



APPLICATION FOR APPEAL

RECEIVED
OCT 16 2012
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, Oct. 23

Time 11:00 a.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 427 Whitall City: ST Paul State: MN Zip: 55130

Appellant/Applicant: Tom Wybierala Email Wybieralatom@gmail

Phone Numbers: Business _____ Residence 651-325-9124 Cell _____

Signature: Thomas R Wybierala Date: 10-15-12

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

WE WANT OFF OF RENTAL PROPERTY
WE ARE FIXING THE THINGS THAT ARE BAD
TRING TO TAKE TO PROBATE COURT



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

October 11, 2012

THE RICHARD A WYBIERALA TRUST
625 LAKE SHORE DR
SAUK CENTRE MN 55378-1034

**NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

RE: 427 WHITALL ST
Ref. # 116535

Dear Property Representative:

Your building was inspected on October 4, 2012.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

A re-inspection will be made on October 17, 2012 at 9:00am.

**CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF
OCCUPANCY.**

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Allow Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.- Allow the inspector access to all areas of the building to complete a fire certificate of occupancy inspection. Failure to allow the inspector access will result in enforcement action.

2. Basement - Dryer Vent - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter.-Secure the dryer vent exhaust duct. Remove the unapproved duct tape holding the joints together and replace with approved material.
3. Basement - Electrical Panel - NEC 230-2 (e) - Provide identification at the service disconnect for each electrical service.-Label the circuit breakers.
4. Basement - Furnace - UMC 510 - Construct the condensate waste line of materials and properly sized pipe in compliance with the mechanical code. The size of the pipe must not be less than 1/8 inch per foot and must not drain over a public way.-The condensate must discharge into an approved location. A plastic bucket is not an approved location. Contact a licensed HVAC contractor to install a code compliant condensate waste line.
5. Basement - Furnace - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work requires a permit(s). Call DSI at (651) 266-9090. Red tags may not be removed except by fire department inspector.-**According to statement by Pronto Heating and Air Conditioning the furnace cannot be certified due to the following: (1) Overheating, (2) Ductwork installed incorrectly, (3) System kicking off on high limit, and (4) Cracked heat exchanger. Immediately discontinue use of the furnace until repaired/replaced. This work must be done by licensed contractor under permit.**
6. Basement - Furnace Room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Replace the missing cover on the junction box located in the furnace room.
7. Basement - Laundry Room - 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.-Remove and discontinue use of the extension cord used to supply power to the refrigerator in the laundry room. Refrigerators must be plugged directly into a permanently grounded outlet.
8. Basement - Service Door To Garage - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair/replace the door leading from the basement to the garage that is not closing and latching.
9. Basement - Stairway - MSFC 1010.5, SPLC 34.14 (2) d, SPLC 34.34 (5) b - Provide and maintain illumination in all portions of the exit system.-Contact a licensed electrical contractor to install the required light for basement stairs. The light must be operable from the head and foot of the stairway. This work will require a permit. Contact DSI at 651-266-9090.

Note: Work has been done without permit. Obtain the required permit and contact area electrical inspector for final inspection.

10. Basement - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.-Remove the light fixture in the family room that has electrical cord penetrating through the ceiling. Contact licensed electrical contractor to install a code compliant light fixture.
11. **Building - Condemned - Lack of Basic Facilities - 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.-This building is condemned due to lack of basis facilities (inoperable furnace).**
12. Exterior - Storage - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove auto parts, appliances, scrap metal, scrap wood from yard and dispose of properly.
13. Exterior - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
14. Garage - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove and discontinue use of the daisy-chained power-strips in the garage. Power-strips must be plugged directly into a permanently grounded outlet.
15. Garage - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce the accumulation of combustible storage in the garage by 50-percent. Provide and maintain orderly storage of materials.
16. Main Floor - Bathroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair/replace the damaged door jamb. Repair/replace the strike-plate.
17. Main Floor - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Secure the loose toilet.
18. Main Floor - Bathroom - SPC 4715.1800 (g) - Provide stop to water closet water supply.- Replace the missing handle on the water shut-off valve.
19. Main Floor - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing door/drawer.
20. Main Floor - Hallway - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove the storage in the hallway that is causing an exit obstruction.
21. Main Floor - Living Room - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Immediately remove or reposition the furniture obstructing front door.

22. Main Floor - Living Room - 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.-Remove and discontinue using the power-strip to supply power to the window A/C unit. Window A/C units must be plugged directly into a permanently grounded outlet.
23. Main Floor - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair/replace the damaged door frame on the east entry door.
24. Main Floor - Living Room - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
25. Main Floor - Living Room - SPLC 34.14 (2) f - Provide and maintain an minimum of 1 foot candle at the grade level of exterior exits and entryways for security. This work may require a permit(s). Call DSI at (651) 266-9090.-Provide the required illumination at the east entry door.
26. Main Floor - Northeast Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
27. Main Floor - Northeast Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove and discontinue use of the extension cords and multi-plug adapters.
28. Main Floor - Northwest Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair/replace the damaged door trim/casing.
29. Main Floor - South Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace the missing globe cover on the light fixture.
30. Main Floor - Window Frames - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frames.-Scrape and paint interior window frames in a professional manner. Maintain the window frames in a good state of repairs.
31. 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.
32. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it 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: (651-266-8688) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Wayne Spiering
Fire Inspector
Ref. # 116535

cc: Housing Resource Center
Force Unit