paul. The hydrant cap had been removed and an adaptor and hose were attached to the hydrant. In accordance with Sec 90.08 of the code, SPRWS confiscated the connected hose and hydrant wrench.

A permit or authorization to operate this hydrant had not been issued. These activities were illegal involving theft of water and potentially jeopardizing the safety of the public water system.

Accordingly, the following tasks must be completed. Hydrant use permits will not be issued until all requirements have been satisfied.

- 1. Pay a fine of \$1000.00 to the Board of Water Commissioners and charges for estimated 6 units of water drawn in the amount of \$22.56.**
- 2. Surrender the equipment used in the taking of the water.**
- 3. Meet with SPRWS Supervisor of Meter Operations, Jerry Ludden for instructions on rules and procedures for hydrant permitting and operation. Mr. Ludden can be reached at 651-266-6853.**

We look for your cooperation on this matter.

Dolly Ludden
Business Division Manager
Attachments: Water Code excerpts

Copy: Lisa Veith, Saint Paul Assistant City Attorney
Jerry Ludden, SPRWS Meter Operations Supervisor
Ruth O'Brien, SPRWS Accountant

Pertinent excerpts from the Water Code Section of the Legislative Code

in force in the Cities of Falcon Heights, Lauderdale, Lilydale, Mendota, Mendota Heights, Maplewood, Saint Paul and West Saint Paul, which specify rules of operation and consequences of infractions:

Sec. 90.01. - Use of hydrants.

No person shall, without authority, use or interfere with any fire hydrant. The water utility may permit water to be used temporarily from any fire hydrant for other than domestic purposes, in localities where no other supply can be obtained, by attaching a hydrant meter assembly to one of the hydrant openings and controlling the supply by means of a small valve. Such permission will not be granted unless a written application is first made on the regular form of the water utility in accordance with the rules, regulations and rates governing the same.

(Code 1956, § 251.01)

Sec. 90.02. - Permits.

- (a) Application for permits to use a fire hydrant shall be made at the office of the board of water commissioners. Permits will be granted only when, in the opinion of the water utility, the use of the fire hydrant will not unduly jeopardize the rights of the public and when water cannot be conveniently had from any other source.
- (b) Permits will be issued for a minimum period of thirty (30) days or multiple thirty-day periods and are renewable thereafter at the established rate.
- (c) The location of the hydrant or hydrants used shall be as shown on the permit, which shall be available for inspection by water utility inspectors at all times.

(Code 1956, § 251.02; C.F. No. 93-905, § 12, 7-15-93; C.F. No. 97-1419, § 4, 12-22-97)

Sec. 90.03. - Cash deposit required.

Applicants to whom permits are granted shall be required to make a cash deposit of one thousand dollars (\$1,000.00) in advance. The deposit is for the purpose of guaranteeing payment for water used, charges accrued and to cover any breakage or damage to the fire hydrant or meter. Upon return of the equipment issued to the permittee by the utility, said deposit, less charges against the permittee's account, will be returned to the permittee.

(Code 1956, § 251.03; Ord. No. 17724, § 6, 4-24-90; C.F. No. 97-1419, § 4, 12-22-97; C.F. No. 99-1157, § 3, 1-5-00; C.F. No. 10-1031, § 2, 10-13-10; Ord 13-55, § 1, 12-4-13)

Sec. 90.04. - Charges for hydrant use permits.

- (a) A charge of forty dollars (\$40.00) plus all applicable sales taxes shall be applied for each permit for each thirty-day period or fraction thereof. Such charge is to cover the cost of permit administration.

- (b) A charge of ten dollars (\$10.00) plus all applicable sales taxes for each thirty-day period or fraction thereof shall be applied for each hydrant used by the permittee. Such charge is to cover the cost of inspection and ordinary wear and tear on the hydrant.
- (c) A charge for the volume of water plus all applicable sales taxes shall be applied according to the highest water rate. Measurement of water volume shall be by use of the hydrant meter issued to each permittee or by estimate if meter reading is unavailable or deemed inaccurate by the water utility.
- (d) Charges for the water service base fee and right-of-way recovery fees, and other charges as may be established by city council plus all applicable sales taxes shall be applied and shall not be less than those applied to any retail water account.
- (e) If the water utility approves issuance of a hydrant permit during the period from December 1 to April 1, an additional charge of thirty dollars (\$30.00) plus all applicable sales taxes shall be applied for each thirty-day period or fraction thereof. Such additional charge is to compensate for the cost of extraordinary inspection required when a hydrant is operated during winter months.

(Code 1956, § 251.04; Ord. No. 17724, § 7, 4-24-90; C.F. No. 93-905, § 13, 7-15-93; C.F. No. 97-1419, § 4, 12-22-97; C.F. No. 10-1031, § 2, 10-13-10; Ord 13-55, § 1, 12-4-13)

Sec. 90.06. - Manner of use of hydrants.

