



Thank you for your assistance in "Maintaining a Quality Community."

Have a Property Complaint?

Code Enforcement Hotline

651-552-4114

or

Code Enforcement E-mail

codeenforcement@cityofwsp.org



City of West St. Paul

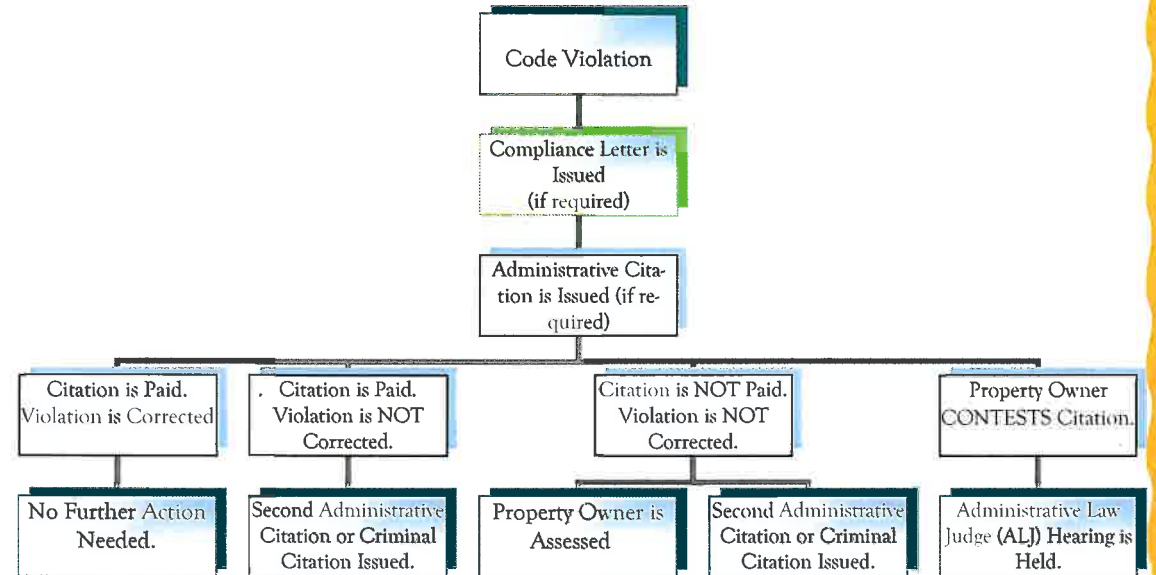
Administrative Citation Process



City of West St. Paul
1616 Humboldt Avenue
West St. Paul, MN 55118

651-552-4100 Municipal Center
651-552-4190 Fax

Administrative Citation Process Chart



Received a Compliance Letter?

Before issuing an Administrative Citation, the City can issue a Compliance Letter outlining the nature of the violation and compliance deadline.

If you receive a Compliance letter...

1. Please Do Not Panic. A Compliance Letter is a list of items that need to be corrected. Receiving a Compliance Letter is not the end of the world; it merely means your property needs some attention. A Compliance Date is the date by which you need to have the items corrected or by which you must make other arrangements with the City.
2. Please Do Not Ignore it. Ignoring a Compliance Letter will not make the violation(s) go away. Citations and Property Abatement are the City's method of last resort. The City wants to work with residents to resolve their maintenance issues. Unfortunately, if an Owner is unwilling to cooperate, the City is left with few options.
3. Do Read ALL of the compliance materials. Many of your questions are answered in the compliance letter materials.
4. Do Take Responsibility and ACTION. Make arrangements and begin work early enough to complete the work on time. If needed, investigate financial resources.

If you are unable to complete ALL of the required work by the Compliance Date, please call the staff person listed on the Compliance Letter for an extension to avoid further action. City staff can work with owners to resolve the violation, including, but not limited to offering reasonable extensions for compliance.

Administrative Citation Process

On March 23, 2009, the West St. Paul City Council approved the Administrative Citation Ordinance, City Code Section 120, replacing the Community Court program of Dakota County District Court as an alternative method of enforcement for City Code violations rather than relying on the criminal court system. City Code violations such as building code, zoning, licensing, and nuisance violations can be handled through the Administrative Citation process rather than through criminal court.

The Administrative Citation process provides greater flexibility to create an efficient and effective enforcement method. A violation of City Code is a misdemeanor pursuant to City Code Section 115.01. However, an Administrative Citation may be issued for City Code violations to gain compliance before the City files any criminal charges.

Administrative Penalty Fines

An Administrative Penalty Fee Schedule for Administrative Civil Citations allows the City to issue administrative penalties or fines for City Code violations. The penalty or fine amount varies from \$55.00 to \$2,000 depending on the type of violation. The fine amount doubles for repeat violations that occur within a 12-month time-period up to a maximum of \$2,000.

The Administrative Citation Ordinance and Penalty Fee Schedule are found on the Administrative Citation page on the City website at www.cityofwsp.org.



