



# 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  
JAN 24 2017  
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 \_\_\_\_\_)
- 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, February 7  
Time 1:30 p.m.  
Location of Hearing:  
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1990 Suburban Ave City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Stephen D. Farrell Email Steve.farrelle@live.com

Phone Numbers: Business 763-427-0066 Residence \_\_\_\_\_ Cell 612-363-7700

Signature: [Signature] Date: \_\_\_\_\_

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

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 of tenants
- Code Enforcement Correction Notice Non safety orders on vacant suites. Adding more orders after initial inspection. Harassment
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)



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](http://www.stpaul.gov/dsi)

January 13, 2017

SCENIC HILLS HOLDINGS, LLC  
9619 HWY 10 W  
ELK RIVER MN 55330

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1990 SUBURBAN AVE

Ref. # 91806

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on January 6, 2017. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

**A re-inspection will be made on January 25, 2017 at 11:00am.**

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

#### DEFICIENCY LIST

1. Broken Homes Studios - Change of Use - SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.- **This tenant space has been added since the last inspection. Immediately vacate this tenant space or submit code analysis for approval and obtain the appropriate permits.**

**Note: Immediately correct all violations within tenant space Broken Homes Studio or vacate the tenant space. Vacate means remove all tenant furnishing from the tenant space. No items shall be stored within the tenant space and the tenant space shall be kept "broom clean".**

2. Broken Homes Studios - Address - SPLC 71.01 - Provide address numbers on tenant space per HN-1 handout.-**There is no address number posted for this tenant space. Contact City of St Paul Public Works representative, Terri Vasquez 651-266-6128, to determine available/assigned address number for this tenant space. Provide address numbers on the door for this tenant space. Address numbers must be at least 4 inches in height, contrast with the background, and reflective or illuminated at night.**
3. 1990 (Family Dollar) - Address Numbers - SPLC 71.01 - Provide address numbers on building per HN-1 handout.-**There is a dispute regarding the assigned address number for this tenant space. Contact City of St Paul Public Works representative, Terri Vasquez 651-266-6128, to determine the assigned address number for this tenant space. Provide address numbers on the exterior door(s) to the tenant space. Address numbers must be at least 4 inches in height, contrast with the background, and reflective or illuminated at night.**
4. 1990 (Family Dollar) - Keys - MSFC 506.1 - When you have the correct keys available, call Fire Department Communication Center at (651) 266-7702 to make arrangements to have the keybox opened.-**Provide building access keys to tenant space 1990 (Family Dollar) to be placed in the fire department lockbox.**
5. 1990 (Family Dollar) - License - Correct Address - SPLC 310.02 - Post the DSI-Licensing issued license in an approved location.-**It has been determined that the correct address for this tenant space is 1990 Suburban Ave. The licensees for Family Dollar have wrong or incorrect addresses. Contact the respective licensing agency to provide the correct address on the respective licenses. Once the address for the tenant space has been determined contact the respective license issuing agency to correct the address on the license.**
6. 1991 (Truth Tattoo) - Extension Cords - MSFC 605.5 - **Discontinue use of extension cords used in lieu of permanent wiring.**
7. 1991 (Truth Tattoo) - Fire Extinguisher - 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.**

8. 1992 B (Former Capoeira Fitness Academy) - Change of Use - SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.-**Tenant space 1992 B appears to be occupied as an arcade/amusement park. No approval has been granted for this type of occupancy for this tenant space. Immediately vacate the tenant space or provide a code analysis and obtain approval to occupy this space.**

**Note: Immediately correct all violations within tenant space 1992B or vacate the tenant space. Vacate means remove all tenant furnishing from the tenant space. No items shall be stored within the tenant space and the tenant space shall be kept "broom clean".**

