



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

AUG 29 2023

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

legislativehearings@ci.stpaul.mn.us

### We need the following to process your appeal:

\$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 445620)

Copy of the City-issued orders/letter being appealed & any attachments you may wish to include

Walk In     Mail     Email

Appeal taken by: Naylor

### HEARING DATE & TIME

(provided by Legislative Hearing staff)

Tuesday, September 5, 2023

Location of Hearing:

Telephone: you will be called between

In person (Room 330 City Hall) at: 1:30pm.

(required for all condemnation orders and Fire C of O revocations and orders to vacate)

## Address Being Appealed:

Number & Street: 1271 EDGERTON ST City: ST PAUL State: MN Zip: 55123

Appellant/Applicant: ANNA SMITH Email ANNAM.SMITH@DELOITTE.COM

Phone Numbers: Business 612.655.5166 Residence 612.807.0869 Cell 612.807.0869

Signature: Jana M Smith Date: 8/29/23

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: \_\_\_\_\_

Phone Numbers: Residence \_\_\_\_\_ Cell \_\_\_\_\_

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.)

HAVING TROUBLE ARRANGING CONTRACTORS AND NEED ADDITIONAL TIME TO COMPLETE REPAIRS

SOME ITEMS HAVE BEEN LIKE THAT SINCE I PURCHASED THE PROPERTY & HAVE PASSED PRIOR INSPECTIONS

DUE TO WORKING INTERNATIONALLY, SOME NOTICES WERE NOT RECEIVED/ADDRESSED IN A TIMELY FASHION BECAUSE I WAS UNAWARE OF THE APPOINTMENTS.



August 24, 2023

Anna Smith/Scott Graff  
4096 STATES AVE  
EAGAN MN 55123USA

## **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1271 EDGERTON ST  
Ref. # 105135

Dear Property Representative:

Your building was inspected on August 24, 2023, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code. A reinspection will be made on September 15, 2023 at 10:30 am. Failure to comply will result in the property vacated on September 18, 2023.

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

### **DEFICIENCY LIST**

1. Attic - SPLC 34.19 - Provide access to the inspector to all areas of the building.-
2. Basement - MSFC 704.1, 1105.1 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be:-Numerous holes cut in ceiling assembly.
3. Basement - 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.-No dryer at dryer vent. Vent is not capped.
4. Both basement entry doors - SPLC 34.09(4), 34.33 (3) - Repair and maintain the door in good condition.-Hole in doors for lock assembly.

5. Downspout ends - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-8989.-Crushed.
6. Driveway - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-8989.-Deteriorated.
7. Front stairs - SPLC 34.09 (3), 34.33(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. Every outside stair, porch and deck shall be constructed safely and shall be capable of supporting imposed loads as determined in the building code and shall be kept in a professional state of maintenance and repair with proper anchorage. This work may require a permit(s). Call DSI at (651) 266-8989.-Wood is deteriorated and soft. Chipped and peeling paint.
8. Lower - SPLC 34.19 - Provide access to the inspector to all areas of the building.- Failure to meet the inspector for the scheduled inspection and allow access to all areas of the building and premises will result in immediate enforcement action. Update 7/21/23 inspection: Minor child only person in lower unit. Did not inspect.
9. Lower unit - Rear door - SPLC 34.09 (3) 34.33 (2) -Stairs, porches, decks and railings. - Every stairway, porch, deck or step which is more than thirty (30) inches above grade shall have guardrails and intermediate rails, no more than six (6) inches apart or in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit.-
10. Lower unit - rear door - SPLC 34.09 (3) 34.33 (2) - Provide an approved handrail. Every required handrail and guard shall be firmly fastened and capable of supporting imposed loads and shall be maintained in a professional state of maintenance and repair and in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit.-
11. Multiple locations - SPLC 34.09 (4)(i), 34.33 (3) - Repair and maintain the door frame.- Deteriorated wood, chipped and peeling paint.
12. Multiple locations - SPLC 34.09 (4)b, 34.33 (3)b - Sashes shall be in sound condition and fit reasonably tight within the frame.-Deteriorated wood, chipped and peeling paint.
13. Multiple locations - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window frame.-Deteriorated wood. Chipped and peeling paint.

14. Multiple locations - SPLC 34.09 (4), 34.33 (3) -All screens shall be maintained in a professional state of maintenance and repair.-Missing or torn.
15. Sidewlk next to driveway - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Broken and crumbling.
16. Upper unit - Rear door - 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.-Threshold is pulling away and loose.
17. Upper unit - rear stairs and hallway - MSFC 1031.2, 1031.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.-
18. Upper unit - rear stairs by basement door - MSFC 604.1- All light fixtures shall be maintained with protective globes if originally equipped.-
19. Upper unit - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Receptacle next to refrigerator does not work.
20. Upper unit - SPLC 34.09 (4) a, 34.33 (3) a - Repair and maintain the window glass. Windows shall be fully supplied with window panes which are without open cracks or holes.-Pantry glass broken.
21. SPLC 39.02(c) - Complete and sign the smoke alarm affidavit and return it to this office.
22. Revocation is due to long-term non-compliance with the requirements of the Fire Certificate of Occupancy Program.
23. SPLC 34.09 (4)(i), 34.33 (3) - Repair and maintain the door frame.-
24. MSFC 307.4 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be under 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials| brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance.-
25. 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.-

26. SPLC 45.03 (7)- Grass and weeds. Grass which has grown upon any property to a height of eight (8) or more inches or weeds.-
27. SPLC 34.08 (1), 34.32 (1) - Sanitation. All exterior property areas shall be maintained in a clean, safe and sanitary condition, free from any accumulation of garbage, mixed municipal solid waste, animal feces or refuse.-

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: [leanna.shaff@ci.stpaul.mn.us](mailto:leanna.shaff@ci.stpaul.mn.us) or call me at 651-266-8980 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Leanna Shaff  
Fire Safety Inspector

Ref. # 105135