



APPLICATION FOR APPEAL

RECEIVED
JUL 25 2011
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
- Walk-In OR Mail-In

YOUR HEARING Date and Time:

Tuesday, 8-16-11

Time 1:30

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 946 Carlton St City: St Paul State: MN Zip: 55117

Appellant/Applicant: JUDITH M. MARON Email judithmaronandassociates.com

Phone Numbers: Business (952) 857-2424 Residence _____ Cell (612) 720-9407

Signature: Judith Maron Date: 7/2/11

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

see attached letter and documentation



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

July 12, 2011

JUDITH M MARTIN
5232 -- 70TH ST W
EDINA MN 55439-2109

FIRE INSPECTION CORRECTION NOTICE

RE: 946 GALTIER ST

Dear Property Representative:

Your building was inspected on July 12, 2011 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 August 16, 2011 at 10 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. *done* Exterior - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall. *lawn mowed*
2. *provided* Exterior - SPLC 71.01 - The address posted is not visible from street.-Provide reflective numbers or background or illuminate at night on the garage.
3. Exterior-Doors - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Provide approved dead bolt locks on exterior doors.
4. Exterior-Doors - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.
5. Exterior-Doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair or replace the damaged storm door on the side of the property. (Lower Door)

An Equal Opportunity Employer

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- 6. Exterior-Egress Window - 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.-The egress window measured 19H x 37W, double hung.
- 7. Interior - SPLC 200.02 (a) No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989
- 8. 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 near the kitchen.
- 9. Interior-Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing doors on the cabinets in the kitchen.
- 10. 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.

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 or call me at 651-266-8988 between 6:30 a.m. - 8:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin
Fire Inspector

24
20
48

JUDITH M. MARTIN

**5232 West 70th Street
Edina, Minnesota 55439
Phone: (952) 857-2424**

July 21, 2011

**Saint Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102**

**By FAX (651)266-8574
And 1st class mail**

RE: Appeal

Fire Inspection Correction Notice
946 Galtier Street

To the Hearing Officer:

This is in Appeal of the deficiencies noted in the Fire Inspection Correction Notice dated July 12, 2011, received Friday evening, July 15, 2011, thus leaving just 4 business days to respond rather than the 10 days stated in the Notice. The \$25 filing fee is enclosed with the original of this Appeal, sent by 1st class mail with other enclosures. Copies of the Notice, check and enclosures follow by fax.

My protest is as follows:

First, I request a minimum of 60 days additional time prior to the assigned re-inspection date of August 16, 2011.

I was not previously aware of all the "deficiencies" noted. Some had been addressed and resolved prior to the July 12 Fire Inspection, some need further clarification and, unless waived based on this Protest, I will have to make arrangements for qualified licensed contractors to perform the work required at suitable times. Two tenants live in the residence. The one at home during the day is quite ill, so all arrangements have to be made in consideration of his condition, scheduled and unscheduled medical appointments, and the like. The other tenant works full time and is not at the residence during business hours.

Following the numerical list of deficiencies in the Notice:

1.Exterior SPLC 45.03 (6) The tenants state that the lawn has now been cut and is in compliance. Their finances have been strained by increasing costs of medical care and other living expenses, including a series of unreasonably high water bills from the City that have yet to be explained. Repairing their lawn mower was not their top priority.

946 Galtier
Protest page 2

2. Exterior – SPLC 71.01. The description of the problem with the address is confusing. The numbers on the front of the house are the same numbers that were approved when the property was purchased. Non-reflective house numbers have now been provided for the garage, which is illuminated but situated along the alley and definitely not visible from the street. If the numbers on the front of the house are no longer in compliance and not grandfathered in, and need to be either reflective or illuminated, please clarify.

3. 4. & 5. Exterior Doors. I am aware that the exterior doors need repair or replacement, including deadbolt locks. Several months ago the tenants were authorized to contact repairmen as necessary to schedule at times convenient to them, and told that I would pay the entire cost. Doors and deadbolts will be replaced as soon as appropriate arrangements can be made. I was unable to find MSFC 1003.3.1.8, cited in the Correction Notice as the basis for deficiency #4, relating to unapproved locks, openability and need to use special knowledge or effort. The tenants have lived there since 2001 and have said nothing about difficult opening the door from the inside.

6. Exterior-Egress Window – MSFC1026.1. I protest. There are two adults living in the residence (built in the late 1800's) and one sleeping room. The egress window in that room, which measures 19.5" H and 36.5" W, falls short of the required glazed area by 7.25 Sq inches, or .05% square feet. It was in compliance with Code at the time the residence was purchased in 2001 to be used for rental purposes and should be grandfathered in. The two residents could escape side by side and simultaneously through the egress window in the sleeping room, if immediate escape was indicated.

