



# APPLICATION FOR APPEAL

RECEIVED

DEC 02 2010

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 \_\_\_\_\_)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed

**YOUR HEARING Date and Time:**

Tuesday, 12-14-10

Time 1:30

Location of Hearing:  
Room 330 City Hall/Courthouse

Mailed 12/6/10

## Address Being Appealed:

Number & Street: 1253 St. Clair Ave City: ST. P State: M Zip: 55116

Appellant/Applicant: Larry Gist Email \_\_\_\_\_

Phone Numbers: Business 952-452-5215 Residence 952-462-5215 Cell \_\_\_\_\_

Signature: [Signature] Date: 11/19/10

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

Address (if not Appellant's): \_\_\_\_\_

Phone Numbers: Business 952-452-5215 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
- Fire C of O: Only Egress Windows

Code Enforcement Correction Notice

Vacant Building Registration

Other

Other

Other

# 106670 + # 107589

2497-99

Egcombe Rd



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)

November 5, 2010

LARRY W GIST  
8082 UPPER 129TH CT  
APPLE VALLEY MN 55124-9759

### FIRE INSPECTION CORRECTION NOTICE

RE: 1253 ST CLAIR AVE  
Ref. #106670  
Residential Class: C

Dear Property Representative:

Your building was inspected on November 2, 2010 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 December 17, 2010 at 9:30 AM.

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. 1253 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Reduce storage in basement by 20 percent.
2. 1253 - Basement - SPLC 34.23, MSFC 110.1 - This basement is condemned as a sleeping area. This occupancy must not be used as a sleeping area until re-inspected and approved by this office.
3. 1253 and 1255 - Basement steps - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate ballustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.

An Equal Opportunity Employer

4. 1255 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Consolidate and reduce storage in basement by 20 percent and on the first floor by 10 percent.
5. Garage - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Remove all garbage.
6. Steps east and west of the house - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate ballustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.
7. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
8. MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651)- 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-Double hung windows  
1255  
22 h x 25 w Glazed 7.2 sq ft  
1253  
22 h x 25 w Glazed 7.2 sq ft
9. MN State Statute 299F.50 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 manufacturers instructions.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

