



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

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 _____)
 - 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, <u>8/4/20</u>
Time <u>11:30</u>
Location of Hearing:
Room 330 City Hall/Courthouse

we will call between 11:30-1:00

Address Being Appealed:

Number & Street: 1195 E 4th St. City: St Paul State: Mn Zip: 55106

Appellant/Applicant: Leo Domekicheffti Email _____

Phone Numbers: Business ☒ Residence ☒ Cell 651-739-8522

Signature: [Signature] Date: 7/31/20

Name of Owner (if other than Appellant): Leo Domekicheffti

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ 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.)

Legislative Hearing Fact Sheet

Legislative Hearings provide a forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer also have an opportunity to be heard before the City Council if they wish to appeal further. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

Appeal Applications

Appeal application forms are available online at <http://www.stpaul.gov/index.aspx?NID=161> or they can be mailed to you calling 651-266-8585. Appeal applications may be submitted in person at or by mail at Legislative Hearings, 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council.

If you are appealing a special assessment or wish to be heard on a proposed order to abate a nuisance building, the appeal dates and times are automatically listed in the orders themselves.

Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair, Repurchase of Application
- 11:00 Summary & Vehicle Abatement Orders, Correction Notice/Orders by Code Enforcement
- 11:30 Condemnations, Revocations & Vacate Order
- 1:30 Fire Certificate of Occupancy Letters & Fire Inspection Correction Order, Inspection Appointment Letters
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases (Usually Code Compliance Inspection Report, Fence Variance) and Overflow Hearings

What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants will be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally, a decision cannot be made at the hearing and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

Interpreter: If you need an interpreter for your hearing, please call 651-266-8585 for us to arrange one.

345.0

July 29, 2020

**NOTICE OF CONDEMNATION AS
UNFIT FOR HUMAN HABITATION &
ORDER TO VACATE**

Leo J Domenichetti
1145 4th St E
St Paul MN 55106-5307

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1145 4TH ST E** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **July 29, 2020** and ordered vacated no later than **August 5, 2020**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

“Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned.”

THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. SPLC 34.23 CONDEMNATION: This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. The interior of home has gross unsanitary conditions. Inspector found the home filled with excessive storage, accumulation of garbage, refuse, combustibles, counters cluttered, unclean fixtures, egress windows blocked, small walking path throughout the home. This is also a fire hazard due to the excessive combustibles, lack of CO alarms, lack of smoke alarms, inadequate exits or access to exits, exposed/faulty electric wiring, potentially faulty gas connections due to installing a water heater without a permit. The interior of the home lacks maintenance and is dilapidated due to water leakage from the defective roof; causing water has damaged the ceilings, walls, floors. The wall/foundation in the basement has shifted. The property owner removed the chimney leaving a large hole from the top floor all the way through to the main floor creating is a dangerous/hazardous conditions.
1. SPLC 34.15 CARBON MONOXIDE ALARM: Immediately provide and maintain an approved Carbon Monoxide Alarm in a location **WITHIN TEN (10) FEET OF EACH SLEEPING AREA**. Installation shall be in accordance with manufacturer's instructions.
2. SPLC 34.10 CEILINGS: All ceilings must be maintained in a sound condition and in a professional state of maintenance and repair.
3. SPLC 45.03 COMBUSTIBLE MATERIALS: Immediately remove and discontinue **EXCESSIVE ACCUMULATION OF COMBUSTIBLE MATERIALS, EXCESSIVE STORAGE THROUGHOUT LIVING ROOM, DINING ROOM, HALLWAYS, WALKWAYS, BASEMENT AND THROUGHOUT THE HOUSE**.
4. SPLC 34.09 PORCH: Repair or replace the unsafe porch in a professional state of maintenance and repair. This work will require a permit(s). Call DSI at (651) 266-9090.
5. SPLC 33.03 (c) DRYER VENTING: **PROVIDE, REPAIR OR REPLACE THE DRYER EXHAUST DUCT**. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work will require a permit(s). Call DSI at (651) 266-8989.