9. 1992 B (Former Capoeira Fitness Academy) - Ceiling Tile - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-**Replace the missing ceiling tile.**
10. 1992 B (Former Capoeira Fitness Academy) - Cover Plates - MSFC 605.6 - **Provide electrical cover plates to all outlets, switches and junction boxes where missing.**
11. 1992 B (Former Capoeira Fitness Academy) - Ductwork - UMC 1002 - Repair, replace or install duct work in compliance with the mechanical code. This work requires a permit(s). Call DSI at (651) 266-9090.-**Contact a licensed contractor to replace the ductwork that has been removed. This work must be done under permit.**
12. 1992 B (Former Capoeira Fitness Academy) - Entry Door - MSFC 1010.1, 1003.3.1.8 - 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.-**The entry door is equipped with a double-keyed dead-bolt lock. Label the entry door with the above verbiage or provide an approved lock on the entry door.**
13. 1992 B (Former Capoeira Fitness Academy) - Fire Extinguisher - MSFC 906.1, MN Stat. 299F.361 - Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. Fire extinguishers must be serviced annually by a qualified person and tagged with the date of service. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.-**Provide the required fire extinguisher within the tenant space.**
14. 1992 B (Former Capoeira Fitness Academy) - Light Fixtures - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work requires a permit(s). Call DSI at (651) 266-8989.-**Contact a licensed electrical contractor to replace the light fixtures that have been removed. This work must be done under permit.**

15. 1992 B (Former Capoeira Fitness Academy) - Office Sink - SPC 4715.0400 - Provide approved plumbing materials for water, waste, and vent.-**Contact a licensed plumbing contractor to replace the unapproved flexible waste trap on the sink in the office. This work must be done under permit.**
16. 1993 (Former East Metro E-Cig & Vapor) - Change of Use - MSBC 1300.022 Subp. 3 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-8989 with your code analysis and to comply with requirements for approved occupancy.-**Tenant space 1993 was previously approved as a retail store for East Metro E-Cig & Vapor and is now being occupied as a business office. Immediately vacate this tenant space or submit code analysis for approval to occupy as business occupancy.**
- Note: Vacate means remove all tenant furnishing from the tenant space. No items shall be stored within the tenant space and the tenant space shall be kept "broom clean".**
17. 1994B (Former BJs Hot Dog Shoppe) - Unoccupied - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.-**Tenant space 1994B is currently unoccupied. This space must not be occupied until inspected and approved by this office.**
18. 1994B (Former BJs Hot Dog Shoppe) - Open Permit - MSFC 105.1.1 - Permits are required for the electrical work, building remodel, and building sign installation.-**There is an open electrical permit for the building sign installation. The following is a listing of the open permit for this tenant space: Electrical (2012 004790). Contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
19. 1994B (Former BJs Hot Dog Shoppe) - MSFC 605.3.1 - Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar wording.-**Label the door containing the electrical panels.**
20. 1994C (Hair Bouquet Beauty Supply) - Unoccupied - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.-**Tenant space 1994 C is now vacant/unoccupied. Tenant space 1994 C must not be occupied until inspected and approved by this office.**
21. 1994C (Hair Bouquet Beauty Supply) - Address Numbers - SPLC 71.01 - Provide address numbers on building per HN-1 handout.-**Provide/post address on the rear door leading from the interior common hallway into this tenant space. Address numbers must be at least 4 inches in height, contrast with the background, and reflective or illuminated at night.**

22. 1994C (Hair Bouquet Beauty Supply) - Fire Extinguisher - 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.**
23. 1998 (Scenic Hills Laundry) - Mechanical Room - Corroded Sprinkler Head - NFPA 13 (2002) 6.2.6.2.2 - **Replace all painted or damaged sprinkler heads.-Replace the corroded sprinkler head. This work must be done by licensed sprinkler contractor under permit.**
24. 1999 (Bakery) - Unoccupied - SPLC 33.05 - **Uncertified portions of the building must not be occupied until inspected and approved by this office.-Tenant space 1999 is not approved for occupancy at this time. Contact a qualified contractor(s) to verify the existing kitchen hood ventilation/suppression system is adequate for the proposed use. Submit plans for the proposed bakery use for approval and obtain all required permits.**

**Note: Immediately correct all violations within tenant space 1999 or vacate the tenant space. Vacate means remove all tenant furnishing from the tenant space. No items shall be stored within the tenant space and the tenant space shall be kept "broom clean".**

