



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

SEP 04 2013

CITY CLERK

We need 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/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

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|---|
| HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>9-10-13</u> |
| Time <u>1:30 PM</u> |
| Location of Hearing: Room 330 City Hall/Courthouse |

Address Being Appealed:

Number & Street: 1246 UNIVERSITY AVE. W. City: ST. PAUL State: MN Zip: 55104

Appellant/Applicant: R DAVID REYNOLDS Email ReynoldsGroupPL@gmail.com

Phone Numbers: Business 651 603 8881 Residence NA Cell 651 233 7523

Signature: [Signature] Date: 9/4/13

Name of Owner (if other than Appellant): [Signature]

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
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other
- See attached sheets.
Items # 15 + 16 of attached order.



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

August 29, 2013

MENLO PARK ST. PAUL ATTN: MAREE COOK
1246 UNIVERSITY AVE W #100
ST PAUL MN 55104

FIRE INSPECTION CORRECTION NOTICE

RE: 1246 UNIVERSITY AVE W
Ref. #96264

Dear Property Representative:

Your building was inspected on August 2, 2013 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 **September 24, 2013 at 11:00 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. 2ND FLOOR - BACK HALLWAY - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Provide ceiling tile where missing.
2. 2ND FLOOR - FRONT HALLWAY - NFPA 13 6.2.7.2 Escutcheons shall be part of a listed sprinkler assembly.-Provide escutcheon plate where missing.
3. 2ND FLOOR - STAIRWAY D - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove the chair from the stairway.

4. 3RD FLOOR - AUTO CLAVE ROOM - MSFC 906.7 Hangers and brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.-MSFC 906.7 Hangers and brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.
5. 3RD FLOOR - STAIRWAY D LANDING BETWEEN 2ND AND 3RD FLOOR - MSFC 1010.5, SPLC 34.14 (2) d, SPLC 34.34 (5) b - Provide and maintain illumination in all portions of the exit system.-Replace the burnt out bulb.
6. 404 - DOOR LEADING TO TENANT SPACE - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Cap off the double cylinder lock on the egress side.
7. 4TH FLOOR - 429 - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide a fire extinguisher with a minimum rating of 2A10BC. Assure that the fire extinguisher is hung on a bracket no more than 5 feet off the ground.
8. 4TH FLOOR - BREAK ROOM - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove or cap off the deadbolt lock.
9. 4TH FLOOR - ELECTRICAL ROOM - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Cannot daisy chain power strips.
10. 4TH FLOOR - ELECTRICAL ROOM - MSFC 510.1 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 on the door leading to the electrical room that reads ROOF ACCESS.
11. 4TH FLOOR - NANO COMMON AREA - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Re-adjust the ceiling tile.
12. 4TH FLOOR - SAFE - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Ceiling tile is missing. Provide ceiling tile.
13. 4TH FLOOR - STAR ROOM 404 - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide a fire extinguisher with a minimum rating of 2A10BC. Assure that the fire extinguisher is hung on a bracket no more than 5 feet off the ground.

14. EXTERIOR - GENERATOR - MSFC 604.3 Maintenance. Emergency and standby power systems shall be in accordance with NFPA 110 and NFPA 111 such that the system is capable of supplying the service within the time specified for the type and duration required.-Provide required annual testing of the generator. Email inspector documentation prior to reinspection.
15. FIRST FLOOR - OLD DATA CENTER - MSFC 901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed.-Provide annual testing of the Halon system. Email inspector documentation prior to the reinspection. System last tested in 2003.
16. FIRST FLOOR - SECURITY GATES IN THE WEST HALLWAY - MSFC 1008.1.3.5 Security grilles. In Groups B, F, M and S, horizontal sliding or vertical security grilles are permitted at the main exit and shall be openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied. The grilles shall remain secured in the full-open position during the period of occupancy by the general public. Where two or more means of egress are required, not more than one-half of the exits or exit access doorways shall be equipped with horizontal sliding or vertical security grilles.-Remove one of the security gates/grilles.
17. GENERAL - FIRE ALARM - MSFC 907.20 as amended - Provide required annual maintenance of the fire alarm system by a qualified person and provide written documentation to this office as proof of compliance.-Email inspector documentation prior to reinspection.
18. GENERAL - SPRINKLER SYSTEM - MSFC 901.6 - Provide required annual inspection and testing of the fire sprinkler system by a licensed fire sprinkler contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the riser showing the latest date of inspection and testing.-Email inspector documentation prior to reinspection.
19. INTERIOR - THROUGHOUT - MSFC 903.4.4 - Provide approved physical security of all fire sprinkler control valves.
20. MAIN FLOOR - DOOR LEADING TO ALLY STORAGE - MSFC 2703.5 - Provide NFPA 704 hazard identification placards per handout HM-1. Blue =1 Red =3 Yellow =0 White =BLANK Size =6 INCH-Provide a placard on the door.
21. MAIN FLOOR - EAST GARAGE - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.- Provide a fire extinguisher with a minimum rating of 2A10BC. Assure that the fire extinguisher is hung on a bracket no more than 5 feet off the ground.

22. MAIN FLOOR - MAIN EXIT DOORS EGRESS SIDE - MSFC 1010.1, 1003.3.1.8 - 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.-No sign present. Provide sign where missing.
23. MAIN FLOOR - WEST GARAGE - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.- Provide a fire extinguisher with a minimum rating of 2A10BC. Assure that the fire extinguisher is hung on a bracket no more than 5 feet off the ground.

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. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Inspector

Reference Number 96264

Attachment to;

Application for Appeal

#15 Since I purchased the building approximately 10 years ago I use the Old Data Center (computer room) as my office. If we found a tenant for the space who needed the system we would comply with the order, but to maintain it when it is unneeded and unused seems pointless. And, there is a real probability that the Data Center could be rented (for that purpose) and to remove the system at considerable cost, only to have to possibly replace it, at additional considerable cost, seems to be an inefficient use of limited resources and serves no purpose.

Our solution would be to mark the system "in-operational" and if requested disconnect the tank, but not to rip the whole system out.

#16 The gates that exist secure a single Business that occupies that space. The gates are only secured at the end of business day by the last remaining employee as they leave. The existing exits of the building are not restricted by these gates. This has been the existing system for the past 10 years and removing the gates would decrease the security of the area with no increase in egress for anyone.