

To the City of Coon Rapids,

I am asking for the waiver of a citation that was originally to be completed by October 6th, 2011, but was extended to October 29th, 2011 due to the fact that we (my wife and I) were going to be out of town, and a subsequent citation with a compliance date of November 15th, 2011. The tenant did the required items, and I confirmed that they were done prior to October 29th, 2011.

I called Adam Mitlyng prior to October 29th, 2011 indicating that the repairs of flat tires and tabs had been completed. To my surprise on or about November 11th, 2011 I received another citation indicating flat tire repair was needed. I can attest to the fact that the tires were repaired previously as I inspected the car on the first citation. I personally, with the help of Duane (a resident) removed two tires – one flat, and the other was a small spare tire. I took these to Crosstown Auto, 1440 Marshall Ave, St. Paul and had two, used and in good condition tires installed on the rims, returned to Coon Rapids and we reinstalled the replacement tires, then called Adam regarding the citation before November 15th, 2011. Therefore, the second citation was taken care of on time and I would think the citation penalty should be waived. I made every effort to comply with these orders. Everything was done on time after the first citation but unfortunately one of the tires that were fixed became flat again. I certainly would not have called Adam if the repairs were not done on the first citation. Adam had my phone number from several calls made to him. If he would have called me to let me know that a tire had gone flat again, it would have been greatly appreciated and saved all of this from taking place.

I built, and have owned this building since 1980 and never have received a citation. Therefore I am asking you to waive the citation/penalty of \$600.00 because of the unusual set of circumstances that took place. We will be out of town on March 1st, 2012 and will not be able to attend the council meeting. I have enclosed the receipts for the two tires that I purchased. The tenants are struggling with bills, so I personally obtained the tires for them.

Sincerely yours,

D J Curry

David J. Curry *J*

22-31-24-24-0068

2190 Coon Rapids Blvd.

\$100. Received 1/25/2012.



CROSSTOWN AUTO, INC.
USED AUTO PARTS & AUTO SALES
 1440 Marshall Ave. • St. Paul, MN 55104
 Toll Free: 800-701-1102 • Phone: 651-645-7715
 Fax: 651-645-5183
 www.CrosstownAuto.net

INVOICE



Order # 49740/1
 Claim Number
 Customer PO#
 Customer RO#
 Contact

Invoice No. 80303

WE BUY CARS
Junkers, Repairables or Saleable
\$100 - \$10,000

Date 14 Nov 2011
 Time 14:12:52 CST
 Salesperson terese
 Sales Type Cash

Invoice To

David
 MN

Ship To

David
 MN

Delivery Customer Pickup



Stock #	Part Description	Price
		25.00
TIRE	(CTA) 2011 U.D. Tire	10.00
	Labor	25.00
TIRE	(CTA) 2011 U.D. Tire	
		Sub Total: 60.00
		Tax1: 3.82
		Tax2: 0.00
		Total: 63.82

Payment/Credits History	Payment: Creditcard	63.82
11/14/11	Total:	63.82
	Amount Due:	0.00

Invoice Terms
 30 DAY WARRANTY Thank You For Your Business! Think of Us For All Your Automotive Part Needs!!!!

ALL PARTS MUST BE PICKED UP WITHIN 30 DAYS. NO EXCEPTIONS, NO REFUNDS.

HOURS OF OPERATION
MONDAY-FRIDAY 8:00 - 5:00
SATURDAY 9:00 - 3:00

CHECK# _____ RECEIVED BY: _____



* Hold or pull deposits not refundable. * We assume no labor guarantee. * All claims and returned goods MUST be accompanied by this bill. * No cash refund. * Merchandise sold "AS IS."
BUYER READ: Inspect merchandise. It is sold "AS IS." We are not responsible for damages or any loss caused from labor, installation, removal or use of this merchandise. We make no promise, guarantee or warranty other than what is shown on this form or displayed in this building. Returned merchandise accepted, and is limited to seller's option of replacement or credit.