Administrative Citation Process

The City can issue an Administrative Citation if the violation is not corrected by the compliance deadline listed in the Compliance Letter.

The City can also issue Administrative Citations without issuing a Compliance letter for the following:

- Repeat offenders,
- License, traffic or parking, animal and noise violations, and
- Obstruction of fire hydrants or fire lanes.

Please see the chart on page 2 and the following list outlining the next steps for those who receive an Administrative Citation:

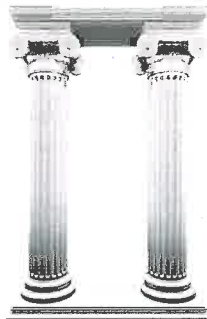
- If the Citation is paid and the violation is corrected, no further action will be taken by the City.
- If the Citation is paid and the violation is not corrected, the City can issue a second Administration Citation or a Criminal Citation.
- If the Citation is not paid and the violation is NOT corrected, the property owner will be assessed for the fine and the City can issue a second Administration Citation or a Criminal Citation.

An owner who receives an Administrative Citation has the following options:

1. Correct the violation and pay the fine in 30 days of the date the citation is mailed or personally served. No additional citations will be issued. However, the violation must be corrected or an additional Administrative or Criminal Citation may be issued.
2. Contest the Citation in writing within 10 calendar days after the date the Citation was mailed or personally served.
3. If you do not pay the fine, correct the violation, or contest the citation, the fine will be assessed against the property or additional Administrative or Criminal citations will be issued.

If the owner fails to correct the violation or pay the fine, the City may do any of the following:

1. Assess the fine against the property,
2. Issue subsequent Administrative Citations,
3. Initiate criminal proceedings, or initiate other enforcement action authorized by law.



Contesting Administrative Citations

If you receive an Administrative Citation, the City Code violation and the Citation fine may be contested to be heard before an independent Hearing Officer who is not a City employee.



To request a hearing, you must contact the Deputy City Clerk/Hearing Scheduler in writing within 10 calendar days after the date the citation was mailed or personally served stating that you contest the alleged violations, the amount of the penalty, or both. Mail to: City of West St. Paul, Attn: Deputy City Clerk, 1616 Humboldt Ave., West St. Paul, MN 55118.

The Hearing Scheduler will notify you of the date, time, location of your hearing and the name of the Hearing Officer. Allow at least one-half day for the hearing. Other cases may be scheduled at the same time as your hearing. Please arrive on time to the hearings. The Hearing Officer may not hear your case if you arrive late.

The Hearings will be held at the:
Office of Administrative Hearings
Administrative Law Division
600 Robert Street North
St. Paul, MN 55101

Maps, parking, hearing date, time and other information will be included in the Notice of Hearing packet.

At the hearing, the Hearing Officer has the authority to do any of the following:

1. Make a finding that a violation has occurred,
2. Reduce, stay or waive an administrative civil penalty or fine,
3. Require compliance with the City Code within a specified timeframe,
4. Make a finding that no violation has occurred and dismiss the Administrative Citation.

After the hearing, you will receive a signed Copy of Order outlining the Hearing Officer's decision. If the Hearing Officer orders an Administrative Penalty fee, it must be paid within 30 days of the Hearing Officer's order.

If the Administrative Penalty fine is not paid, the City may assess the penalty against the property pursuant to Minnesota Statutes Chapter 429. If the hearing officer finds that no violation occurred, then the City may not proceed with criminal prosecution for the same act or conduct.

If the Hearing Officer upholds the violation, you will be ordered to pay \$100 toward the cost of the hearing. If you fail to appear at the hearing, the Administrative Citation shall be sustained.

Fine Payment Information

Please pay the Administrative City Penalty fine by check or by cash. Payment must be made within 30 days of the date the citation is mailed or personally served. The citation fine will be assessed against the property if not paid.

Checks are made payable to the City of West St. Paul. **INCLUDE A COPY OF THE CITATION WITH THE PAYMENT.** Mail to: City of West St. Paul, Attn: Admin Citation, 1616 Humboldt Ave., West St. Paul, MN 55118.

Any check that is returned due to "Non Sufficient Funds" or "Uncollected Funds" will be charged a \$30.00 NSF fee. The NSF fee and the check reimbursement must be paid in cash or money order within 5 business days of notice. Failure to pay will result in additional fines and/or criminal charges.

More Information

For more information on the Citation or the fine issued, please contact the City Staff listed on the Citation form.

To contest the Citation or fine and request a hearing, please contact the Deputy City Clerk/Hearing Scheduler in writing within 10 calendar days after the date the citation was mailed or personally served. Mail to: City of West St. Paul, Attn: Deputy City Clerk, 1616 Humboldt Ave., West St. Paul, MN 55118.

For more information on the Administrative Citation process, please call 651-552-4144 or visit the Administrative Citation page on the City website at www.cityofwsp.org.

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