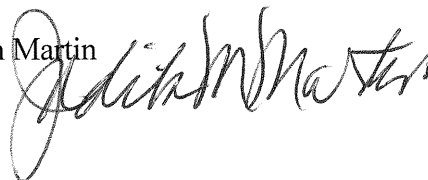
7. Interior – dog. The tenants have been advised that the dog license must be renewed.

8. & 9. Interior – SPLC 34.10(7), 34.33(6) - torn carpet and kitchen cabinet door repair. I was not aware of either condition, or that interior "wear and tear" issues were covered and enforced by Code. **Some tenants need to have lower cost rental property available, at a fixed rate they can afford, as long as the property does not pose health and safety risks.**

10. I protest this vigorously. A completed Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report, dated June 9, 2011, was presented at the time of the July 12, 2011 inspection, which the Inspector had postponed from June 10, 2011. The Lennox Furnace, which was new in 2006, passed all tests required. Copies of the report, the computer printout showing various measurements and detailed cost breakdown is included.

Respectfully,

Judith Martin



Cc: Lisa Martin, Fire Inspector

**FUEL BURNING EQUIPMENT
TYPE TEST REPORT**

Department of Safety & Inspections
Fire Prevention Division
375 Jackson Street - Suite 220
Saint Paul MN 55101
Fax: 651-266-8951

DATE 06/09/11
TIME 13:07:41
FUEL Nat Gas

(Complete form for each Appliance)

COMBUSTION

altier st Date: 6-9-11

O2 % 11.7
CO2 % 5.2
CO PPM 15
FLUE %F 304.1
INLET %F 76.4
NETT %F 227.7

Forced Air Gravity Hot Water _____ Forced Hot Water _____

Unit Heater _____ Space Heater _____ Other _____

Oil _____ Other _____

EFF B(C) 80.6
LOSSES 19.4
XAIR % 127.1

Conversion

CO/CO2 0.0002
CO AIR FREE 34

Manufacturer Lennox Make _____

6604H-36A-020-06 Model _____

5906H20897 Max. BTU Rating _____

70,000 Make of Furnace _____

Atmospheric _____ Induced Fan Other _____

input of all vented gas appliances per chimney: 110,000

Type of Chimney: Masonry _____ Class B Other _____

Type of Liner: None _____ Metal _____ Clay Tile _____

Combustible Air Supply Required?: Yes _____ No _____ Installed?: Yes _____ No _____

Safety & Operating Control Tests:

	Yes	No
Pilot/Flame Safeguard Operating Properly	<input checked="" type="checkbox"/>	_____
Limit(s) Operating Properly	<input checked="" type="checkbox"/>	_____
Operator(s) Operating Properly	<input checked="" type="checkbox"/>	_____
Low Water Cut-Off Operating Properly	<u>NA</u>	_____
All Controls Operating Properly	<input checked="" type="checkbox"/>	_____

Fuel Analysis/Flue Gas Analysis:

	Yes	No
Vents Properly without Spillage	<input checked="" type="checkbox"/>	_____
Flame Stays Inside/Doesn't Roll Out	<input checked="" type="checkbox"/>	_____
Burner Lights Smoothly	<input checked="" type="checkbox"/>	_____

	Initial		Final	
Stack Temperature	<u>254°</u>	F/Net	<u>275</u>	F/Net
Oxygen	<u>12.4</u>	%	<u>12.1</u>	%
Carbon Dioxide	<u>4.9</u>	%	<u>5.0</u>	%
Carbon Monoxide	<u>21</u>	% / <u>ppm</u>	<u>17</u>	% / ppm

Visual Inspection

	Yes	No
Fuel Piping System - Okay	<input checked="" type="checkbox"/>	_____
Vent Systems—Drafthood, Connector, Vent Chimney-- Okay	<input checked="" type="checkbox"/>	_____
Heating Unit - Okay	<input checked="" type="checkbox"/>	_____

Carbon Monoxide Detector (tube type) Positive _____ Negative

Look At Total Heating System Before You Leave:

Does system operate safely and properly? Yes No _____

COMMENTS:

Name of Licensed Contractor: Sedgwick Heating Address 1403 Northland Dr #36-MPLH Phone # 952-881-9000

Person Doing Test (Print) Don Robinson (signature) _____

Certificate of Competency Number from City of Saint Paul for Appropriate Fuel: 20110000187



EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

Department of Safety & Inspections
Fire Prevention Division
375 Jackson Street - Suite 220
Saint Paul MN 55101
Fax: 651-266-8951

(Use separate form for each Appliance)

9446

Address: 944 Galtier St Date: 6-9-11
Owner: Judy

Type of Heat:

Gravity Air _____ Forced Air X Gravity Hot Water _____ Forced Hot Water _____
Steam _____ Unit Heater _____ Space Heater _____ Other _____

