

DATE: May 19, 2022
TO: David Reinhart
FROM: Mary Tronick
SUBJECT: Appeal of Inspection Clean Up

I would like to appeal the bill I received from the City of LaCrosse for Clean Up of Property and Misc Admin Revenue, Invoice Number 183305 dated 04/19/2022, OTC # 019072-2022, in the amount of \$335.00.

The specific grounds for the appeal is that I have been out of town during the entire length of process involving this case. I left LaCrosse on October 20, 2021 and returned on May 4, 2022. Had I been aware of this situation I would have corrected it immediately. Facts of the case and specific grounds of appeal are below.

Facts of the Case:

1. Your inspector, David Foster, found 2 nuisance palletes in my backyard and snapped a picture of it on March 28, 2022.
2. A letter was mailed to my home in LaCrosse on March 29, 2022 to notify me of the nuisance and to instruct me to remove it by April 6, 2022.
3. As I was not in LaCrosse, the Post Office forwards all mail to me at my winter location. However, for some reason your letter was returned to you in LaCrosse and not forwarded on by the Post Office. This is most curious as my experience has been that my mail is reliably forwarded to me.
4. When the inspector received the returned letter he called my telephone land line in LaCrosse. Surprise! Since I was not in LaCrosse there was no answer when the phone rang.
5. On April 6, 2022 your inspector snapped another picture of the nuisance in my backyard. He also left a yellow hand tag on my front door with a message to contact him about an open order to correct on my property.
6. On April 8, John who checks on my property weekly, stopped by and found the yellow hand tag. He immediately called your inspector to find out what was going on. April 8 is a Friday and guess what, no response from your inspector. John left a voice mail message with the inspector.
7. The inspector called John on Monday, April 11 to inform him of what the problem was. John immediately called me the morning of Monday, April 11. I told him I had no knowledge of palletes in my backyard and that they were not there when I left on October 20, 2021.
8. John immediately left his home on Monday, April 11 with his truck and drive 2 miles to my home and remove the nuisance. When he arrived at my home, early morning on Monday, April 11 the nuisance was not there.... The city had beat him to it!

Grounds for Appeal:

- 1) I was out of town for over 6 months and had no knowledge of said nuisance and your actions to notify me to remove it. However, the nanosecond that I became aware of the situation (on Monday morning, April 11) I *immediately* took steps to rectify the situation. However, the city had already removed the nuisance and I was unable to rectify the situation despite my efforts.
 - a. I feel that the City of LaCrosse provided me with insufficient time to remove the nuisance. You only provided me with at best 9 to 10 working days from the time of 1st notice (March 29 a letter was mailed...) to the time my agent talked to your staff and immediately went to remove the nuisance (April 11). This seems unreasonable, especially since the nuisance was not posing a danger to anyone and there was no need for extraordinary speed to remove this.
 - b. I feel the City of LaCrosse did not make a reasonable effort to notify me of this situation. If your letter had been forwarded on to me this situation would have been dealt with the day I received the letter. Why was the letter not forwarded to me just like the property tax bill is?
 - c. I feel the cost is excessive for removal of 2 measly wooden palletes. What is the basis of this charge? Time to remove nuisance and at what labor rate? Weight of nuisance? Please explain.
 - d. Most importantly, I don't think the City of LaCrosse handled this case within the spirit of the ordinance that you used to penalize me. Reasonable people can assume that the ordinance is meant to handle cases where 1) A nuisance actually poses a danger to the community or 2) the ordinance allows the city to deal with landowners who are unresponsive and who do not take action to deal with nuisances of all kinds. To this point, the 2 palletes in my yard were not posing a danger to anyone and I was not unresponsive in any way. In fact the minute I found out about the situation, I immediately acted to rectify the situation by sending my agent to remove said nuisance.

Given the above, I request that the bill of \$335.00 for this unfortunately situation be rescinded.

Thank You,

Mary Tronick