



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

JUN 12 2015

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number Check 11036)
 - 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

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>July 7, 2015</u>
Time <u>3:00 PM</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1659-1669 Grand Ave. City: St. Paul State: MN Zip: 55105

Grand Heritage Properties, LLC

Appellant/Applicant: Eugene V. Sitzmann, Manager Email evsitzmann@comcast.net

Phone Numbers: Business 651-698-4616 Residence _____ Cell _____

Signature: Fred A. Kueppers, Jr. Date: June, 2015
Fred A. Kueppers, Jr., Attorney for Appellant

Name of Owner (if other than Appellant): 651-222-5000 fkueppers@kuepperslaw.com

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/Correction _____
- Code Enforcement Correction Notice Certain provisions of Notice dated June 3, 2015, Ref #13194
- Vacant Building Registration _____
- Other (Fence Variance, Code Compliance, etc.) _____

KUEPPERS, KRONSCHNABEL & DALY, P.A.

ATTORNEYS AT LAW

101 EAST FIFTH STREET
SUITE 1500

SAINT PAUL, MINNESOTA 55101

(651) 222-5000

FAX (651) 222-1313

June 11, 2015

WILLIAM M. KRONSCHNABEL * \diamond
STEPHEN R. DALY \dagger

FRED A. KUEPPERS, JR. \square
SEAN O. SKRYPEK

\dagger MSBA CERTIFIED CIVIL TRIAL SPECIALIST
 \square MSBA CERTIFIED REAL ESTATE SPECIALIST
* ALSO ADMITTED TO PRACTICE IN WI
 \diamond QUALIFIED NEUTRAL UNDER RULE 114

Legislative Hearings Office
City of St. Paul
310 City Hall, 15 W. Kellogg Blvd.
St. Paul, MN 55102

Re: 1659 -1669 Grand Avenue, St. Paul

Submitted herewith is an Application for Appeal from certain provisions of a Notice issued by the Department of Safety and Inspections in file no. 13194. A copy of the DSI Notice is attached to this application. Also enclosed is a check made payable to the City in the amount of \$25.00 in payment of the filing fee.

We request that the matter be set for hearing by the legislative hearing officer, on a date not earlier than 30 days from the date of your receipt of this application.

We recognize that this scheduling request is a variance from customary practice; however, a hearing at an earlier date will not be productive.

We are filing this application within the ten day limitation specified in the Notice from DSI; but the specifics in the Appeal have not yet been determined. The deficiencies listed by DSI are 139 in number and they are presently being evaluated by various contractors, such as electrical, plumbing, mechanical and general. The specifics of the Appeal cannot be determined until they have completed their evaluations.

Another reason for the request for deferral of the hearing is that the owner of the property wants to separately evaluate the various options open to it, such as rehabilitation of the building, sale of the building in "as is" condition, or demolition. A determination among those options will require conferring with several individuals, and will undoubtedly take at least 30 days.

Respectfully submitted,

KUEPPERS, KRONSCHNABEL & DALY, P.A.

Attorneys for Applicant

By-


Fred A. Kueppers, Jr.

FAKjr/pn



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

June 3, 2015

Grand Heritage Properties LLC
Po Box 16548
Saint Paul MN 55116-0548

RE: FIRE INSPECTION CODE COMPLIANCE NOTICE
REGISTERED VACANT BUILDING – CATEGORY 2
1659 - 1669 GRAND AVE

Ref # 13194

Dear Property Representative:

A code compliance inspection of your building was conducted on May 14, 2015 to identify which deficiencies that will need to be corrected in order for the building to be compliant. The Saint Paul Legislative code requires that no building shall be occupied without a Certificate of Occupancy and a Fire Certificate of Occupancy. Neither of these certificates will be issued unless all work required to be done under permit is inspected and approved by the appropriate inspector. Your Certificate of Occupancy and Fire Certificate of Occupancy will be granted upon demonstration of compliance with the following deficiency list and payment of required fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. Building Occupancy/ Zoning - MSBC 3405.1, MSBC 110.2, SPLC 62.101 –
Occupancy: Mixed Commercial/ Residential - R-2 - 7 Units/ A-2/ M
Zoning: B2

This property was inspected as an existing mixed occupancy commercial and residential building. 2nd Floor of building is used as R-2 residential and includes 2 units at 1663 Grand and 5 units at 1667 Grand. First floor is divided into 3 commercial suites. 1659 Grand is approved as A-2 Bar/Restaurant, 1665 Grand is approved as M Mercantile, 1669 Grand is approved as A-2 Bar/Restaurant. Basement is approved as utility and accessory storage areas. Any change from this use will require DSI building and zoning department approvals.