WORKORDER



Customer
Used Cars
MN

Delivery
Used Cars
MN

Workorder No. 53588/2 (CTA) Status Open Created 1/24/12
 Customer PO# Customer RO# Time 1:42 PM
 Contact Due Date
 Salesperson terese Time
 Delivery Customer Pickup

Stock #	Location	Tag/PO #	S	C	IC	Part Description	OK	Missing	Not As Described
PO#1513		PO #1513 C and H Auto Salvage	W	B	59225	(CTA) 1995 BMW 318i Wheel 15x7 (alloy), 10 spoke, flat face spoke, alternating spoke height			

2
 60 R15
 63.81
 763 593-1345
 651 592-5890

PROPERTY ADDRESS: 2190 COON RAPIDS BLVD

PIN: 223124240068
CLOSED

Work Order #45520 09/29/2011 Yard And Lot Issues

<u>Task Name</u>	<u>Scheduled Start</u>	<u>Actual Start</u>	<u>Assigned To</u>	<u>COMMENTS</u>
INSPECTION 1		9/16/11	MITLYNG, ADAM	spoke with tenants son about vehicle
CITATION ISSUED		9/29/11	MITLYNG, ADAM	exp/inop veh
TIME EXTENSION		10/5/11	MITLYNG, ADAM	extension until 10-29-2011
CITATION REINSPECT	10/29/11	11/1/11	MITLYNG, ADAM	tabs current, tire still flat
CITATION FEE APPLIED		11/1/11	MITLYNG, ADAM	\$300 for tire being flat, tabs ok
CITATION ISSUED		11/8/11	MITLYNG, ADAM	\$600 for flat tire still
CITATION REINSPECT	11/16/11	11/18/11	MITLYNG, ADAM	tire fixed
CITATION FEE APPLIED		11/18/11	MITLYNG, ADAM	\$300, Half of \$600 citation
COMPLIANCE		11/18/11	MITLYNG, ADAM	

~ ADMINISTRATIVE CITATION INFORMATION ~ if blank, no Administrative Citation was issued on this work order.

<u>City Code</u>	<u>Inspection Date</u>	<u>Fine</u>	<u>Inspected By</u>	<u>Compliance Date & Instructions</u>	<u>Citation Issued To</u>
8-109 Junk Cars and Building Materials.	9/16/11	300.00	MITLYNG, ADAM	10-06-2011 MJB645 expired tabs/ flat tires, display current registration and repair to an operable condition or remove from outdoor storage	BARBARA CURRY Issue Date: 9-29-2011 6000 MEDICINE LAKE ROAD CRYSTAL, MN 55422
11-1831(1) Junk Vehicles on Residential Property.	11/1/11	600.00	MITLYNG, ADAM	11-15-2011 MJB645 flat tires/ repair to an operable condition or remove from outdoor storage	BARBARA CURRY Issue Date: 11-08-2011 6000 MEDICINE LAKE ROAD CRYSTAL, MN 55422

Files attached to this work order:

\\cr-fs2\applications\cityworksserverfiles\WorkOrder\45520\agreement.pdf
\\cr-fs2\applications\cityworksserverfiles\WorkOrder\45520\form.pdf



ADMINISTRATIVE CITATION

Citation #45520-19814

BARBARA CURRY
6000 MEDICINE LAKE ROAD
CRYSTAL, MN 55422

Issue Date: 9-29-2011

Address: **2190 COON RAPIDS BLVD**
COON RAPIDS, MN

PIN #: 223124240068

This is an Administrative Citation issued under Coon Rapids City Code Chapter 2-1100. If you correct the conditions leading to the Citation before the Compliance Date the penalty will be waived. If you appeal the Citation before the Compliance Date listed, the penalty will be stayed until the appeal is heard. If a second or subsequent Citation is issued within 180 days of any same or similar Citation the penalty will double. If you correct the conditions leading to the subsequent Citation prior to the Compliance Date, one half of the civil penalty will be waived. In addition to any civil penalties, you may also be subject to Excessive Consumption of Services fees as allowed by City Code Section 12-317.

