



# APPLICATION FOR APPEAL

RECEIVED  
MAY 25 2010  
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 337844)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed

Date and Time of Hearing:

Tuesday, 6/1/10

Time 11:30 am

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 315 Larch St. City: ST Paul State: Mn Zip: 55117

Appellant/Applicant: John Norris

Phone Numbers: Business 651 488-4818 Residence 645-9271 Cellular -

Signature: John E Norris DBA Ef. Liquidation Date: \_\_\_\_\_

Name of Owner (if other than Appellant): Same

<sup>Mailing</sup> Address (if not Appellant's): (Same) City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cellular \_\_\_\_\_

2218 Larch St 55117  
Doswell Ave 55108

Specifically what is being appealed and why (use an attachment if necessary):

Check all that apply:

- Vacate Orders/ Condemnation/ Revocation of Fire C of O
- Fire C of O Deficiency Letter
- Window Orders/Permits (Only)
- Correction Orders
- Vacant Building Registration
- Summary/Vehicle Abatement Orders
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

Explanation of Appeal:

Need clear concise explanation as/orders.

3) define apt door on Bldg, on apt. Floor?

3-28- See occup. sheets as/order -

651 602 2670



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)

May 17, 2010

JOHN E. NORRIS  
E J LIQUIDATION  
315 LARCH ST  
SAINT PAUL MN 55111

*Briefly evaluate: seems I'm penalized for be  
good at acquisition - from mostly ambiguous reference  
to codes we can't access w/o realcasts*

[Redacted]

*7 days to comply - How to delay 20yrs?  
Call John*

## NOTICE OF CONDEMNATION UNSAFE BUILDINGS ORDER TO VACATE

RE: 315 LARCH ST  
Ref. # 16616

Dear Property Representative:

315 Larch Street was inspected on May 10, 2010.

The entire premises 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 buildings vacated by the re-inspection date.**

A reinspection will be made on May 27, 2010 at 9:15am.

**CONDEMNATIONS OF THE BUILDINGS REVOKE THE FIRE CERTIFICATES OF OCCUPANCY.**

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

**315 Larch St. (ENTIRE COMPLEX) has been condemned due to the following conditions.**

- Property is a nuisance due to structural, fire, safety, and health hazards. (SPLC 45.03 (1), (4), (8), (9).
- Unapproved roofing and storage structures that appear unsafe and dangerous (MSFC 110.1.2)
- Unsafe conditions. Complex is lacking necessary egress, is dangerous to human life and public welfare, and is lacking maintenance and repair. (MSFC 110.1.1)
- Improper storage, handling and use of hazardous materials. (MSFC 2701, MSFC 3401, and NFPA 58)
- Excessive accumulation of materials. (MN Statue 299F.18)
- Disorderly storage of materials. (MSFC 315.2)

An Equal Opportunity Employer

DEFICIENCY LIST

1. SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. Premises can only be occupied to comply with these orders until re-inspected and approved by this office.
2. ROOF COVERINGS OVER THE COMPLEX - SBC 3405.1, SBC 110.2 - Obtain a structural engineer to complete a code analysis and have it reviewed by the St. Paul Building Official. Contact DSI at 651-266-9090. -Several structures have been erected and appear structurally unsound. Submit approved documentation to proof its structural integrity or remove.
3. MSFC 1003.3.1.8 - 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. -All exit doors leading into the buildings and complex are barred or chained shut. All exits must be openable from the inside of the structures. *exit doors? Bldg. outside fences? In Bldg. near door openable from inside.*
4. MSFC 1010.1, 1004.3.1 - Provide and maintain a minimum of 28 inch aisles throughout employee only areas. *All over 28"*
5. MSFC 1005.2 - Provide additional means of egress due to an inadequate number of exits. *Define what needed*
6. MSFC 2305.1 - Provide and maintain structural integrity and stability of rack storage systems. *one bent upright. Is this complaint.*
7. MSFC 2301.3 - Submit plans and specifications to this office for approval of the installation of the rack storage systems.
8. MSFC 3404.3.3.3 - Class 1, 2, and 3A Flammable/Combustible liquids must not be stored near or be allowed to obstruct physically the route of egress. *gas and diesel in racks. OK - but were stored*
9. MSFC 3404.3 - All Class 1 and 2 Flammable/Combustible liquid containers must be stored in the closed condition at all times except when in actual use. *Plastic jugs?*
10. SPLC 34.08 (6), 34.31 (4) - Remove the accumulation of exterior storage that creates a nuisance or harbors rodents. *Define*
11. MSFC 315.3 - Outside storage of combustible materials shall not be located within 10 feet of a property line. Separation can be reduced to three feet as long as the storage does not exceed six feet in height. *Define.*
12. SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. *30yd. Dumpster on site for this. Cardboard req. dled when load.*
13. SPLC 34.09 (1) b,c, 34.32 (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. *Define -*
14. SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects. -Office trailer has a visible leak. *Results of att. attempted breaker. Includes front door alterations.*
15. SPLC 34.09 (3), 34.32 (3) - Repair and maintain the doors in good condition. *What doors - ? Office Result of breaker.*