2. 1659 - Emergency Lighting - MSFC 1010.5 - Provide and maintain an approved emergency lighting system.
3. 1659 - Exit Signs - MSFC 1011.2 - Provide and maintain approved external or internal lighting of the exit sign.
4. 1659 - Fire Extinguisher - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
5. 1659 - Front Door - MSFC 1008.1.8 - 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. - Signage is required at interior side of the door if the double-keyed lock is maintained.
6. 1659 - Kitchen - MSFC 609.2 - Provide an approved hood and duct ventilation system to remove the grease laden vapors. This work may require a permit(s). Call DSI at (651) 266-8989. - Kitchen hood has been disconnected and removed. Permits are required to re-install the hood. All work must be done in an approved manner. Submit plans for review.
7. 1659 - Kitchen - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - Provide one K-Class fire extinguisher within the cooking area of commercial kitchens. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
8. 1659 - Occupant Load - MSFC 1004.3 - Post the occupant load on an approved sign in a conspicuous location near the main exit of the room. - Additional scaled plans including all dimensions of the layout are required to calculate the occupant load. Plans as supplied do not have all dimensions noted.
9. 1659, 1669 - Permits – SPLC 33.05 – Restaurant which is currently under construction in suites 1659 and 1669 must be completed and inspected under permits for the build-out prior to any occupancy. Plans are required for this construction.
10. 1665 - Daybreak - Thermostat - 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 damaged thermostat cover.
11. 1665 - Daybreak - 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 non-working emergency light fixtures as necessary.
12. 1669 - Ceiling - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner. Repair/replace damaged tiles.

13. 1669 - Door Locks - MSFC 1008.1.8 - 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 surface-bolt lock on restroom door. Remove the double-keyed deadbolt lock on the rear door which has panic hardware.
14. 1669 - Front Door - MSFC 1008.1.8 - 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. - Signage is required at interior side of the door if the double-keyed lock is maintained.
15. 1669 - Occupant Load - MSFC 1004.3 - Post the occupant load on an approved sign in a conspicuous location near the main exit of the room. - Additional scaled plans including all dimensions of the layout are required to calculate the occupant load. Plans as supplied do not have all dimensions noted.
16. 1st Floor - Fire Separation - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. - One hour fire separated construction must be maintained between the 1st floor commercial suites and 2nd floor residential units. Maintain the ceiling in an approved manner and provide fire-stopping at all openings and penetrations.
17. 1st Floor - Licensing - SPLC 310.02 - Obtain and post the DSI/ State issued license(s) in an approved location. Any necessary business licenses for the bar/ restaurant suites must be obtained prior to opening for business.
18. 1st Floor and Basement - Fire Extinguishers - 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.
19. 2nd Floor - 1667 - Front Stairway - MSFC 1027.6 - Guardrails - Guardrails shall form a protective barrier not less than 42 inches high. - Extend the 28 inch high guardrail at top of stairway or replace in an approved manner.
20. 2nd Floor - 1667 - Unit 1 - SPLC 34.10 (2), 34.34 (1) - Repair and maintain the damaged structural member. - Repair/sister two charred ceiling joists in living room of unit.
21. 2nd Floor - 1667 - Unit 4 - SPLC 34.34 (3), 34.34 (4) - Remove bathroom wall finishes back to studs and complete in an approved manner with all required inspection for framing and wall construction.
22. 2nd Floor - Emergency Lighting - MSFC 1027.5.3 - Provide and maintain an approved emergency lighting system. Emergency illumination is required for common exit hallways and stairways for the 2nd floor residential portion of the building.
23. 2nd Floor - Exit Signs - MSFC 1027.3, 1027.4 - Exit signs shall be provided where two or more exits are required from a room, area or story. Exit signs shall be internally illuminated, externally illuminated or self-luminous. Where emergency lighting is required, exit signs shall be visible under emergency illumination conditions. - Approved

exit signs with backup power are required to mark the exit doors from the common areas of 2nd floor residential area.

