



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

JUN 16 2015

CITY CLERK

We need the following to process your appeal:

- ☒ \$25 filing fee payable to the City of Saint Paul
(if cash: receipt number 79490, check 6143)
- ☒ 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, June 23, 2015

Time 1:30 p.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 709 University Ave. City: St Paul State: Mn Zip: 55104

Appellant/Applicant: Lifetrack/FamiliesTogether/ Email: barbara.o@lifetrack-mn.org

Phone Numbers: Business 651-265-2409 Residence _____ Cell 651-247-9544

Signature: Barbara Otto Date: 6-16-15

Name of Owner (if other than Appellant): Lifetrack Resources

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
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other

not attached letter and photos

June 16, 2015

To Whom It May Concern:

I am writing this letter to appeal the Fire Certificate of Occupancy correction order (Ref. # 16125) for the preschool playground at Lifetrack at 709 University Avenue West in St. Paul. The fire marshal has made a ruling regarding the playground gate:

"There is a mag lock present and you can only egress upon fire alarm activation. Remove the mag lock and provide a code compliant locking arrangement that allows the exit gate to be openable from the inside without the use of keys or special knowledge or effort".

I appreciate the fire marshal's role in ensuring that child and general population safety in the community is ensured. However, in the situation for our Families Together Therapeutic Preschool at Lifetrack, I ask that you look at the larger safety needs of the children that we serve.

We are a therapeutic preschool that serves children who have experienced stress or trauma and are often very disturbed. Many of these children are highly anxious and have significant delays in impulse control. These children are climbers and runners and with an unlocked gate would surely run out onto highly trafficked University Avenue which is 35 feet from the playground gate and 45 feet from the light rail. (Note attached pictures.)

In addition, we sometimes have children who are very depressed and prone to self harm. Sometimes even these preschoolers can be suicidal. An open gate would provide them with an opportunity to run and do harm to themselves.

Lifetrack is fortunate to have a very competent preschool staff and is able to maintain low ratios of children to adults. However, having a teacher always standing at the unlocked gate is not a fool proof safety solution because there is always the possibility of human error (turning the head for a minute, being distracted by another child, etc.).

Lifetrack has an environment and policies and procedures in place that contribute to a safe environment for children, employees, and visitors. It is located immediately adjacent to a fire station. Monthly fire drills are an ongoing practice. Part of the practice for these drills is to be very aware of where anybody with disability needs is during the drill and assist them in any way needed. The low ratio of children to adults in the preschool (3/4 children for each adult) also is a necessity for the high needs of the children served.

In conclusion, the risk of a child being severely harmed running through an unlocked gate to University Avenue or the agency's adjacent parking lot is much higher than the risk of anyone being locked onto

the playground during an actual fire. For this reason we respectfully request a variance to the fire marshall's ruling about needing an unlocked gate.

Thank you for your time in considering our program's request.

Sincerely,



Barbara Otto
Families Together Program Manager
Lifetrack
709 University Ave. W.
St. Paul, Mn.55104



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 12, 2015

LIFETRACK RESOURCES, INC
709 UNIVERSITY AVE W
SAINT PAUL MN 55104

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
709 UNIVERSITY AVE W **(REVISED)**

Ref. # 16125

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on April 29, 2015. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. **A reinspection will be made on June 22, 2015 at 11:30 AM.**

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 reinspection fees.

DEFICIENCY LIST

1. EXTERIOR-PLAY AREA-GATE EXIT - MSFC 1028.2 - 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.

-There is a mag lock present and you can only egress upon fire alarm activation. Remove the mag lock and provide a code compliant locking arrangement that allows the exit gate to be openable from the inside without the use of keys or special knowledge or effort.