25. 1999 (Bakery) - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - **Provide and maintain an approved ventilation system in all bathrooms.-The bath vent fan that has been installed does not vent to the outdoors. Contact a licensed ventilation contractor to install a code compliant bath vent fan. This work must be done under permit.**
26. 1999 (Bakery) - Bathroom - SPLC 34.11 (5), 34.34 (2) - **Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-9090.-The water heater has been replaced without permits. Contact a licensed plumbing contractor to obtain the required permits and schedule final inspection with area plumbing inspector.**
27. 1999 (Bakery) - Kitchen Hood - MSFC 105.1.1 - **Permits are required for the kitchen hood installation.-A permit to install the kitchen hood was obtained in 2009 by LBP Mechanical, Inc. (612-333-1515). There was required correction that needed to be made to the kitchen hood installation. Unfortunately, the permit was closed due to inactivity without final inspection/approval of the kitchen hood installation. Contact a licensed contractor to install a code compliant kitchen hood. A current permit is required for this work.**
28. 1999 (Bakery) - License - SPLC 310.02 - **Use of this property does not conform to licensing ordinance. Discontinue unlicensed use or call Minnesota Department of Agriculture at (651) 201-6000 to obtain a license.-Obtain/post the required Minnesota Department of Ag license.**

29. 2004 (Mount Mariah Missionary Baptist Church) - Extension Cords - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. **-Remove and discontinue use of the extension cord used to supply power to the power-strips. Power-strips are acceptable provided they are equipped with a resettable breaker and plugged directly into a permanently grounded outlet. Any newly installed electrical wiring/outlets must be done by licensed electrical contractor under permit.**
30. 2007 (Deeq's Grocery) - Electric Panel - NEC 230-2 (e) - Provide identification at the service disconnect for each electrical service. **-Redirect the electrical panel based upon the current occupancy.**
31. 2007 (Deeq's Grocery) - License - SPLC 310.02 - Use of this property does not conform to licensing ordinance. Discontinue unlicensed use or call Minnesota Department of Agriculture at (651) 201-6000 to obtain a license. **-Obtain/post a current Minnesota Department of Ag license.**
32. 2007 (Deeq's Grocery) - Sanitation - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. **-There is a horrible odor inside this tenant space. Clean, disinfect, and maintain the interior of this tenant space in a sanitary condition.**

**Note: Immediately correct all violations within tenant space 2007 or vacate the tenant space. Vacate means remove all tenant furnishing from the tenant space. No items shall be stored within the tenant space and the tenant space shall be kept "broom clean".**

33. Building - Exterior - Brick Flower Garden - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. **-Replace the missing brick on the flower garden located on the exterior of tenant space 1998 (Scenic Hills Laundry).**
34. Building - Fire Department Connection Caps - MSFC 901.4 - **Provide approved caps on the fire department connection.**
35. Building - Fire Sprinkler System - MSFC 901.6 - **Provide required annual inspection and testing of the fire sprinkler system by a licensed fire sprinkler contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the riser showing the latest date of inspection and testing.**
36. Building - Men's Bathroom - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition. **-Adjust the door to fit the frame on the men's common bathroom adjacent to Truth Tattoo.**

37. Building - Sprinkler Riser Room - NFPA 13 (2002) 4.1 - Provide sprinkler coverage in the missing room or area.-**Contact a licensed fire sprinkler contractor to provide coverage in the building's electrical room located adjacent to the sprinkler riser room. This work must be done under permit.**
38. Building - Tenant Addresses - MSFC 505.1 - Provide address numbers on building.- **Contact City of St Paul Public Works representative, Terri Vasquez 651-266-6128, to determine available/assigned address numbers for the respective tenant spaces throughout the building. Provide the correct address numbers for each tenant space on the respective doors. Address numbers must be at least 4 inches in height, contrast with the background, and reflective or illuminated at night.**
39. Exterior - Retaining Wall - 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.-**Repair/replace the damaged/deteriorated retaining wall located along the Burns Ave. public sidewalk. Maintain the retaining wall in a good state of repairs and in a structurally sound condition.**

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 [wayne.spiering@ci.stpaul.mn.us](mailto:wayne.spiering@ci.stpaul.mn.us) or call me at 651-266-8993 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,

Wayne Spiering  
Fire Inspector  
Ref. # 91806