24. 2nd Floor - Hallway - MSFC 1027.23 - Provide and maintain two code compliant exits from 2nd floor.
25. 2nd Floor - Hallways and Stairways - MSFC 1027.1.5 - Ceiling Height - The ceiling height in corridors and stairs for existing buildings shall be not less than 78 inches. - The ceiling height for the overhead obstructions in many areas of the common stairways and hallways does not meet minimum requirements. Ceiling in middle area of hallway was noted at 71 inches high. Ceiling obstructions at stairways were noted at 62 and 63 inches high.
26. 2nd Floor - Rear Exit - MSFC 1028.3 - No combustible storage is allowed in exit corridors or exit stairways.
27. 2nd Floor - Rear Exit - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. - Rear porch exit stairway is obstructed by storage and also has no access to the exterior due to being boarded-up to secure property.
28. 2nd Floor - Roof - MSBC 711 - Remove roof windows (skylights) and repair roof and walls to seal openings with the proper fire rating for the construction type per MN Building Code section 711.
29. 2nd Floor - Throughout - MSFC 1008.1.8 - 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. All locks must be mounted between 34 and 48 inches height. - Residential unit doors must have a maximum of two locks and all lock hardware must be of an approved style. Remove the double-keyed deadbolt lock and any other unapproved hardware on unit exit doors.
30. 2nd Floor - Throughout - SPLC 34.10 (4), 34.33 (3) - Provide and maintain approved bathroom flooring materials which are impervious to water.
31. 2nd Floor - Throughout - MSFC 703, MSBC 706 - Provide, repair or replace the fire rated door and assembly. - Provide and maintain approved 20 minute rated fire doors at entrances to all residential units from the common hallway. Doors must be self-closing and latching.
32. 2nd Floor - Throughout - MSFC 703, MSBC 706 - Repair and maintain the required fire resistive construction with approved materials and methods. - Repair open areas of wall in hallway to provide 1 hour fire rated construction between the common hall and all residential units. Seal and fire-stop all openings and penetrations as necessary in walls between residential units and between hallway and units.
33. 2nd Floor - Throughout - MSFC 1026.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. -

Repair and maintain existing windows inside of bedrooms to ensure that all required egress windows are easily openable to full height.

34. 2nd Floor - Throughout - MSFC 907.2.10.1.2, MN Stat. 299F.362 - Smoke Alarms - Single or multiple-station smoke alarms shall be installed or maintained in the following locations - On ceiling/wall outside of each sleeping area in the immediate vicinity of bedrooms, in each room used for sleeping purposes, and in each story within a dwelling unit including basements. - Provide/maintain battery operated smoke alarms inside of each bedroom. Provide/maintain smoke alarms in the common areas outside of sleeping rooms. All smoke detectors mounted on the wall must be between 6 and 12 inches from the ceiling, re-locate detectors which are too low. Where hardwired smoke alarms have been installed inside of units, detectors must be maintained as hardwired with battery backup.
35. 2nd Floor - Throughout - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock. - An approved deadbolt lock (operable from interior without a key) must be maintained on all entry doors into dwelling units from the common hallways.
36. 2nd Floor - Throughout - SPLC 39.02(c) - Complete and sign the smoke detector affidavit available at www.stpaul.gov/cofo and return it to this office.
37. 2nd Floor - Throughout - 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 manufacturer's instructions.
38. 2nd Floor - 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. - Maintain all appliances in an operative condition throughout all units.
39. 2nd Floor - Throughout - MSFC 605.1 - All light fixtures shall be maintained with protective globes if originally equipped.
40. 2nd Floor - Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner throughout 2nd floor.
41. 2nd Floor - Throughout - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F to all residential units.
42. Basement - Boiler Room - MSFC 705.3, MSBC Chapter 7 - Boiler room with heating system rated in excess of 400,000 BTU input requires 1 hour fire separation from the rest of the building. Provide approved ceiling and wall construction to provide rating for the room. Provide approved fire door for doorway leading into the room from basement.
43. Basement - Boiler Room - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. - Ceiling joist in/ near boiler room is braced improperly, repair and support the ceiling in an approved manner.