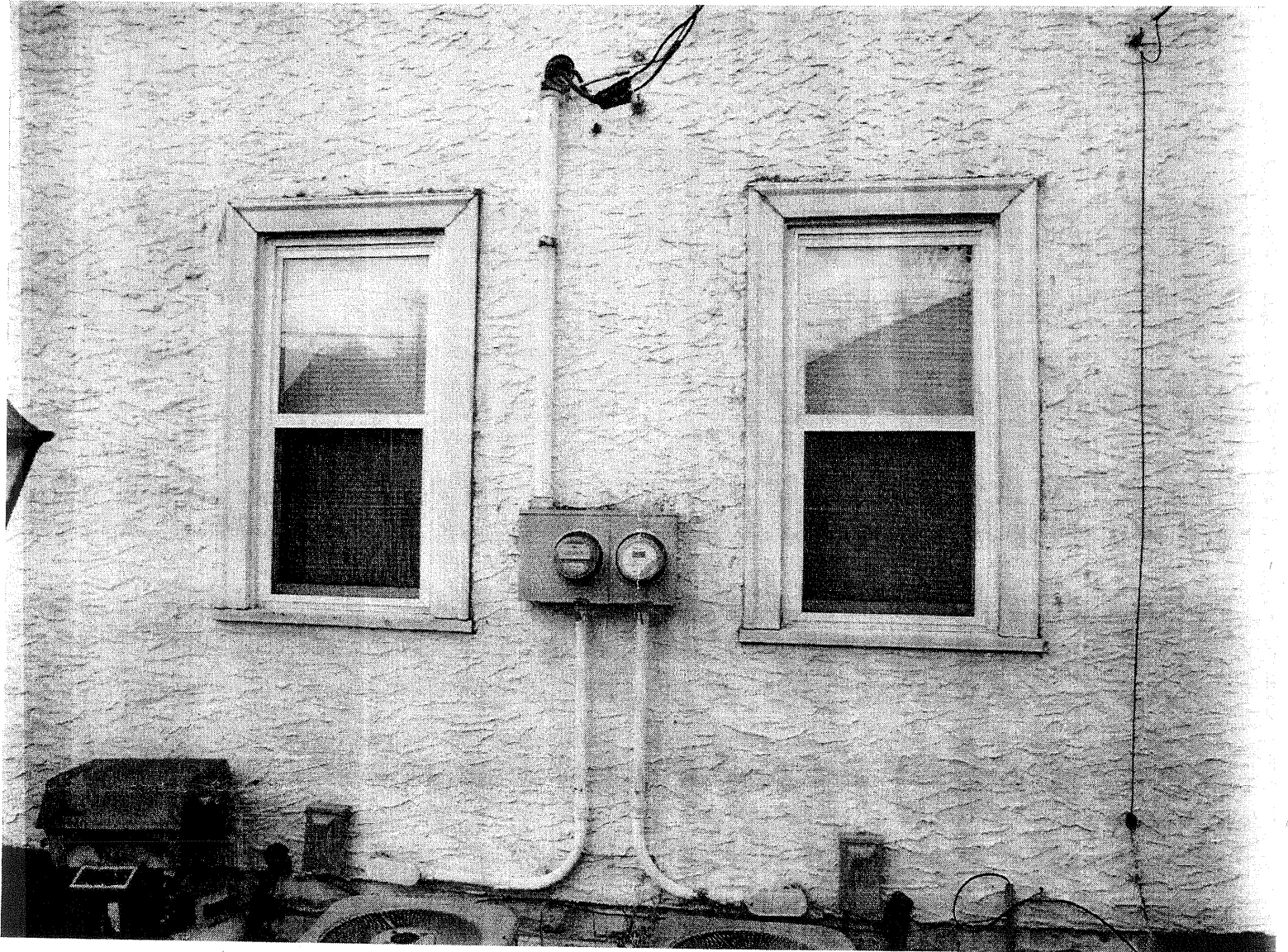
You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [rick.gavin@ci.stpaul.mn.us](mailto:rick.gavin@ci.stpaul.mn.us) or call me at 651-266-8994 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Rick Gavin  
Fire Inspector

Reference Number 106670



1253-55 ST. CLAIR

. 25-22



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

**SMOKE AND CARBON MONOXIDE DETECTOR  
INSPECTION AFFIDAVIT**

\*\* This affidavit must be completed and returned to the fire inspector upon inspection of the property. A certificate of occupancy cannot be issued/renewed without this completed affidavit. If all the units were not inspected by one person, signatures of all persons inspecting are required. More than one sheet may be used. \*\*

1253-55 St. Clair Ave, 53-55 \_\_\_\_\_  
Address # of Units C of O #

**I affirm that I have given the occupant of each dwelling unit or guest room in the building at the above address a written explanation of the following:**

1. The location and operation of each smoke detector and carbon monoxide detector.
2. Instructions describing the action to be taken when an alarm sounds.
3. The procedures for testing the detectors.
4. Who to contact when a low-battery tone sounds or power light fails.
5. The penalties for disabling smoke detection or carbon monoxide detection.

Signature: [Signature] Date: 11/24/10

**I affirm that I personally inspected the smoke detectors and carbon monoxide detectors in the dwelling units and guest rooms in the building at the above address as follows and that all detectors were in place and good working order:**

Apt. #	Apt. #	Apt. #	Apt. #	Apt. #	Apt. #
<u>53</u>	<u>55</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Signature: [Signature] Date: 11/24/10

Minnesota State Statutes 299F.362 requires smoke detectors and Minnesota State Statute 299F.50 requires carbon monoxide detectors and Saint Paul Ordinance 39.02 (c) requires that an affidavit stating that "all detectors are inspected and serviced when needed and are operational be filed before a Certificate of Occupancy can be issued or renewed."