



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585  
legislativehearings@ci.stpaul.mn.us

RECEIVED

APR 11 2024

We need the following to process your appeal: **CITY CLERK**

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

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

Walk In       Mail       Email

Appeal taken by: \_\_\_\_\_

### HEARING DATE & TIME

(provided by Legislative Hearing staff)

Tuesday, April 16, 2024

Location of Hearing:

Telephone: you will be called between \_\_\_\_\_ & \_\_\_\_\_

In person (Room 330 City Hall) at: 2pm  
(required for all condemnation orders and Fire C of O revocations and orders to vacate)

## Address Being Appealed:

Number & Street: 786 Robert St City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Math Birk Email: mathbirk77@icloud.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651.703.4491

Signature: [Handwritten Signature] Date: 4.11.24

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.)

trying to evict tenant



March 21, 2024

PET ENTERPRISES  
786 ROBERT ST S  
ST PAUL MN 55107

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

RE: 786 ROBERT ST S  
Ref. # 75348

Dear Property Representative:

Your building was inspected on March 18, 2024, 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 re-inspection will be made on April 22, 2024 at 12:30 pm or the property vacated.***

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. Interior - MSFC 904.12.5.2 - Provide required six-month service of the hood and duct fire suppression system. Provide documentation from qualified contractor. *Provide documentation of the inspection report of the suppression system for the paint booth.*
2. Interior - 2311.2.3 Drainage and disposal of liquids and oil-soaked waste. Garage floor drains, where provided, shall drain to approved oil separators or traps discharging to a sewer in accordance with the International Plumbing Code. Contents of oil separators, traps and floor drainage systems shall be collected at sufficiently frequent intervals and removed from the premises to prevent oil from being carried into the sewers. *Have a contractor check the oil separator to make sure it is operation or allow access to verify its operation.*

3. Interior Throughout - MSFC 5303.5.3 - Secure the pressurized cylinders to prevent falling caused by contact.
4. Paint Booth - 2403.4 Operations and maintenance. Flammable vapor areas, exhaust fan blades and exhaust ducts shall be kept free from the accumulation of deposits of combustible residues. Where excessive residue accumulates in such areas, spraying operations shall be discontinued until conditions are corrected. *Clean the duct work and fan and remove the accumulations of deposits and debris from the paint booth duct work.*
5. Paint Room - MSFC 901.4.6.1 Access. Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access. Where located in the fire pump room or automatic sprinkler system riser room. the door shall be permitted to be locked provided that a key is available at all times. *Have the controllers for the suppression system in the paint room accessible.*
6. Paint Room - 5704.3.3.4 Empty containers or portable tank storage. The storage of empty tanks and containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled containers and portable tanks. Portable tanks and containers, when emptied, shall have the covers or plugs immediately replaced in openings. *Remove all combustible and flammable containers that are empty and being stored in the paint room.*
7. Throughout - Sec. 40.06. - Suspension, revocation and denial. Grounds for revocation. The fire code official may, in writing, 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, or deny an application therefor: Whenever the certificate was issued in error, or on the basis of incorrect information supplied;(2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate;(3) If it is found upon inspection of 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; (4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party; (5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code; (6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code; (7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or (8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code chapter 53 which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.

*The certificate of occupancy has been revoked due to, but not limited to long term non-compliance of multiple code violations, failure to show up for scheduled appointments.*

8. Upper Shop - 1010.1.9.1 Hardware. Except as permitted by Section 1010.1.9.4, door handles, pulls, latches, locks and other operating devices on doors shall only require a single operation to release the door from the egress side. *Remove the surface mounted slide dead bolt that has been added to the door.*

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>

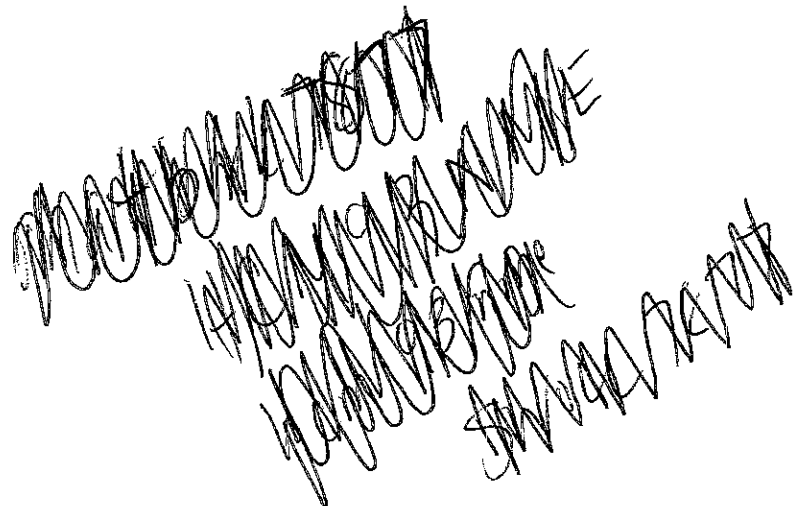
You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this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

If you have any questions, email me at: [brian.schmidt@ci.stpaul.mn.us](mailto:brian.schmidt@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Schmidt  
Fire Safety Inspector

Ref. # 75348

A large, stylized handwritten signature in black ink, slanted upwards from left to right. The signature is highly cursive and appears to read 'Brian Schmidt'.