The issuance of a special hydrant permit to any person shall entitle them to the loan and use, during the time for which the permit was issued, of a hydrant wrench and hydrant meter assembly. All water used through a fire hydrant shall be controlled by the use of a valve attached to the hydrant meter assembly and, while water is being used, the hydrant shall be opened according to instructions provided by water utility personnel. Hydrants shall be operated only by means of a standard hydrant wrench. It shall be unlawful for any person to use other than a standard hydrant wrench to open or close a fire hydrant, excepting only an employee of the city when so permitted. No person shall use a fire hydrant without using a standard hydrant cap or reducing cap and hydrant wrench secured from the water utility, numbered and properly identified with their permit.

(Code 1956, § 251.09; C.F. No. 93-905, § 14, 7-15-93)

Sec. 90.08. - Illegal use of hydrants.

Except for use by personnel of the fire department and water utility, hydrants may only be used by permit issued by the utility, and all water taken from a hydrant must be metered. Anyone found using water from a hydrant without having first obtained a proper permit shall be subject to the following:

1. A one thousand dollar (\$1,000) fine.
2. Water utility will confiscate any and all hydrant nozzle adaptors and appurtenances and such confiscated adaptors and appurtenances will become the property of the water utility.

This section shall also apply to unmetered private hydrants.

(C.F. No. 93-905, § 15, 7-15-93; C.F. No. 1048, § 4, 11-28-07)

Comment Code	Date/Time Entered	Comments	User Id	Expiration Date
Account Information	8/9/2021 8:26:38 AM	Thomas came into the office July 6th. I was in the Cashier's office and Thomas asked if he could get the equipment back we confiscated. I talked to Thomas at the front counter. He admits he set up a sprinkler off the hydrant for the neighborhood kids because it is to far to get to a lake and its hot. I explained he can't touch the hydrants. Also Graeme Chaepel seen this customer's spouse using water from the hydrant July 3rd to water the grass and had a conversation with her.	Derek Olson	8/9/2021

AccountView

Customer Account New Services Records Create Filter

Previous Active Next History 28 2 Add Copy Miss Add Refresh Search Contact Letter Note S/O Action Arrangement Task Open Previous No.1 Disc

Customer: 150830 Account: 9999999 THOMAS SEMPLE CODE VIOLATION SAINT PAUL, MN	Balance: \$1,022.56 Deposit: \$0.00 Last Bill: \$1,022.56 Due 7/22/2021 Plan: None Next: Past Due Amount \$1,022.56	Finalled Owner EBill Active? Last Payment: \$ on Cycle/Book 999 / 999	Hydrant Meters Moved out 7/5/2021; Moved in 7/4/2021 No tasks to be completed on file No Collection Activity	Pending Service Orders: Meter Size/Type Meter Status METER REMOVED Meter #/Remote Type Last Reading Remote #	Street Service Material Street Service Size Property Service Material Property Service Size CMMS Asset ID Remote 2 #	Out From Property Out from Building Long Measurement Cross Street Building Measurement Freeze Level
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Customer Service Address Customer/Account Services Addresses Transaction History Reading History Bills Comments Move In/Out ACH Contacts Tasks Letters Inquiries Notes Emails Attachments Service Orders Assistance/Contribution Collections

Service Ord...	Type of Service Order	Service Message	Completed	Print Date	Date Work Completed	Cancelled	Created By	Date/Time Created	Assigned To	Assigned To Department	Printed By	Date/Time Printed	Work Done By	Completed Timestamp	Prefer
605357	Hydrant - Illegal Use	ILLEGAL HYDRANT USE	<input checked="" type="checkbox"/>	7/7/2021	7/4/2021	<input type="checkbox"/>	Gayle Moser	7/7/2021 8:41:35 AM					Herman Audett		

Progress Notes

TOOK HOSE AND HYDRANT WRENCH OFF OF HYDRANT CUSTOMER GRABBED HIS HYDRANT ADAPTER AND PUT IT IN HIS GARAGE BEFORE HERMAN COULD PUT IT ON HIS TRUCK. THE GUY WAS VERY ANGRY SO SPPD WAS CALLED TO MAKE SURE NOTHING HAPPENED. HOSE AND HYD WRENCH PLACED ON METER SHOP DOCK.

Closing Notes

TOOK HOSE AND HYDRANT WRENCH OFF OF HYDRANT CUSTOMER GRABBED HIS HYDRANT ADAPTER AND PUT IT IN HIS GARAGE BEFORE HERMAN COULD PUT IT ON HIS TRUCK. THE GUY WAS VERY ANGRY SO SPPD WAS CALLED TO MAKE SURE NOTHING HAPPENED. HOSE AND HYD WRENCH PLACED ON METER SHOP DOCK.