

RLH VO 19-30



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

AUG 01 2019

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 820699)
 - 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, AUG. 6, 2019

Time 11:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1091 E Maryland City: St Paul State: MN Zip: 55106

Appellant/Applicant: Jennifer Olson Email _____

Phone Numbers: Business _____ Residence _____ Cell: (651) 226-8059

Signature: Jennifer Olson Date: 8-1-2019

Name of Owner (if other than Appellant): Carol Young

Mailing Address if Not Appellant's: 1091 E Maryland

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

Things are not done and I don't have the money at this time to make.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

July 12, 2019

CAROL YOUNG
304 GEUSSELL AVE
RICE LAKE WI 54868 USA

CORRECTION NOTICE - RE-INSPECTION COMPLAINT ORDER TO VACATE

RE: 1091 MARYLAND AVE E

Dear Property Representative:

A re-inspection was attempted on your building on July 12, 2019, in response to a complaint. **You are hereby notified that the following deficiencies must be corrected or the building vacated prior to August 1, 2019 at 10:00 a.m.**

Failure to comply may result in a criminal citation. 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. Back yard - Open burning - 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.-Remove the fire pit from the back yard.
2. Certificate of Occupancy - Required - 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

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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.

7/12/19: Attempted to contact current occupant. No answer at door. Fire Certificate of occupancy has not been applied for. This building shall be vacated on or before July 31, 2019.

3. Certificate of Occupancy - Required - Sec. 40.06. - Suspension, revocation and denial.
 - (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor:
 - (1) Whenever the certificate was issued in error, or on the basis of incorrect information supplied;
 - (2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate;
 - (3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations;
 - (4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party;
 - (5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
 - (6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
 - (7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or
 - (8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code chapter 53 which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.
 - (b) Notice of suspension, revocation or denial.
 - (1) When the fire code official revokes, suspends or denies a fire certificate of occupancy for safety code violations, the notice shall state:
 - a. The specific reason(s) for the city's suspension, revocation or denial of the fire certificate of occupancy;
 - b. The effective date of the revocation, suspension or denial of the fire certificate of occupancy;
 - c. A statement indicating that the commercial building or residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building or residential occupancy, or portion thereof, is in compliance with applicable safety codes; and
 - d. A statement indicating that the suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of issuance.
 - (2) When the fire code official determines in consultation with the city attorney that he or she has evidence of nuisance activity as described in Minnesota Statutes § 617.81, subdivision 2, or other violations of nuisance provisions of the Saint Paul Legislative

Code are maintained or permitted in the jurisdiction he or she serves, the fire code official shall provide the written notice as described in paragraph a), by personal service or certified mail, return receipt requested, to the owner and interested parties.

a. The notice must:

1. State that a nuisance as defined in Minnesota Statute § 617.81 Subdivision 2, or other violations of the nuisance provisions of the Saint Paul Legislative Code, is maintained or permitted in the building and must specify the kind or kinds of nuisance being maintained or permitted;

2. Summarize the evidence that a nuisance is being maintained or permitted in the building, including the date or dates on which the nuisance-related activity or activities are alleged to have occurred;

3. Inform the recipient that failure to abate the conduct constituting the nuisance or to otherwise resolve the matter with the fire code official by entering into an agreed upon abatement plan within thirty (30) days of service of the notice.

4. Exterior - South East corner - SPLC 34.09 (1)(2), 34.33 (1) - 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.-The soffit, fascia, and gutter was hanging off the house.
5. First floor - North east bedroom - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window glass.-Broken glass on the bedroom window.
6. Front of house - Address numbers - MSFC 505.1 - The address posted is not visible from street.-The address numbers on the front of the house were only visible from the west side of the property.
7. Garage - Alley side - MSFC 505.1 - Provide address numbers at least four (4) inches in height.-The address numbers on the garage were faded, and were only visible from one direction.
8. Garage - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Multiple extension cords in use that were being powered from the house.
9. Interior - Multiple locations - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Multiple missing light globes throughout the property.
10. Interior - Throughout - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce the amount of combustible material by 50%.

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 leanna.shaff@ci.stpaul.mn.us or call me at 651-266-8980 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Leanna Shaff
Fire Safety Inspector