



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 13 2023

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)(if cash: receipt number 445625)
  - ☒ Copy of the City-issued orders/letter being appealed
  - ☒ Attachments you may wish to include
  - ☒ This appeal form completed
  - ☒ Walk-In OR ☐ Mail-In
- for abatement orders only: ☐ Email OR ☐ Fax

## HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, September 26, 2023

Location of Hearing:

☐ Telephone: you will be called between

&

☒ In person (Room 330 City Hall) at: 11:00 a.m.  
(required for all Fire C of O revocation & vacate; Condemnation orders)

## Address Being Appealed:

Number & Street: 1223 Marion City: Saint Paul State: mn Zip: 55117

Appellant/Applicant: Richard Heller Email mnricks@mninter.net

Phone Numbers: Business \_\_\_\_\_ Residence 651.488.2735 Cell 651.728.1317

Signature: \_\_\_\_\_ Date: 9-12-23

Name of Owner (if other than Appellant): Same

Mailing Address if Not Appellant's: Same as above

Phone Numbers: Business \_\_\_\_\_ Residence Same Cell same

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

- ☐ Vacate Order/Condemnation/
- ☐ Revocation of Fire C of O
- ☒ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.) Front Yard Wheelbarrows, Ladders and Tables

1223 Marion Street

Application for Appeal on Summary Abatement Order dated 9/5/23

My appeal will be about the ladders, tables, and wheelbarrows. It is my understanding that the ladders in the flower garden are considered ornamental according to two prior enforcement officers; however, the aluminum ladder was for painting. That has been put away.

Remedy for ladders: ladders have been chained together and secured and covered with chicken wire so no one can access the steps. It is a safety issue according to Victor Xiong and supervisor. That was by voice mail.

I also asked Victor via voice mail for the ordinance that allows ladders and decorational wheelbarrows in the yard. Currently there is nothing described that I am aware of specifically that wheelbarrows and ladders are recreational in a flower garden. I asked for that ordinance and have yet to receive that or any pictures that were mailed out with the summary abatement order. It is unclear if I had a fence if I would have to secure the ladders. Would that be appropriate? I am assuming that if you have a fence, people couldn't get to it. I lock my gates now.

I did ask Victor to check with the other inspectors about the ladders and wheelbarrows.

Remedy for wheelbarrows: As expressed before, have Victor ask other inspectors about the ladders and wheelbarrows provision.

The same goes with the tables. The picnic table is approved by the City. There are only 2 tables in the picture.

At the bottom of the summary abatement order, there is a header "APPEALS." It does not mention anything about waiving the fee. There is no mention of the fee.

Make your forms (appeal form and summary abatement order) friendly, useful, and meet the City's accessibility policy. Otherwise, provide alternate format HTML.

Finally, I have attached correspondence from SMRLS dated 7/5/18. They do not provide any financial or legal support or both on summary abatement orders specifically.

I am still requesting a waiver and during the hearing a captioner, a tablet, and to save the transcript. And someone to send me the complete summary abatement order with all pictures in a timely manner as requested before. Manually check and send a fully accessible summary abatement order. Please note the current summary abatement orders does not include pictures.

Richard Heller  
September 13, 2023

Richard Heller 9-13-23

cc SELF

SEND NON IMAGE  
TO MR RICK WINTER



CITY OF SAINT PAUL  
DEPARTMENT OF SAFETY AND INSPECTIONS  
DIVISION OF CODE ENFORCEMENT  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
**SUMMARY ABATEMENT ORDER**

September 05, 2023

23 - 077005

Yog hais tias koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266- 8989. Nws yuav pab dawb xwb. Si necessita un traductor, por favor llamamos al (651)266- 8989. No costo.

RICHARD S HELLER  
1223 MARION ST  
ST PAUL MN 55117-4467

As owner or person(s) responsible for : 1223 MARION ST you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

1. Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway.

PLEASE REMOVE AND PROPERLY DISPOSE OF THE TABLES, LADDERS, VACUUM, FANS, TIRES, WHEELBARROW AND OTHER MISCELLANEOUS DEBRIS FROM THE FRONT YARD AND ENTIRE PROPERTY.  
THANK YOU. Comply before September 12, 2023

If you do not correct the nuisance or file an appeal **before September 12, 2023** , the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.

Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipments, etc. The rate will be approximately \$260 per hour plus expensed for abatement.

**You must maintain the premises in a clean condition and  
provide proper and adequate refuse storage at all times  
FAILURE TO COMPLY MAY RESULT IN FURTHER ENFORCEMENT  
ACTION. THANK YOU FOR YOUR COOPERATION.**

Issued by: Victor Xiong Badge: Phone Number: 651- 266- 1936

If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Also Sent To:  
Occupant

**APPEALS:** You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, which ever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266- 8688. You must submit a copy of this Summary Abatement Notice with your appeal application.

**\*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 said 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.

sa.rpt 9/15



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DEPARTMENT OF SAFETY AND INSPECTIONS  
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INTAKE AND HOTLINE PROJECT

132 North Broadway

Albert Lea, MN 56007

Toll-Free: 1-888-575-2954 • FAX: 1-866-573-2954

Website: [www.smrls.org](http://www.smrls.org) • Email: [hotline@smrls.org](mailto:hotline@smrls.org)

Reply to ☐

INTAKE AND HOTLINE PROJECT

55 East Fifth Street, Suite 400

Saint Paul, MN 55101

Telephone: (651) 222-4731 • FAX: (651) 788-8455

Website: [www.smrls.org](http://www.smrls.org) • Email: [hotline@smrls.org](mailto:hotline@smrls.org)

Reply to ☐

July 5, 2018

Richard Heller  
1223 Marion St.  
Saint Paul, MN 55117

Dear Mr. Heller:

You recently contacted Southern Minnesota Regional Legal Services (SMRLS) about a legal issue. We receive a limited amount of funding to advise or represent low income clients and people aged sixty and over.

We might have given you advice or legal information when you called. We can't help you further with this problem. Our guidelines must exclude many important legal problems. If you don't understand why we didn't take your case or if you have a complaint, call us again and ask for the person who is handling grievances.

You may want to contact an attorney in private practice. Two ways of finding an attorney are [www.mnfindalawyer.com](http://www.mnfindalawyer.com) and the local Yellow Pages. These attorneys will charge for their services. Contact an attorney right away. There may be a time limit to start your case or take some other action. You could lose your case if you miss a legal deadline.

SMRLS cannot specifically recommend or refer any private attorneys for your claim, but I strongly recommend utilizing available resources such as the Minnesota State Bar Association Attorney Directory to speak with a specialist (see attached link). Many private attorneys will provide a free consultation regarding your legal issue. Best of luck, and please do not hesitate to call the SMRLS legal hotline should another legal issue arise.

Sincerely,

The Staff of  
Southern Minnesota Regional Legal Services

