

RLH FCO 19.66



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 07 2019

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 # 10126)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In Fax
- for abatement orders only: Email OR Fax

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>JUNE 18, 2019</u>
Time <u>1:30</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 506 KENNY ROAD City: ST. PAUL State: MN Zip: 55130

Appellant/Applicant: DNZ LLC Email: CNENGYANG@UHHCARE.NET

Phone Numbers: Business 651-489-4735 Residence _____ Cell _____

Signature: _____ Date: 06/05/2019

Name of Owner (if other than Appellant): NENG C. YANG

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.)

Comments:

I am appealing because I disagree with the Fire Inspection Correction Notice (Ref # 12288) specifically for line item #9 and #32, #33 on the correction notice letter.

#9, reason is 2nd exit door will cause safety concerns for our confidential file/storage in the basement and throughout the history of the building inspection with past owners had been approved.

#32,33, reason is it was approved by previous inspection in 2018 with the general contractor - Sullivan Day.



UNITED HOME HEALTHCARE, INC. – PROVIDER #A245728800
510 Brunson Street Suite 200, Saint Paul, MN 55130 (Phone 651-489-4735) (Fax 651-489-4738)

FAX COVER SHEET

DATE	06/05/2019
FROM	Bernie Vang
TO	Jan - St. Paul City Council Legislative Hearings

PHONE #	FAX # 651-266-8574
RE:	Appeal Application - DNZ, LLC (Fire Inspection Correction)

Number of pages 4 (Including Fax Cover Sheet)

MESSAGE	<p>Dear Jan,</p> <p>Enclosed are the following forms:</p> <ol style="list-style-type: none"> 1. Application for Appeal 2. Fire Inspection Correction Notice (1st page only) 3. Fire Certificate of Occupancy (for reference of building address) <p>I spoke to Sebastian Migdal (651-2265840) early today and he informed me to contact you to begin the appeal process regarding the Fire Inspection Notice.</p> <p>I will mail in the \$25 filing fee.</p> <p>Please let me know if further questions.</p> <p>Thank you,</p> <p>Bernie Vang - Administrator</p>
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Confidentiality Notice: The information contained in this facsimile is confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, you are hereby notified that the disclosure, copying, distribution, or taking of any action in regards to the contents of this fax – except its direct delivery to the intended recipient – is strictly prohibited. If you have received this fax in error, please notify the sender immediately and destroy this cover sheet along with its contents, and delete from your system, if applicable.

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

May 20, 2019

DNZ LLC
510 Branson St #200
Saint Paul MN 55130-4575

FIRE INSPECTION CORRECTION NOTICE

RE: 506 KENNY ROAD
Ref. #12288

Dear Property Representative:

Your building was inspected on May 13, 2019 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. A re-inspection will be made **on or after June 20, 2019**.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. BASEMENT LEVEL - ABANDONED STAIRWELL - 1030.5 Nonexit identification. Where a door is adjacent to, constructed similar to and can be confused with a means of egress door, that door shall be identified with an approved sign that identifies the room name or use of the room.
-Letters must be at least 4 inches in size and contrast with the background.
2. BASEMENT LEVEL - ELECTRICAL ROOM - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

An Equal Opportunity Employer



FIRE CERTIFICATE OF OCCUPANCY

City of Saint Paul
Department of Safety and Inspections
Division of Fire Inspection



This certificate is issued in accordance with SPLC Chapter 40, and other applicable provisions of the Saint Paul Legislative Code.

506 KENNY ROAD / 510 BRUNSON AVE

This building is certified for the following occupancy or use : **Office (Low-Rise)**
Business

Reference Number:
12288

Certificate is issued to:
DNZ LLC
510 BRANSON ST #200
SAINT PAUL MN 55130-4575

This Certificate must be posted in a conspicuous location upon the certified building
Please direct questions to DSI - Fire Inspection Division 651-266-8989.

Peterson, Janis (CI-StPaul)

From: cnengyang@uhhcare.net
Sent: Wednesday, June 05, 2019 3:09 PM
To: Peterson, Janis (CI-StPaul)
Subject: RE: Appeal Application Fax Received

Think Before You Click: This email originated outside our organization.

Janis,

The check of \$25.00 has been mailed out today.

Thank you,

Neng C. Yang - President
United Home Healthcare, Inc.
510 Brunson Street, Suite 200
Saint Paul, MN 55130
651-489-4735
651-489-4738 (fax)

"This message and its contents are confidential. If you received this message in error, do not use or rely upon it. Instead, please inform the sender and then delete it. Thank you."

-----Original Message-----

From: "Peterson, Janis (CI-StPaul)" <janis.peterson@ci.stpaul.mn.us>
Sent: Wednesday, June 5, 2019 2:19pm
To: "cnengyang@uhhcare.net" <cnengyang@uhhcare.net>
Subject: Appeal Application Fax Received

Mr. Yang,

I received your faxed appeal application. Thank you. The application will be processed when the payment is received. The Legislative Hearing time and date will be scheduled at that time.

