

RLH FCO 19-110



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

RECEIVED

OCT 17 2019

We need the following to process your appeal: CITY CLERK

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 2377)
  - 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>NOV. 5, 2019</u>  Time <u>1:30 P.M.</u> <b>Location of Hearing:</b> Room 330 City Hall/Courthouse
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### Address Being Appealed:

Number & Street: 421 Vance St. City: St. Paul State: MN Zip: 55102

Appellant/Applicant: Linda Brooks Email lbrooksphoto@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 763 607-7501

Signature: Linda Brooks Date: \_\_\_\_\_

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

Mailing Address if Not Appellant's: 225 9th Street E, #407, St. Paul, MN 55101

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 763 607-7501

### 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
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

**Comments:**  
 There was no evidence of a burn on the property. Occupants were out-of-state on this date. Wood was UNBURNED in a covered fire pit on wheels, and had been stored there for two months.



October 9, 2019

Linda Brooks  
225 E 9th St Unit 407  
St Paul MN 55101

## **CORRECTION NOTICE - COMPLAINT INSPECTION**

RE: 421 VANCE ST

Dear Property Representative:

An inspection was made of your building on October 9, 2019 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

**A re-inspection will be made on November 12, 2019 at 10:30 AM.**

Failure to comply may result in a criminal citation or revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

### DEFICIENCY LIST

1. Exterior - Rear - MSFC 307.1 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be under 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance. As an alternate method of compliance, fires that ARE CONTAINED in an approved container must be at least 15 feet from building or combustible material.-Remove trash and other rubbish from firepit and cease burning these items.
2. SPLC Sec. 40.01. - Fire certificate of occupancy requirement
  - (a) All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy 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 building's occupants and the general public.

(b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use.

Under SPLC 40.03, owner and owner-occupied is defined as:

Owner. The person, firm, corporation or other entity listed in the records on file in the recorder's office as holding fee title to the building. For purposes of notice only, "owner" includes the owner's authorized agent or other person in control of the premises.

Owner-occupied. Dwellings which are the principal residence of the owner of record of the building and in which the owner resides. "Owner," for the purposes of this definition, means a natural person and does not include a corporation, partnership, or other entity.

Per these definitions, a Fire Certificate of Occupancy is required for the property.

**--Apply for a provisional Fire Certificate of Occupancy, have the building vacated, or convert the building to an owner occupied status.**

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 the original orders.

If you have any questions, email me at: [david.smith@ci.stpaul.mn.us](mailto:david.smith@ci.stpaul.mn.us) or call me at 651-266-8995 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,

David Smith  
DSI Fire Safety Inspector