



# APPLICATION FOR APPEAL

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CITY CLERK

Saint Paul City Clerk  
310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number \_\_\_\_\_) - Represented by SMRLS
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include DSI report
- This appeal form completed
- Walk-In OR  Mail-In

YOUR HEARING Date and Time:
Tuesday, Feb. 12, 2013
Time 11:00 a.m.
Location of Hearing:
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 906 Burr St. Apt. 2 City: St. Paul State: MN Zip: 55130  
(Upper)

Appellant/Applicant: Carla Folsom Email heather.meyers@smrls.org

Attorney: Heather Meyers  
Phone Numbers: Business SMRLS Residence \_\_\_\_\_ Cell 651-894-6919  
- Heather Meyers

Signature: Heather Meyers Date: 2-6-13

Name of Owner (if other than Appellant): Dennis Workman

Address (if not Appellant's): 35255 Elmcrest Ave. Ne. North Branch, MN

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-859-7203  
55056

## 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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Ms. Folsom resides in 906, Upper. I understand there was a fire in 904 lower recently. Both Ms. Folsom and Mr. Workman tell me that there are no safety, health, or hazard concerns related to 906, Upper. Ms. Folsom is low-income and disabled. She resides with another adult and two young children. Moving would be a significant hardship.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-8951  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

February 1, 2013

Dennis T Workman  
35255 Elmcrest Ave Ne  
North Branch MN 55056-4911

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

RE: 904 BURR ST  
Ref. # 17137

Dear Property Representative:

Your building was inspected on February 1, 2013, due to a fire on January 31<sup>st</sup>, 2013. 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 February 11, 2013 at 10:00am 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. 904 BURR - BASEMENT - NPFA 8.16.4.1.3 Where aboveground water-filled supply pipes, risers, system risers, or feed mains pass thorough open areas, cold rooms, passageways, or other areas expose to temperatures below 40 degrees, the pipe shall be protected against freezing by insulating coverings, frost proof casings, listed heat tracing systems, or other reliable means capable of maintaining a minimum temperature of 40 degrees. **-Per owner boiler in the basement was disabled two years ago. There is no heat in this area that contains fire sprinklers.**
2. 904 BURR - BASEMENT - MFGC 404.12 - Provide leak tight caps or plugs on disconnected or unused gas lines. **-Properly disconnect and cap the gas lines for the abandoned boiler.**
3. 904 BURR - BASEMENT - MSFC 104.9, 1005.3.2.2 - Remove the storage under the stairs or provide and maintain 1 hour fire resistive construction on the storage side of the stairs. **-Remove the garbage and debris thrown under the stairs.**

4. 904 BURR - LOWER UNIT - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
5. 904 BURR - UPPER UNIT - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
6. 904 BURR - UPPER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner. **-Repair or replace the carpeting.**
7. 904 BURR - UPPER UNIT - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. **-Thoroughly clean the walls and woodwork.**
8. 904 BURR - UPPER UNIT - MSFC 703 - Replace the fire rated door and assembly. The minimum rating must be: 20 minutes. **-Existing non-conforming wood panel doors have large cracks beyond repair and must be replaced.**
9. 904 BURR - UPPER UNIT - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
10. 904 BURR - UPPER UNIT - MSFC 605.4 - Discontinue use of all multi-plug adapters.
11. 904 BURR - UPPER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner. -Missing drawer front.
12. 904 BURR - UPPER UNIT - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090. **-Repair the damaged guardrail on the rear staircase.**
13. 904 BURR - UPPER UNIT - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. **-Remove the items stored on the rear staircase.**
14. 904 BURR - LOWER UNIT - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain the interior in a clean and sanitary condition.
15. 904 BURR - LOWER UNIT - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
16. 904 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the kitchen cabinets in an approved manner. **-Cabinets are broken and floor boards are rotted.**
17. 904 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
18. 904 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. **-Several holes in the walls.**

19. 904 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floors in an approved manner.
20. 904 BURR - LOWER UNIT - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s); call DSI at (651) 266-9090. **-Electric has been shut off to the unit after an electrical fire. Have the unit's electrical system repaired, finalized and approved under permit.**
21. 904 BURR - LOWER UNIT - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. **-Unit is condemned for lacking basic facilities (electric and heat), and for fire damage.**
22. 904 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
23. 904 BURR - LOWER UNIT - MSFC 315.2 - Provide and maintain orderly storage of materials.
24. 904 BURR - LOWER UNIT - SPLC 34.16 (2) - Properly dispose all of your garbage in the owner-provided containers.
25. 904 BURR - LOWER UNIT - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
26. 904 BURR - LOWER UNIT - SPLC 34.09 (3) i - Repair and maintain an approved one-inch throw single cylinder deadbolt lock.
27. 904 BURR - LOWER UNIT - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times. **-No heat to due electrical fire.**
28. 906 BURR - LOWER UNIT - SPLC 34.11 (4), 34.34 (1), MPC 4515, MPC 326 - Connect or cap the sewer piping in accordance with the plumbing code. **-Kitchen sink drain is not connected. Tenant has to drain water into buckets.**
29. 906 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner. **-Repair or replace the carpeting. -Secure the transition strips that are damaged creating a trip a cutting hazard.**
30. 906 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner. **-Countertop is rotted and pulling up from the cabinets.**
31. 906 BURR - LOWER UNIT - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
32. 906 BURR - LOWER UNIT - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. **-Untreated wood secured to the floor where owner indicates the floor is soft.**

33. 906 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
34. 906 BURR - LOWER UNIT - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. **-Repair the holes in the walls.**
35. 906 BURR - UPPER UNIT - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. **-Remove the items blocking the rear stairs. Remove the stored items blocking the bedroom egress window.**
36. 906 BURR - UPPER UNIT - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment. **-Remove the drapes and items stored by the unit heater.**
37. 906 BURR - UPPER UNIT - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire. **-Evidence of incense placed in woodwork with burn marks. Discontinue use of this unsafe practice.**
38. ENTIRE BUILDING - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090. **-Have the entire buildings electrical service inspected by a licensed electrician due to fire damage and deficiencies noted by your electrical contractor. -Also replace the 60 amp fuse that was used for a 20 amp circuit.**
39. EXTERIOR - THROUGHOUT - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition. **-Several exterior doors are not weather tight and have towels and rags being used as insulation.**
40. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
41. EXTERIOR - Remove the accumulation of snow or ice from the public and private sidewalk abutting this property. **-Sidewalks and stairs have not been shoveled, and have sheets of ice.**
42. EXTERIOR - SPLC 34.09 (1) b,c, 34.32 (1) b,c - 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. **-Scrape and paint where needed.**
43. EXTERIOR - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. **-Exterior has couches and futons covered in snow.**
44. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass, where cracked, broken or missing.

45. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.

46. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [adrian.neis@ci.stpaul.mn.us](mailto:adrian.neis@ci.stpaul.mn.us) or call me at 651-266-8992 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

A.J. Neis  
Fire Inspector

Ref. # 17137