Type of Fuel:

Gas _____ Oil _____ Other _____

Gas Design

Make of Burner Lennox
Model G604H-34A-020-06
Serial 5906H20897
Input 70,000

Conversion

Make _____
Model _____
Max. BTU Rating _____
Make of Furnace _____

Equipment venting type: Atmospheric _____ Induced Fan X Other _____

Total BTU input of all vented gas appliances per chimney: 110,000

Type of Chimney: Masonry _____ Class B X Other _____

Type of Liner: None _____ Metal _____ Clay Tile _____

Combustible Air Supply Required?: Yes _____ No _____ Installed?: Yes _____ No _____

Safety & Operating Control Tests:

	Yes	No
Pilot/Flame Safeguard Operating Properly	<u>X</u>	_____
Limit(s) Operating Properly	<u>X</u>	_____
Operator(s) Operating Properly	<u>X</u>	_____
Low Water Cut-Off Operating Properly	<u>NA</u>	_____
All Controls Operating Properly	<u>X</u>	_____

Fuel Analysis/Flue Gas Analysis:

	Yes	No
Vents Properly without Spillage	<u>X</u>	_____
Flame Stays Inside/Doesn't Roll Out	<u>X</u>	_____
Burner Lights Smoothly	<u>X</u>	_____

	<u>Initial</u>		<u>Final</u>		<u>Visual Inspection</u>	Yes	No
Stack Temperature	<u>254</u>	F/Net	<u>275</u>	F/Net	Fuel Piping System - Okay	<u>X</u>	_____
Oxygen	<u>12.4</u>	%	<u>12.1</u>	%	Vent Systems—Draffhood, Connector, Vent Chimney-- Okay	<u>X</u>	_____
Carbon Dioxide	<u>4.9</u>	%	<u>5.0</u>	%	Heating Unit - Okay	<u>X</u>	_____
Carbon Monoxide	<u>2.1</u>	% / ppm	<u>17</u>	% / ppm			

Carbon Monoxide Detector (tube type) Positive _____ Negative X

Look At Total Heating System Before You Leave:

Does system operate safely and properly? Yes X No _____

COMMENTS: _____

Name of Licensed Contractor: Sedgwick Heating Address 1408 Northland Dr #36 Mpls Phone # 952-881-9000

Person Doing Test (Print) Don Robinson (signature) _____

Certificate of Competency Number from City of Saint Paul for Appropriate Fuel: 20110000187



SEDGWICK
HEATING & A/C : COMFORT YOU CAN COUNT ON

1408 Northland Drive, Suite 310
Mendota Heights, MN 55120

5332 W. WISE ST
Edina, MN 55139

www.sedgwickheating.com
Tel: (952) 881-9600

Ticket # 330011 Dispatched: 11:15 Arrival: 12:00

Completed: 2:00 am (pm) Date 06-9-11

Reason for Today's Call: FRN vent & smoke/CO det

Technician: DORR

Type: FRN Age: 4 Type: _____ Age: _____

Brand: Lennox Brand: _____

Model: 6044-301-020-06 Model: _____

Serial No.: 5966H20897 Serial No.: _____

Filters: _____ Humidifier: _____ Air Exchanger: _____

WORK PERFORMED:

- SYSTEM
- FURNACE
- AIR CONDITIONING
- AIR CLEANER-ADD'L
- HUMIDIFIER-ADD'L
- HIGH EFFICIENCY FURNACE

Description of Work Performed: Perform FRN vent

Technician Recommendations: Install 3-smoke CO detectors

Customer: Judy Galtier Address: 946 Galtier St
 City: St Paul Email: _____
 Home Phone: 952-857-2124 Work Phone: _____
 Cell Phone: 651-487-0583

Qty	Part #	Used	Description	Price
			Diagnostic Charge	
			Plus Plan 1 yr 2 yr 3 yr	
			Accessories:	
			Start with _____ HT or A/C	
			1 Labor	295.00
			21 Labor	195.00
			1 Labor	89.00
			1 Labor	5.00

Please Pay Technician at Time of Service
 Paid By Cash Check # 1119 90814C Plus Plan Disc. _____
 Visa MC Discover Amex
 Card Number: _____ Sales Tax _____
 Name on Card: Judith Martin Authorization Code: _____
 Expiration Date: 03/3 TOTAL DUE: 570.00



WANT TO PAY LESS?
 Plus Maintenance Agreement customers receive a 15% discount off repair services.
 The PMA Program has been explained to me & I decline to participate. (Initial)

Thank You!
 All of us at Sedgwick Heating value this opportunity to serve you!
 See Reverse Side For Terms

Work Authorization: Phane

*Price quotes are good for 30 days. *Email your comments on this service call to: contact@sedgwickheating.com