



APPLICATION FOR APPEAL

RECEIVED
SEP 16 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, <u>Sept. 21</u>
Time <u>11:30</u>
<u>Location of Hearing:</u>
<u>Room 330 City Hall/Courthouse</u>

walk in

Address Being Appealed:

Number & Street: 638-640 Oakdale Ave City: St. Paul State: MN Zip: 55107

Appellant/Applicant: James Yacoub Email Jamesyacoub@WORNORTHSTAR.com

Phone Numbers: Business 651-451-2850 Residence _____ Cell 651-398-7653

Signature: [Signature] Date: 9/16/10

Name of Owner (if other than Appellant): _____

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other
- Other
- Other

received list + given 5 days to finish

work is now complete



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

September 9, 2010

James Yacoub
1213 Birch Dr
Hudson WI 54016-1401

638 Roof slants
west part of Attic

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 638 OAKDALE AVE
Ref. # 13081

Dear Property Representative:

Your building was inspected on September 9, 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 September 15, 2010 at 12:00 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. BLDG# 638 - Attic - 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.-Illegal sleeping room found in attic. Remove all bedding materials.
2. BLDG# 638 - Attic - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove materials at top of staircase leading from unit up into attic.
3. BLDG# 638 - Attic - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Found extension cord running from attic down to south wall plug inside unit 2.

266-9090
315

4. BLDG# 638 - Attic - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Remove cement steps being used as an attic staircase.
5. BLDG# 638 - Basement Pipes - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Remove all material hanging from basement pipes.
6. BLDG# 638 - Attic Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair flooring throughout attic.
7. BLDG# 638 UNIT# 1 - Bathtub - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Replace caulk around the tub.
8. BLDG# 638 UNIT# 1 - East Entry Door - MSFC 703 - Provide, repair or replace the fire rated door and assembly. Repair and maintain the door closer.
9. BLDG# 638 UNIT# 1 - East and West Entry Doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Install missing door seals.
10. BLDG# 638 UNIT# 1 - Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.
11. BLDG# 638 UNIT# 1 - Kitchen Ceiling - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace the damaged or deteriorated ceiling.
12. BLDG# 638 UNIT# 1 - Living Room East Wall - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Install missing cover plate.
13. BLDG# 638 UNIT# 1 - Living Room East Wall - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Remove tape and materials blocking smoke detector on east wall.
14. BLDG# 638 UNIT# 1 - West Entry Door and Living Room Closet Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Install door handles. Tighten all door handles within unit.
15. BLDG# 638 UNIT# 1 - West Entry Hall and Basement Floor - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
16. BLDG# 638 UNIT# 2 - Bathroom Cabinet - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Secure bathroom cabinet to wall.
17. BLDG# 638 UNIT# 2 - Bathroom Wall - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Water damaged walls next to bathtub and holes found in between bathroom countertop.

18. BLDG# 638 UNIT# 2 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
19. *9/20/07* BLDG# 638 and 640 - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. - Unsafe structural damage to property. Unsafe furnace and venting found in building 638 basement.
20. BLDG# 640 - Basement - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. - Clear and make a path to walk through basement.
21. BLDG# 640 - Basement - MSFC 315.2.5 - 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 car battery on basement floor and store outside of unit.
22. BLDG# 640 - Basement Ceiling - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. - Install missing cover plate on basement junction box.
23. BLDG# 640 - East Staircase - 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. - Staircase found sinking. *Jack up again*
24. BLDG# 640 - South Staircase - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. - Secure electrical junction to stairwell wall.
25. *Don't call* BLDG# 640 UNIT# 1 - East Kitchen Window - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame. - Replace damaged east kitchen window frame.
26. BLDG# 640 UNIT# 1 - Kitchen - MSFC 315.2.5 - Fueled equipment, including but not limited to charcoal, motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building. - Remove charcoal from kitchen and store outside of property.
27. BLDG# 640 UNIT# 1 - South Bedroom Window - MSFC 703 - The fire window must not be obstructed or impaired from its proper operation at any time. - Remove television away from egress window.
28. BLDG# 640 UNIT# 1 - West Bedroom Ceiling - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner. - Repair or replace the damaged or deteriorated ceiling.
29. BLDG# 640 UNIT# 2 - VACANT UNIT - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.

30. BLDGS# 638 and 640 - All Units - 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.-Install missing carbon monoxide alarms in all units.

31. BLDGS# 638 and 640 - All Units - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Replace all chirping batteries throughout all units. Install missing smoke alarms where needed.

32. BLDGS# 638 and 640 - All Units - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Install missing globe covers in all units.

Fire & Stack on
33. BLDGS# 638 and 640 - Attic Wall - 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:-Holes found between the separation of both building between the attic spaces.

34. BLDGS# 638 and 640 - Certificate - SPLC 33.05 - Post the provided Certificate of Occupancy in an approved location.-Property not certified during inspection.

35. BLDGS# 638 and 640 - Certificate - SPLC Chapter 40 Sec. 40.01 Fire certificate of occupancy requirement. All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the fire marshal. The certificate shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the buildings occupants and the general public. It shall be a misdemeanor to rent or lease, or permit occupancy of, a building or structure or portion thereof which does not have a fire certificate of occupancy.-Property does not have a current fire certificate of occupancy. Property owner failed to received building certificate of occupancy in 2009.

37. BLDGS# 638 and 640 - Door Seals - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Install door seals around all exterior and interior entry and exit doors throughout both sides of property.

*By legs
or vent
going out*
38. BLDGS# 638 and 640 - East Basement Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace missing window panes.

39. BLDGS# 638 and 640 - Permits - MSFC Section 105.1.1 Permits required. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.-Pull permits to repair structural damages throughout property, window replacements and installation of new furnace in building 638 basement.

40. BLDGS# 638 and 640 - Storm Doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair or replace all storm doors throughout property.

41. BLDGS# 638 and 640 - Window Locks - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.-Replace or repair window locks throughout all units.

42.

BLDGS# 638 and 640 - Window Screens and Storm Windows - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Replace all missing, torn and damaged window screens and storm windows throughout the property.

43. BLGD# 638 UNIT# 1 - Basement and Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
44. Exterior - Address Numbers - SPLC 71.01 - Provide address numbers on building per attached HN-1 handout.-The address numbers to be posted on the east side of the property is: 638 and 640.
45. Exterior - Foundation Walls - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Tuck point and seal all cracks along the foundation walls throughout the property.
46. Exterior - Grass - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall.
47. Exterior - Ground Cover - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.
48. Exterior - House - 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.-Repair and replace siding throughout the property. Repair and replace soffits, fascia and eaves as needed. Clean off all grease residue on east side of property.
49. Exterior - House - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.- Replace entire west guardrail system on west porch.
50. Exterior - Parking Spaces - 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.
51. Exterior - Retaining Walls - 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.-Tuck point and repair north and west retaining walls.
52. Exterior - Sidewalks - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair sidewalks throughout the property.
53. UNIT# 640 UNIT# 1 - Bedrooms - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

54. UNIT# 640 UNIT# 1 - Kitchen Walls - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Finish sealing kitchen walls.
55. UNIT# 640 UNIT# 1 - Living Room - MSFC 605.4 - Discontinue use of all multi-plug adapters.
56. UNIT# 640 UNIT# 1 - West Entry - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Replace or repair threshold.

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: sean.westenhofer@ci.stpaul.mn.us or call me at 651-266-8982 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,

Sean Westenhofer
Fire Inspector
Ref. # 13081