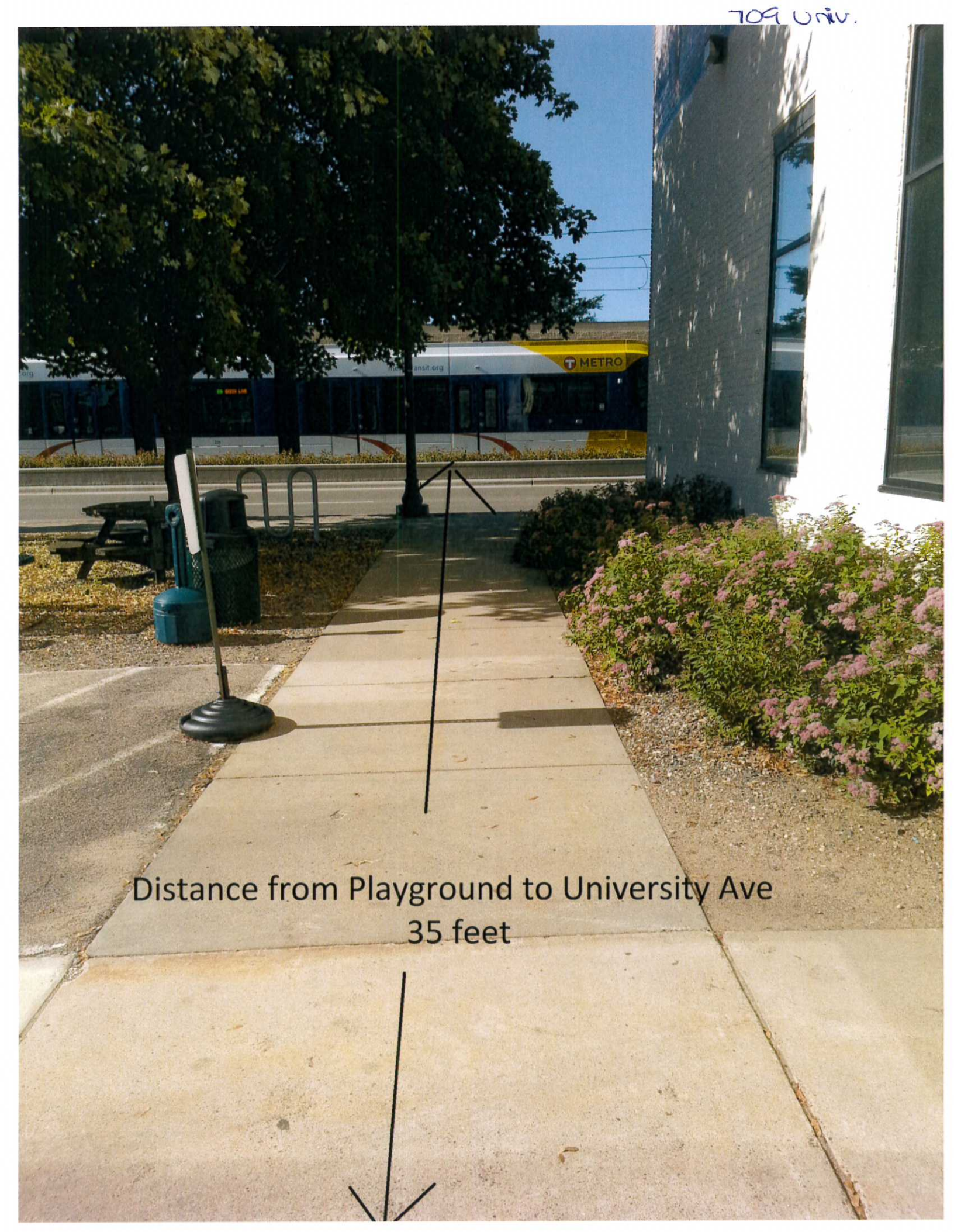
Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

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 Sebastian.Migdal@ci.stpaul.mn.us or call me at 651-266-8985 between 8:00 a.m - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Inspector
Ref. # 16125

A photograph of a concrete sidewalk running parallel to a street. A black line is drawn on the sidewalk, starting from a point near a green trash can and a bike rack on the left, and extending straight ahead towards the background. To the right of the sidewalk is a large bush with pink flowers. In the background, a yellow and white METRO train is visible on the street, with a large tree on the left and a white building on the right. The text "Distance from Playground to University Ave" and "35 feet" is overlaid on the lower half of the image, with a line pointing to the start of the measurement.

Distance from Playground to University Ave
35 feet

709 Univ.

THIS DOOR WILL UNLOCK UNDER
EMERGENCY FIRE CONDITIONS





(Playground to
parking lot)