



# APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

NOV 12 2010

CITY CLERK

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, 11/30/10

Time 11:00

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 256 Marshall Ave City: ST Paul State: MN Zip: 55102

Appellant/Applicant: Philip Black / Dan Boler Email philip.black@towndevelopment.com

Phone Numbers: Business 651 470 8030 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] Date: 11/18/10

Name of Owner (if other than Appellant): Town Development / Philip Black

Address (if not Appellant's): 1360 University Ave W #301 ST Paul, MN 55104

Phone Numbers: Business 651 470 8030 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

We might need a little more time. Please!

Most have been completed, but I want to make sure my tenants don't get kicked out in the street. All immediate safety issues have been completed & signed off on.

Attached is the deficiency list, and every thing checked is completed.



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 8, 2010

B And B Properties Of St Paul  
2230 County Road C W  
St Paul MN 55113-2504

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

RE: 256 MARSHALL AVE

Dear Property Representative:

Your building was inspected on November 8, 2010, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 33.05 of the Saint Paul Legislative Code.

**A re-inspection will be made on November 10, 2010 at 8:30 am to check all smoke and co detectors. A final inspection will be on December 1, 2010 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. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
2. 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.
3. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
4. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
5. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.

6. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
7. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.
8. Exterior - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.
9. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
10. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.
11. Exterior - 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.
12. Interior - 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.-Per report from licensed contractor boiler is leaking CO and did not pass inspection. Repair or replace immediately. Fax documentation to: 651-266-8951. Repair or replace all radiators that are not working throughout the building.
13. Interior - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Replace all missing smoke detectors immediately, in units 1, 2, 9 and throughout.
14. Interior - 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.
15. Interior - 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.-Fax a copy of the report to: 651-266-8951
16. Interior - 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.-Fax a copy of the service to: 651-266-8951
17. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
18. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.

19. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting that is torn in the hallways.
20. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Paint and patch the walls in units 2, 9, 10 and throughout.
21. Interior - MSFC 703 - Provide, repair or replace the fire rated door and assembly throughout.
22. Interior - UMC 504.6 - 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. This work requires a permit(s). Call DSI at (651) 266-8989.-Replace the dryer vent per code. Permit required.
23. Interior - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work require a permit(s). Call DSI at (651) 266-9090.-Repair or replace the boiler that is leaking co. Fax the annual report and the repair information to 651-266-8951.
24. Interior througout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.
25. Interior throughout and unit3 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
26. Interior-Unit 10 - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
27. Interior-throughout - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove all area rugs from the hallways and repair the rotted floor causing a hazard.
28. Unit 1 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
29. Unit 1 and 5. - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 4715.0200.C - Provide an approved number and type of plumbing fixtures.-Repair all plumbing leaks in the bathroom of unit 1 and repair the kitchen faucet in unit 5
30. Unit 2 and throughout. - 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.-Provide bulbs for hallway lighting and repair lights in unit 2.
31. Unit 2, 6, 9, 10 and throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
32. Unit 3, 5, and 10 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.

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

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: [lisa.martin@ci.stpaul.mn.us](mailto:lisa.martin@ci.stpaul.mn.us) or call me at 651-266-8988 between 6:30 - 8:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin  
Fire Inspector