44. Basement - Boiler Room - MSFC 1008.1.8 - 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 hasp lock from the boiler room door.
45. Basement - Ceiling Height - MSFC 1027.1.5 - Ceiling Height - The ceiling height in corridors and stairs for existing buildings shall be not less than 78 inches. - The ceiling height is less than 78 inches in many areas of the basement. The ceiling height must be maintained at a minimum of 78 inches in all areas which are part of the exit pathways and on stairways.
46. Basement - Emergency Lighting - MSFC 1010.5 - Provide and maintain an approved emergency lighting system. - If basement is maintained in the current arrangement with open access throughout, the size of basement area requires emergency lighting fixtures for all portions of the exit pathways.
47. Basement - Exit Doors - MSFC 1027.23 - Provide an approved additional means of egress due to an inadequate number of exits. - If basement is maintained in the current arrangement with open access throughout, the size of basement area requires a minimum of two approved exits. Exit doors must be openable from the interior with a single motion using approved hardware. Doors must open in the direction of travel.
48. Basement - Exit Doors - MSFC 1008.1.8 - 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. - All marked exit doors from the basement must have approved hardware. One exit door (door directly to exterior) is sealed shut, other doors have unapproved surface-bolt locks.
49. Basement - Exit Signs - MSFC 1010.1, 1003.2.10 - Provide and maintain approved directional exit signs. - If basement is maintained in the current arrangement with open access throughout, the size of basement area requires two exit doors and approved illuminated exit signs to direct travel to the exit doors.
50. Basement - Fire Separation - MSBC 706, MSBC 508.3.3, MSFC 703 - Provide and maintain fire separation between basement and 1st floor or provide fire separation between individual basement units to ensure occupancy separations are maintained per building code requirements. Basement currently has common access throughout and has no separation between areas extending under the different commercial tenants including A-2, and M occupancy groups. Existing ceiling structure is open with no fire rating. Existing doors to the commercial suites from the basement are also non-rated.
51. Basement - Fueled Equipment - 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.
52. Basement - LP Cylinder - MSFC 38.01, NFPA 58 6.2.1 - Propane Storage - LP-Gas containers must be located outside of the building except for specifically allowed uses. - Immediately remove the propane cylinder from the basement.

53. Basement - Stairways - MSFC 104.9, 1005.3.2.2 - Remove the storage under the stairs or provide and maintain 1 hour fire resistive construction on the storage side of the stairs.
54. Exterior - Drainage - SPLC 34.08 (2) - Provide and maintain the property grading and drainage to direct run-off away from the building. - Repair and maintain gutters and downspouts as necessary.
55. Exterior - Entry Doors - SPLC 34.14 (2) f - Provide and maintain a minimum of one (1) foot candle lighting at the grade level of exterior exits and entryways for security.
56. Exterior - Rear Doors - MSBC 1003 - Repair and maintain rear exit doors and landings at all entrances to the 1st floor.
57. Exterior - Rear Exit Stairway - MSFC 1009.5.3 - There shall be no enclosed usable space under exterior exit stairways unless the space is completely enclosed in 1-hour fire-resistance rated construction. The open space under exterior stairways shall not be used for any purpose.
58. Exterior - Rear Stairway - SPLC 34.09 (2), 34.32 (2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. - Repair and support the rear exit stairway and deck in an approved manner. Repair the damaged and improperly constructed handrails and guardrails on the exit stairway.
59. Exterior - Walls - 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.
60. Throughout - Ceilings - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceilings in an approved manner.
61. Throughout - Doors - SPLC 34.09 (3), 34.33 (3) - Repair and maintain the doors in good condition. - Repair or replace all damaged and missing doors, door hinges, door frames and door hardware throughout the building.
62. Throughout - Floors - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floors in an approved manner. Install approved floor covering materials where flooring is missing.
63. Throughout - Sanitation - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. - Clean surfaces as necessary throughout building, remove trash and debris.
64. Throughout - Smoking - 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.
65. Throughout - Stairways - 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. - Repair or replace handrails throughout the building where mounted too low or not adequately supported.
66. Throughout - Storage - MSFC 315.2 - Provide and maintain orderly storage of materials.
 67. Throughout - Trim - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the trim and woodwork in an approved manner.
 68. Throughout - Walls - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
 69. Throughout - Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the windows in good condition as necessary throughout the building.
All operable windows require a lock, repair where missing or non-working.
All operable windows require a screen, repair where damaged.
Repair window glazing putty and window frames where deteriorated.
Replace cracked window glass as necessary throughout.
Repair window frames and hardware where difficult to open or sash cords are damaged/missing.

Electrical:

Minnesota Electrical Act - All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit. Any open walls or walls opened as part of this project must be wired to the standards of the current NEC.