Janis



Janis Peterson

Executive Assistant

St. Paul City Council

15 West Kellogg Boulevard, Suite 310

Saint Paul, MN 55102

651-266-8560

janis.peterson@ci.stpaul.mn.us

The Most Livable
City in America



Making Saint Paul the Most Livable City in America



CITY OF SAINT PAUL

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May 20, 2019

DNZ LLC
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Ref. #12288

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YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. BASEMENT LEVEL - ABANDONED STAIRWELL - 1030.5 Nonexit identification. Where a door is adjacent to, constructed similar to and can be confused with a means of egress door, that door shall be identified with an approved sign that identifies the room name or use of the room.
-Letters must be at least 4 inches in size and contrast with the background.
2. BASEMENT LEVEL - ELECTRICAL ROOM - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

3. BASEMENT LEVEL - ELEVATOR EQUIPMENT ROOM - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
4. BASEMENT LEVEL - STORAGE - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.
-Remove the propane cylinder from the building.
5. BASEMENT LEVEL - STORAGE ROOM - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
6. BASEMENT LEVEL - THROUGHOUT - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
7. BASEMENT LEVEL - THROUGHOUT - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.
-Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations. Provide additional fire extinguishers in the basement level, you do not meet the spacing requirements for extinguishers.
8. BASEMENT LEVEL - THROUGHOUT - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.
-Multiple painted fire sprinkler heads were observed at the time of inspection. Replace all painted fire sprinkler heads.
9. BASEMENT LEVEL - 1104.19 Common path of egress travel.
The common path of egress travel shall not exceed the distances given in Table 1104.17.4.
-Basement level has only one exit. Provide a second code compliant exit from the basement level. All work must be done by a qualified contractor and under permit.
10. BASEMENT LEVEL - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
-Extension cord cannot feed the power strip.

11. EGRESS FROM THE UPPER LEVEL ASSEMBLY SPACE - THROUGHOUT - 1030.2 Reliability.
Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.
-Egress from the assembly area must be code compliant throughout the entire egress path.
12. EXTERIOR - GAS METER ROOM - SPLC 34.33 (3) - Repair and maintain the door in good condition.
-Unable to open the door at the time of inspection. Repair or replace the door.
13. FRONT STAIRWELL - SECOND FLOOR LANDING - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.
-Remove the cardboard form the stairwell.
14. MAIN LEVEL - 100 - DOOR NEAR PT AREA - 509.1 Identification.
Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.
-Provide a sign that reads FIRE SPRINKLER RISER ROOM as discussed.
15. MAIN LEVEL - 110 - MSFC 1104.1, 1008.1.10 - Provide and maintain approved panic release hardware on all exit doors.
-Occupant load exceeds 50, provide panic hardware on the rear exit.
16. MAIN LEVEL - 110 - MSFC 1104.1, 1008.1.9.3 - Post a sign stating 'THIS DOOR. MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED' at main exits with interior key locks. The minimum stroke of the letter must be 1 inch high with a contrasting background.
-Provide sign on the egress side of the both front exit doors.
17. MAIN LEVEL - 110 - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. -Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
18. MAIN LEVEL - 110 - BOTH EXITS - MSFC 1104.3, 1011.1 - Provide and maintain approved directional exit signs.
19. MAIN LEVEL - 110 - BOTH EXITS - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system.

20. MAIN LEVEL - 110 - EGRESS SIDE OF MAIN EXIT - MSFC 1004.3- Post the occupant load on an approved sign in a conspicuous location near the main exit of the room.
-Occupant load sign will be provided by the inspector at the time of inspection.
21. MAIN LEVEL - 140 - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
22. MAIN LEVEL - 150 - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
23. MAIN LEVEL - MAD SCIENCE - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
24. MAIN LEVEL - MAD SCIENCE - BACK ROOM - 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.
-Hang the fire extinguisher on a bracket so that it's no more than 5 feet off the ground.
25. MAIN LEVEL - MAD SCIENCE - FRONT OFFICE AREA - 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.
-The hard-wired smoke alarm in the tenant space was non-functional and more than 10 years old at the time of inspection. Replace the hard-wired smoke alarm.
26. MAIN LEVEL - MAD SCIENCE - NEAR THE REFRIGERATOR - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
27. MAIN LEVEL - SUITE 130 - 509.1 Identification.
Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.
-Provide a sign that reads DOOR BLOCKED. Sign must be at least 4 inches in size and contrast with the background.

28. THROUGHOUT - PERMITS - Sec. 33.02.1. - Enforcement.
The department of safety and inspections shall have the authority to enforce this chapter, the state building code, and the rules and regulations adopted by the city or made applicable thereto by federal and state law. Enforcement may be by inspection, criminal citation, or any other remedy available by law.
-There are multiple open permits at this property. Please have contractor final open permits.
-5 open building permits.
-1 electrical permit.
29. THROUGHOUT THE ENTIRE BUILDING - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
30. UPPER LEVEL - REAR STAIRWELL DOOR - MSFC 1104.1, 1008.1.10 - Provide and maintain approved panic release hardware on all exit doors.
-Panic hardware is required on the door to the assembly area egress through this door.
31. UPPER LEVEL - ASSEMBLY ROOM - MAIN EXIT - EGRESS SIDE OF THE DOOR - MSFC 1004.3- Post the occupant load on an approved sign in a conspicuous location near the main exit of the room.
-Sign will be provided by inspector at the time of inspection.
32. UPPER LEVEL - ASSEMBLY ROOM - REAR EXIT - MSFC 1104.7, 1008.1.2 - Exit doors must swing in the direction of travel. Change the swing of the door.
-Occupant load for the room exceeds 50 occupants and therefore the door needs to swing in the direction of egress travel.
33. UPPER LEVEL - ASSEMBLY ROOM - REAR EXIT - MSFC 1104.1, 1008.1.10 - Provide and maintain approved panic release hardware on all exit doors.
-Occupant load for the room exceeds 50 and therefore panic hardware is required.

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: Sebastian.Migdal@ci.stpaul.mn.us or call me at 651-266-8985 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Safety Inspector

Reference Number 12288