On 9/16/11 the following violation(s) of Coon Rapids City Code was found:

<u>Compliance Date</u>	<u>ANSWER</u>	<u>City Code Summary</u>	<u>Penalty</u>
10-06-2011 MJB645 expired tabs/ flat tires, display current registration and repair to an operable condition or remove from outdoor storage	8-109 Junk Cars and Building Materials.	Any item not intended for outdoor storage is not permitted to be stored outdoors. (Vehicle parts, fluids and accessories, building materials, upholstered furniture, brush, etc.)	\$300.00

You have the right to appeal if you feel the Inspector has not interpreted the City Code correctly. Please refer to the attached/enclosed Administrative Citation Program brochure for more information on how to appeal this Citation. Also refer to this brochure for instructions on applying for an extension of the Compliance Date. You can view the full City Code online at www.coonrapidsmn.gov/citycode or you can obtain the City Code Section(s) at Coon Rapids City Hall at 11155 Robinson Dr NW, Coon Rapids, MN 55433.

Please note that if your property is not brought into compliance by the Compliance Date listed above, the City may enter your property to abate the violation (correct the conditions leading to the violation). If the city abates the violation, the penalty is immediately due. All costs of the abatement, along with any unpaid penalty, will be charged to your property taxes in a form of a Special Assessment.

Adam Mitlyng
Code Enforcement
763-767-6470

This document is designed to help you understand the Administrative Citation (the "Citation") process, provide contact information, and tell you how to appeal the Citation if you decide to do so.

What is the Administrative Citation Program?

The Administrative Citation Program (ADCAP) was authorized by the Coon Rapids City Council to encourage property owners to address violations of City Code on their properties. An Administrative Citation imposes a penalty for violating a City Code but allows a property owner to correct the violation without paying the penalty if corrected by the Compliance Date. Subsequent Citations may result in the imposition of penalties (see the section on Multiple Citations). The Citation is not a criminal citation and you should not go to the courthouse to contest it. ADCAP is administered by the City of Coon Rapids Neighborhood Reinvestment Division.

How does it work?

- An inspection is made of the property in response to a concern from a citizen, Councilmember, or City staff.
- If violations exist, an Administrative Citation is issued. If the violations listed on the Citation are corrected before the Compliance Date noted on the Citation, the penalty or penalties listed on the Citation are waived unless this is a second or subsequent Citation within a 180-day period.
- Immediately following the Compliance Date, a City Official will re-inspect the property to verify that corrections have been made.
- If the violations are not corrected and an appeal is not filed, the penalty or penalties listed on the Citation must be paid.
- In addition, the City may hire a contractor to abate (remedy) the violation(s) listed on the Citation from the property. The cost of abatement is charged in addition to the penalty. These charges are assessed to the property taxes and collected in the same manner as a special assessment.

How do I extend the Compliance Date?

If you need more time beyond the Compliance Date to correct the violations, you may ask for an extension. To be granted an extension you must admit your property is in violation of City Code and submit a written plan stating the action you will take to achieve compliance. Upon determination by the City Official issuing the Citation that the plan is adequate to remedy the violation, an extension may be granted. A request for an extension must be submitted on or before the Compliance Date on the Citation.

How do I Appeal?

If you disagree with the City Official's findings and/or interpretation of the City Code, you may appeal the Citation or parts thereof. An appeal may only be executed by the owner of the property. The appeal must be filed on the Notice of Appeal form to the right and submitted to the Hearing Examiner at the Community Development Department in City Hall, 11155 Robinson Drive, Coon Rapids, MN 55433. The appeal must be delivered in person or by U.S. Mail and must be received on or before the Compliance Date. An appeal that arrives after 4:30 p.m. on the Compliance Date will not be accepted and the penalty or penalties will be charged. Once an appeal is received, penalties and compliance will be suspended until the appeal is heard by the Hearing Examiner.

If you are not satisfied with the Hearing Examiner's decision, you have the right to appeal to the City of Coon Rapids Board of Adjustment and Appeals. To appeal the Board's decision, you must file an appeal with the Minnesota State Court of Appeals.