Electrical Inspector: Steve Reimers – (651)266-9037

70. 2nd Floor - MSFC 605.1 – Residential Unit – Replace electrical panel with defective phase buss to current NEC.
71. 1665 - MSFC 605.4 - Discontinue unapproved use of multi-plug electrical cords.
72. Basement - MSFC 605.1 – Repair the electrical service grounding conductor to the metallic water piping system. Install a conductor sized to Table 250.66 (NEC) from the electrical service to within 5' of the entrance point of the water service, and bond around the water meter. Article 250, NEC
73. Basement - NEC Chapter 3 – Properly strap and support cables and/or conduits to current NEC.
74. Throughout - NEC 408.4 – Service/Subpanels - Provide a complete circuit directory at the electrical panel(s) indicating location and use of all circuits.
75. Exterior - MSFC 605.1 – Properly support/wire exterior luminaire (light fixture) at exterior door to current NEC.
76. Exterior - MSFC 605.1 - Remove or repair/reconnect exposed underground wiring fed to Northeast corner of lot near patio.

77. Throughout - NEC 110.3(B) – Service/Subpanels - Replace circuit breakers in electrical panel that are not listed for that manufacturer’s panel-board, with proper breakers.
78. Throughout - NEC 240.4 – Service/subpanels - Verify that fuse/circuit breaker amperage matches wire size in panel. Replace improperly sized overcurrent devices.
79. Throughout - NEC 110.12(A) - Close all openings in electrical panel(s)/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
80. Throughout - MSFC 605.1 - Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixture), switches, covers and plates to current code. Article 406.4(D) & Article 410, NEC
81. Throughout - MSFC 605.1 - Check all receptacles for proper polarity (including 2-prong) and verify ground on 3-prong receptacles. Ensure all GFCI receptacles are functioning properly. Rewire and/or replace receptacles that are improperly wired or not functioning properly to current NEC. Article 406.4(D), NEC
82. Throughout - MSFC 605.1 - Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
83. Throughout - SPLC 34.14 (2), 34.34 (5) - No power at time of inspection on residential units. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored. Electrical service to all areas of the building must be restored prior to re-occupancy.

Mechanical:

MN Rules 1300.0120 - Mechanical permits are required for this work. All work must be completed by a licensed contractor.

Mechanical Inspector: Pat McCullough – (651)266-9015

84. 2nd Floor - All Units - Bathrooms - MNRC R303.3 - Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
85. 2nd Floor - All Units - SPLC 34.11(6) - Provide approved heat source in every habitable room and in bathrooms.
86. Throughout - All Heating Systems - SPLC 34.11 (6) - Clean and Orsat test furnace/boiler burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
87. Throughout - All Heating Systems - MNFGC - 304 - Provide adequate combustion air and support duct to code.

88. Throughout - All Heating Systems - MNFGC - 304 - Provide adequate combustion air and support duct to code. - MNMC 1005.1 - Install isolation valves on boiler supply and return pipes.
89. Throughout - All heating Systems - MNMC 103 - Support supply and return piping for heating system according to code. And remove or abate all asbestos.
90. Throughout - All Heating Systems - MNMC 1005.2, MNPC 4715.1940 - Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
91. Throughout - All Heating Systems - MNMC 103 - Repair or replace radiator valves as needed.
92. Throughout - Gas Piping - MNFGC 407 - Provide support for gas lines to code.
93. Throughout - Gas Piping - MNMC 103 - Plug, cap and/or remove all disconnected gas lines and unapproved valves.
94. Throughout - MNFGC - 613.1, MNMC 604.1 - Vent clothes dryers to code throughout the building or remove.
95. 1659 - MNFGC 503 - Replace furnace/boiler flue venting to code.
96. 1659 - MNFGC 501.12 - Connect furnace/boiler and water heater venting into chimney liner.
97. 1659 - MNFGC 304 - Provide adequate combustion air and support duct to code.
98. 1659 - MNFGC 407 - Provide support for gas lines to code.
99. 1659 - MNMC 103 - Plug, cap and/or remove all disconnected gas lines and unapproved valves.
100. 1659 - MNRC R303.3 - Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
101. 1659 - MNMC 103 - All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
102. 1659 - MNMC 103 - Repair and/or replace heating registers as necessary.
103. 1659 - SPLC 34.11(6) - Provide heat in every habitable room and bathrooms.

104. 1659 - MNMC 103 - Support supply and return piping for heating system according to code. Remove or abate all asbestos.
105. 1659 - MNMC 103 - Repair or replace radiator valves as needed.
106. 1659 - MNMC 307.2 - Run condensate drain from A/C unit coil in basement to an approved location and secure as needed.
107. 1659 - MNMC 918.6 - Provide a means of returning air from every habitable room to the furnace. Return air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
108. 1659 - MNMC 103 - Verify that A/C system is operable, if not, repair, replace or remove and seal all openings.
109. 1669 - MNRC R303.3 - Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be operable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
110. 1669 - MNMC 103 - Install furnace air filter access cover.
111. 1669 - MNMC 103 - All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
112. 1669 - MNMC 103 - Repair and/or replace heating registers as necessary.
113. 1669 - SPLC 34.11(6) - Provide approved heat source in every habitable room and in bathrooms.
114. 1669 - MNMC 918.6 - Provide a means of returning air from every habitable room to the furnace. Return air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
115. 1669 - MNMC 103 - Verify that A/C system is operable, if not, repair, replace or remove and seal all openings.