6. SPLC 34.14 (2) ELECTRICAL PANEL CLEARANCE: Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
7. SPLC 34.13 EMERGENCY ESCAPE AND RESCUE OPENING: At least one window or door opening in every room used for sleeping purposes shall be openable from the inside and maintained in a professional state of maintenance and repair. Provide and maintain an approved opening from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989. **REMOVE ALL ITEMS IN FRONT OF AT LEAST ONE WINDOW IN EVERY BEDROOM. REMOVE ALL ITEMS AND STORAGE ON THE STAIRWAYS.**
8. SPLC 34.08 EXTERIOR SANITATION: All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. Remove the accumulation of exterior storage that creates a nuisance or harbors rodents. **REMOVE AC UNIT, STAGNANT WATER, GARBAGE, RUBBISH, REFUSE, DEBRIS ON SIDE YARD AND FRONT PORCH.**
9. SPLC 45.03 EXPOSED WIRES: Remove unapproved exposed wiring and repair or replace damaged electrical fixtures. Install in accordance with the electrical code. This work requires a permit(s). Call DSI at (651) 266-9090.
10. SPLC 34.10 FLOORS: All floors must be maintained in a sound condition and in a professional state of maintenance and repair. **REPAIR THE LARGE HOLES IN THE FLOORS ON THE TOP STORY OF THE HOUSE. REPAIR OR REPLACE ALL HOLES IN THE FLOORS AND ALL MISSING FLOOR BOARDS.**
11. SPLC 34.09 FOUNDATION: Provide and maintain foundation elements to adequately support this building at all points. Repair deteriorated or defective foundation in a professional state of maintenance and repair. The foundation shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit dampness to the interior portions of the wall or to the interior spaces of structures. Permit will be required. **REPAIR THE LARGE CRACK/SHIFT IN THE BASEMENT WALL.**
12. SPLC 45.03 INTERIOR SANITATION: The interior shall be maintained in a clean and sanitary condition, free from any accumulation of refuse or garbage. **REMOVE ALL GARBAGE, RUBBISH AND REFUSE INSIDE THE HOUSE. CLEAN AND SANITIZE THE INTERIOR OF THE HOME INCLUDING BUT NOT LIMITED TO THE FLOORS, WALLS, APPLIANCES, COUNTER TOPS, CABINETS, WOODWORK, ETC. PLEASE CONTACT LAUREN LIGHTNER FROM RAMSEY COUNTY HOUSE CALLS AT 651-266-1285 FOR ASSISTANCE WITH SANITATION ISSUES.**
13. SPLC 34.15 SMOKE DETECTOR: The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. **INSTALL A SMOKE DETECTOR IN A CENTRALIZED LOCATION ON EVERY FLOOR WITHIN TEN (10) FEET OF EACH SLEEPING AREA.**

14. SPLC 34.10 INTERIOR STAIRS: Every flight of stairs shall be maintained in a professional state of maintenance and repair. 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. **INSTALL A HANDRAIL ALONG THE BASEMENT STAIRS.**
15. SPLC 34.10 WALLS: All walls must be maintained in a sound condition and in a professional state of maintenance and repair. **REPAIR THE LARGE CRACK/SHIFT IN THE BASEMENT WALL. REPAIR ALL HOLES, MISSING/EXPOSED WALLS THROUGHOUT THE HOUSE.**
16. SPLC 34.11 WATER HEATER: Every residential building or residential portion of a building shall have water heating facilities installed in accordance with the plumbing code, properly maintained and properly connected with hot water lines required under paragraph (4) of this section and which are capable of heating water to a temperature of 110 degrees Fahrenheit but not more than 120 degrees Fahrenheit. An adequate amount of water pressure shall be available for the system served. Call DSI at (651) 266-9090. **WATER HEATER WAS INSTALLED WITHOUT A PERMIT. PLEASE OBTAIN A CITY PERMIT HAVE IT INSPECTED AND APPROVED. AND HAVE THE WATER HEATER INSPECTED TO ENSURE THAT IT IS PROPERLY INSTALLED. THIS WORK WILL REQUIRE A PERMIT(S).**
17. SPLC 34.09 ROOF: Provide and maintained the roof weather tight and kept in a professional state of maintenance and repair, impervious to water and have no defects which admit water or dampness to the interior of the building. **PERMIT REQUIRED.**

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

18. SPLC 34.10 CABINETS: All cabinets must be maintained in a sound condition and in a professional state of maintenance and repair.
19. SPLC 34.09 EXTERIOR DOOR: Repair and maintain the door in good condition including the door latch and frame.
20. SPLC 34.09 WINDOWS: Repair and maintain the window in good condition including the glass, sash, frame and screens. Windows shall be without cracks or holes, sashes shall be in sound conditions, the window shall be easily opened and maintain the open position. All screens shall be maintained in a professional state of maintenance and repair.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Stephan Suon, at 651-331-8273. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Stephan Suon
Enforcement Officer

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cc: Posted to ENS