Multiple citations within a 180-day period

If you receive a second or subsequent Administrative Citation within 180 days of a previous Citation, City Code Section 2-1103(3) states the subsequent Citation is subject to a civil penalty at least twice the previous amount. If the subsequent violation is remedied prior to its Compliance Date, one-half of the civil penalty will be waived. The second or subsequent Administrative Citation will result in a civil penalty being assessed to the property taxes.

NOTICE OF APPEAL

PLEASE PRINT
Fill out this form and submit it to City Hall on or before the Compliance Date if you wish to appeal Citation.

Administrative Citation Number: #45520 - 19814

Property Address: 2190 Coon Rapids Blvd

Person(s) Responsible for Violation:

BARBARA CURRY

Responsible Party's Relationship to the Property

Owner

Other (specify):

I am appealing the Citation because:

unable to comply with as we will be on vacation

Attach additional pages if needed.

I hereby waive further right to appeal this Citation and ask for a time extension of 30 days. Attached is a written plan of the action I will take to achieve compliance within this extended time period.

I certify that I am the owner of the property and the information contained herein is correct to the best of my knowledge.

Signature: B. CURRY

Print Name: BARBARA + DAVID CURRY

Phone Number: 763-437-2222 Date: 10-6-2011

Mailing Address:

6000 MEDICINE LAKE ROAD

CRYSTAL MN 55422

For ADCAP Staff only:

Notice rec'd date: Initials

Re: Location: 2190 Coon Rapids Blvd
Administrative Citation Number: 45520-19814
Offense Date: 9-16-2011

AGREEMENT of the parties pursuant to 2-1105(2)
Dated: 10-05-2011

This is an agreement by and between the City of Coon Rapids ("City") and the below-named person(s) ("Petitioner"), pursuant to Coon Rapids City Code Section 2-1105(2), regarding the above-referenced Citation. Recitals:

1. Petitioner affirms he or she is a person with a property interest in the property involved. Petitioner further verified no other person or entity has a superior right in the property subject to this Citation.
2. The below-named City Official may extend the Compliance Date established in the above-referenced Administrative Citation upon determination that a reasonable plan for remedying the violation exists. The plan must be agreed to in writing by the owner of the property for an extension to be granted. A copy of the plan must be attached to this Agreement.
3. Based on the agreement of the parties, the counts of the citation herein are conceded by Petitioner in their entirety.
4. Petitioner agrees to place the property in compliance with the Citation, as may have been modified, by 10-29-2011.
5. If compliance with City Code(s) is not achieved by the Compliance Date in Section 4. above, the Petitioner agrees to pay an administrative fine of \$ 300 by 10-29-2011. This administrative fine is in addition to additional costs, if any, noted below.

Notice to Petitioner: By signing this document, you waive your right to further appeal. You must remedy the above deficiency or deficiencies, and pay any agreed fines, within the time periods specified above. Unpaid fines, or un-corrected violations, are subject to the original Citation fine(s), plus costs of abatement, which amounts, if not paid, may be subject to penalty, and collected and/or levied against the property under Coon Rapids City Code Section 2-1107.

^ . 11

City Official

Petitioner



ADMINISTRATIVE CITATION

Citation #45520-20004

BARBARA CURRY
6000 MEDICINE LAKE ROAD
CRYSTAL, MN 55422

Issue Date: 11-08-2011

Address: **2190 COON RAPIDS BLVD**
COON RAPIDS, MN

PIN #: 223124240068

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On 11/1/11 the following violation(s) of Coon Rapids City Code was found:

<u>Compliance Date</u>	<u>ANSWER</u>	<u>City Code Summary</u>	<u>Penalty</u>
11-15-2011 MJB645 flat tires/ repair to an operable condition or remove from outdoor storage	11-1831(1) Junk Vehicles on Residential Property.	Junk vehicles on residential property are prohibited. One vehicle, owned by property resident, may be repaired as long as repair work is completed within 20 days.	\$600.00

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Adam Mitlyng
Code Enforcement
763-767-6470



11/17/2011 2:39 PM