Plumbing:

All corrections to waste, vent, water and gas piping shall be as per the Minnesota Plumbing Code Chapter 4715 and Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code and the Saint Paul Regional Water Service Code.

Plumbing Inspector: Tom Schweitzer – (651)266-9055

116. 1659 - Water Heater - MPC 2210.4 - Correct the pressure and temperature relief valve discharge.
117. 1659 - Water Heater - MPC 0200 (V) - Install an approved automatic gas control valve.
118. 1659 - Water Heater - MPC 2180 - The water heater must be fired and in service.
119. 1663 - Tub/Shower - MPC 0200 (O) - Repair/replace the fixture that is missing, broken or has parts missing.
120. 1663 - Tub/Shower - MPC 2000 (B) - Install a vacuum breaker for the hand held shower.
121. 1663 - Gas Piping - MFGC 411 - Install an approved shut off, connector and gas piping for the range.
122. 1665 - Sink - MPC 0200 E, MPC 2500 - Install a proper fixture vent to code.
123. 1665 - Sink - MPC 2300 - Install the waste piping to code.
124. 1665 - Water Heater - MPC 2180 - The water heater must be fired and in service.
125. 1667 - Unit 5 - Sink - MPC 0200 (E), MPC 2500 - Install a proper fixture vent to code.
126. 1667 - Unit 4 - Lavatory - MPC 0200 (O) - Repair/replace the fixture that is missing, broken or has parts missing.
127. 1667 - Unit 4 - Lavatory - MPC 0200 (P) - Repair/replace the faucet that is missing, broken or has parts missing.
128. 1667 - Unit 4 - Toilet - MPC 0200 (O) - Repair/replace the fixture that is missing, broken or has parts missing.
129. 1667 - Unit 4 - Toilet - MPC 0200 (P) - Repair/replace the faucet that is missing, broken or has parts missing.
130. 1667 - Unit 4 - Toilet - MPC 0870 - Reset the toilet on a firm base.
131. 1667 - Unit 4 - Tub/Shower - MPC 0200 (O) - Repair/replace the fixture that is missing, broken or has parts missing.
132. 1667 - Unit 4 - Tub/Shower - MPC 0200 (P) - Repair/replace the faucet that is missing, broken or has parts missing.
133. 1667 - Unit 4 - Gas Piping - MFGC 411 - Install an approved shut off, connector and gas piping for the range.
134. 1669 - Water Heater - MPC 2210.4 - Correct the pressure and temperature relief valve discharge.

135. 1669 - Water Heater - MPC 0200 (V) - Install an approved automatic gas control valve.
136. 1669 - Water Heater - MPC 2180 - The water heater must be fired and in service.
137. 1669 - Gas Piping - MMC 103 - Remove all disconnected gas lines and unapproved valves.
138. Throughout - MPC 2400.4 - Caulk all the fixtures to code.
139. Throughout - MPC 1210 - Remove all unused waste, vent, water, and gas piping to the main and cap or plug to code.

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 City Clerk's Office, Room 310 - City Hall (651-266-8688), 15 Kellogg Boulevard West, and must be filed within 10 days of the date of the original orders.

Ref. # 13194

Foss, Katie (CI-StPaul)

From: Foss, Katie (CI-StPaul)
Sent: Friday, June 12, 2015 3:29 PM
To: evsitzmann@comcast.net; fkueppers@kuepperslaw.com
Subject: 1659 Grand Ave. - Application for Appeal

Mr. Koppers –

Per our follow-up conversation this afternoon, your legislative hearing to address the Application for Appeal of a Code Compliance Report at 1659 Grand Avenue, is scheduled for Tuesday, July 7, 2015 at 3:00 p.m., in Room 330 City Hall, at 15 W. Kellogg Blvd., St. Paul, MN 55102.

Please feel free to contact the Appeals Line with any questions, at (651) 266-8585.

Thank you,
Katie Foss
Legislative Hearings
15 W. Kellogg Blvd.
Room 310
St. Paul, MN 55102
(651) 266-8560