



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 16 2022

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 536296)
- ☒ 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 27, 2022

Location of Hearing:

☒ Telephone: you will be called between

1:00 p.m. & 3:00 p.m.

In person (Room 330 City Hall) at: _____

(required for all Fire C of O revocation & vacate; Condemnation orders)

Address Being Appealed:

Number & Street: 1040 Selby Ave City: Saint Paul State: MN Zip: 55104

Appellant/Applicant: Lee Cooper Email LACooper.family@yahoo.com

Phone Numbers: Business _____ Residence _____ Cell 952-452-2085

Signature: Lee Cooper Date: 9/16/22

Name of Owner (if other than Appellant): TK Inspiration

Mailing Address if Not Appellant's: PO Box 7861, Saint Paul, MN 55107

Phone Numbers: Business _____ Residence _____ Cell 612 212 0110

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.)

Paid \$10,000 in permit fees and multiple permits in process at time of revocation. Multiple compliances abated at time of revocation. Conditions listed regards to permit process not emergency condition.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

September 13, 2022

Tk Inspiration Inc
1091 Rice St
St Paul MN 55117-4920

Customer #:1587830

Bill #: 1685612

VACANT BUILDING REGISTRATION NOTICE

The premises at **1040 SELBY AVE** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,459.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Payment must be received by October 13, 2022 .

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

You must contact the Enforcement officer , Matt Dornfeld, at 651-266-1902 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Matt Dornfeld, at 651-266-1902.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_notice 11/14



September 9, 2022

Tk Inspiration Inc
1091 Rice St
Saint Paul MN 55117-4920

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1040 SELBY AVE
Ref. # 15153

Dear Property Representative:

The above-referenced building was determined to be a registered vacant building on September 8, 2022. Since certificates are for the occupancy of buildings, it has become necessary to revoke the Certificate of Occupancy.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be abated and a complete Certificate of Occupancy inspection will be required.

DEFICIENCY LIST

1. Interior - Throughout Building - SPLC 40. Grounds for Pending Revocation. The fire code official may issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code if it is found upon inspection by the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations. The commercial building occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building occupancy, or portion thereof, is in compliance with applicable safety codes. The suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of this issuance.
Written orders delivered to property owners during inspection with building and electrical inspectors on September 8, 2022 for long-term non-compliance with plan review requirements, building requirements, electrical code compliance. Property owners to provide access to contractors and city inspection staff for review of work at the property at dates and times determined by city inspection staff. No operation (continued on next page)

of the restaurant is approved until compliance with the on-going construction inspections and any additional permits obtained as part of the inspection process. Contact Fire Safety inspector with any questions and request or inspection when construction process has been finalized.

2. Interior - Throughout Building - MSBC Inspections. 1300.0210, Subp. 4. Inspection requests. The building official shall provide the applicant with policies, procedures, and a timeline for requesting inspections. The person doing the work authorized by a permit shall notify the building official that the work is ready for inspection. The person requesting an inspection required by the code shall provide access to and means for inspection of the work.
Electrical work done and no permits for electrical work or inspection of the work for approval have been obtained. Electrical permit only obtained on August 12. Work has been on-going at property and in areas is sheet-rocked over already. Walls are finished prior to inspection by building inspections. Plans do not reflect the extent of work done in the building.
3. Exterior - For Each Suite - MSFC 505.1 - Provide address numbers at least four (4) inches in height.
Numbers are not compliant, 4-inches in height at a minimum.
4. Exterior West Side - SPLC 34.09 (2)(b), 34.33 (1)(d) - Provide and maintained the roof weather tight and free from defects.
The soffits appears to be open on the entire length of the west side and there are signs that animals have been chewing on the wood, there is also missing flashing.
5. Exterior West Side - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.
Part of the rain gutter has fallen down and needs repair.
6. Exterior West Side / South Corner - SPLC 34.09 (1)(2)(a), 34.33 (1)(b) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.
The west wall at the south corner there are loose blocks and wide cracks in the mortar.
7. Interior - Class K Fire Extinguisher - MSFC 906.1, MN Stat. 299F.361 - Provide approved Class K fire extinguisher within 30 feet of the charbroiler/fryer.
8. Interior - Electric Baseboard Heat Unit - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.

On the west wall of dining/waiting area, a electric baseboard heating unit has been damaged.

9. Interior - Exit Lighting - MSFC 1008, SPLC 34.14 (2)d, SPLC 34.35 (5b) - Provide and maintain illumination in all portions of the exit system.
Check all, some had dead batteries and do not operate.
10. Interior - Unoccupied Areas - MSFC 605.1 - Abatement of Electrical Hazards -
Identified electrical hazards shall be abated. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.
Electrical panel is disassembled. Wires inserted directly into outlet at panel for additional outlet.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: Laura.Huseby@ci.stpaul.mn.us or call me at 651-266-8998 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Laura Huseby
Fire Safety Inspector

Ref. # 15153