



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

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NOV 14 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 465213)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>November 26, 2013</u>  Time <u>11:30 AM</u> Location of Hearing: Room 330 City Hall/Courthouse
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### Address Being Appealed:

Number & Street: 220 Winifred St W City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Philip Tobey Email: KALATESEWIOR@Frontier.net.net

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-719-7500

Signature: P. Tobey Date: \_\_\_\_\_

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

Mailing Address if Not Appellant's: 14696 Dory Ct. Apple Valley, MN 55124

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-719-7500

### 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

Need more time to sell building need more time for tenants to find alternate housing

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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, 2013

PHILIP TOBEY  
14696 DORY CT  
APPLE VALLEY MN 55124

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

RE: 220 WINIFRED ST W  
Ref. # 106467

Dear Property Representative:

Your building was inspected on November 5, 2013, 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 40.06 of the Saint Paul Legislative Code.

**A re-inspection will be made on November 15, 2013 at 2:00 pm 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. Basement - Floor - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Remove standing water on basement floor. Clean and sanitize flooring and walls after water has been removed.
2. Basement - Staircase - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Missing handrail on basement staircase.
3. Basement - Supports - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.-Have license contractor inspect, test and write detailed report and submit to inspector at 651.266.8951.

4. Basement - Throughout - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-Dampness throughout and standing water on floor.
5. Basement - Unit Electrical Boxes - NEC 408.4 Circuit Directory or Circuit Identification. Label box breaker boxes for each unit. Install missing breaker schedules on inside of panel doors.
6. Basement - Wash Sink - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Cap unused wash sink plumbing pipe.
7. Building - Throughout - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-Repair or replace missing or damaged screen/storm windows throughout as needed.
8. East Exterior - East Deck Support Posts - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.-Repair deck supports under permit.
9. East Exterior - East Staircase - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Replace east staircase under permit.
10. East Exterior - Underneath Deck - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Remove corroded outlet underneath deck.
11. East Exterior - Underneath Deck - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Missing weatherproof cover plate on outlet.
12. Exterior - Drive Way - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.-Replace parking pad on back side of property. Repair or replace drive way under permit.
13. Exterior - Electrical Mast - 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.-Have a licensed contractor pull permit to verify service is safe to building.
14. Exterior - Underneath North Staircase - SPLC 34.09 (1) b,c, 34.33 (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.-Repair damaged wall covering underneath north staircase.

15. Exterminator Report - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Hire a licensed contractor to inspect and treat for mice.
16. Foundation Walls - Grading and Drainage - 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.- Repair grading and drainage throughout property under permit.
17. Foundation Walls - Throughout Basement - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.-Have licensed contractor inspect basement walls and foundation walls for support and stability throughout basement. Send in a written report to inspector at 651.266.8951.
18. North Porch - Above Storm Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace broken window above north storm door.
19. North Porch - Ceiling Fixture - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light bulb and light cover.
20. North Porch - Flooring - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Replace damaged flooring in north porch.
21. UNIT 1 - Kitchen Ceiling - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-Repair damaged kitchen ceiling under permit.
22. UNIT 1 - Kitchen Floor Tile - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile.
23. UNIT 1 - Kitchen Fridge - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-Plug fridge cord directly into wall outlet.
24. UNIT 1 - Light Fixtures - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace all burnt out or missing light bulbs. Replace all missing light fixture covers throughout as needed.
25. UNIT 1 - Southeast Bedroom - 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. -Replace broken bedroom door.

26. UNIT 1 - Throughout - 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.  
-Replace all missing door handles throughout unit.
27. UNIT 1 - Throughout Unit - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Replace all painted over wall outlets throughout unit.
28. UNIT 1 - Underneath Kitchen Sink - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-Repair or replace wall underneath kitchen sink.
29. UNIT 1 - Underneath Kitchen Sink - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Missing floorboard under sink.
30. UNIT 1 - Unit Entry/Exit Door - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Missing deadbolt lock on unit entry/exit door.
31. UNIT 1 - West Kitchen Door - 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.
32. UNIT 2 - Bedroom - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way.-Remove all clothing and material blocking bedroom door, egress window and path in and out of bedroom and behind entry/exit door.
33. UNIT 2 - East Bedroom - 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.  
-Replace or repair bedroom door.
34. UNIT 2 - Entry/Exit Door Frame - 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. -Repair or replace damaged entry/exit door frame and jam.
35. UNIT 2 - Kitchen Ceiling - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light fixture cover.
36. UNIT 2 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Tenant is to clean and sanitize unit throughout.
37. UNIT 2 - Toilet - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Repair running toilet.

38. West Exterior - Basement Entry/Exit Door - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Replace or install missing door sweep.
39. 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.

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: [sean.westenhofer@ci.stpaul.mn.us](mailto:sean.westenhofer@ci.stpaul.mn.us) or call me at 651-266-8982 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,

Sean Westenhofer  
Fire Inspector  
Ref. # 106467