16. SPLC 310.02 - Use of this property does may no longer conform to licensing ordinance. Call DSI/Licensing at (651) 266-9090. *hisc. says no changes sense except in*
17. MSFC 803 - Wall and/or ceiling finishes exceed the code requirements for flame spread ratings. Remove or provide documentation of flame spread compliance. -Tarps in use as dividers. *Our Tarps are Fiesta series by Anchor - Have built in Flame Retardency -*
18. SPLC 34.10 (2), 34.33 - Repair and maintain or remove the damaged or unapproved structures. This will require a building permit; call DSI at (651) 266-9090. *Defence*
19. SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
20. MSFC 315.2 - Provide and maintain orderly storage of materials. *I can find anything I want: must be orderly...*
21. MSFC 315.2 - Provide and maintain stable piles and stacks of materials - *Doing as Stacks Stay stacks*
22. MN Stat 299F.18 - Immediately remove and discontinue the excessive accumulation of combustible materials. - *unknown - new office walls which won't support a flame -*
23. MSFC 2302.1 - Reduce and maintain storage height to 12 feet or less or provide approved high-piled storage protection. *Walls 11'6" + Racks ascendingly*
24. MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-9090. Furnace in the warehouse and used oil burner. - *new on pallet*  
- *unit warehouse cover off because cut off gas for summer*
25. MSFC 2703.4 - Provide Material Safety Data Sheets on all flammable and combustible liquids, hazardous materials, and chemicals on site. The sheets are to be kept on site in an orderly fashion in a readily accessible area.
26. MSFC 3403.5 - Label all containers with product specific identification. -There are several containers of unknown products throughout the complex.
27. MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. -Maintain clear aisles and pathways. - *Perhaps Insp. is looking for exit way that doesn't exist as exits are clear -*
28. NFPA 58 - Reduce the propane within the maximum allowable quantities in accordance with NFPA 58. - *35 x 20 - 700 # used 10 - tanks leased for job.*
29. MSFC 2703.3 - Hazardous materials in any quantity shall not be discharged or released on the sidewalk, street, highway, drainage canal, ditch, storm drain, sewer, flood-control channel, lake, river, or the ground. -Evidence of broken fluorescent bulbs and other unknown products on the ground.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

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.

~~XXXXXXXXXX~~ - *Copy to insp*

If you have any questions, email me at: [adrian.neis@ci.stpaul.mn.us](mailto:adrian.neis@ci.stpaul.mn.us) or call me at 651-266-8992 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

A.J. Neis  
Fire Inspector  
Ref. # 16616

cc: Housing Resource Center  
Force Unit  
Jim Bloom, St. Paul Building Official  
Philip Owens, Assistant Fire Marshal 266-8941 -  
Steve Ubl, Building Inspector  
Greg LaMere, Ramsey County Hazardous Waste  
Larry Zangs, Project Facilitator  
Dick Lippert, Deputy Director of Code Enforcement  
Steve Magner, Code Enforcement Manager  
Steve Zaccard, Fire Marshal

Bob Kessler - 266 8989

8. Appeal of John Norris to a Notice of Condemnation and Order to Vacate for property at 315 Larch Street.

John Norris Sr., appellant, appeared with his son, John Norris Jr. Joe Keller, Joe's Hot Dogs, appeared in support of the appellant. A.J. Neis and Leanna Shaff appeared on behalf of the department, DSI – Fire.

Inspector Neis stated that he first inspected the property on April 19, 2010 and found multiple code violations including unapproved roofing and storage structures; improper storage, handling and use of hazardous materials; excessive accumulation of materials; disorderly storage of materials; lacked necessary egress as there was only one exit from the building; and overall found it to be structurally unsafe and posing a fire danger. He re-inspected the property on May 10 and was able to gain access to areas he had been unable to gain entry on his inspection in April. He condemned the building due to the conditions found and placarded the building with a re-inspection scheduled for May 27. He conducted another inspection on May 27 and found that the property owner was working to address the deficiencies listed in the orders. He noted that Ramsey County Hazardous Waste also issued orders due to the hazardous conditions found at the property.

Mr. Norris Sr. stated that he didn't understand the orders which was why he filed the appeal. They were working on cleaning out the yard as well as the inside of the building. Ms. Moermond asked what type of business he conducted. Mr. Norris Sr. responded that he was a "green cyler" where he collected used electrical parts and would break down the components for resale. He said they were working to clean up the property but needed more time.

Mr. Norris Jr. stated that they had hired some additional staff to help clean out the building; however, staff needed more supervision and it was taking more time than he had expected. He said that the property had been burglarized through the roof which had been repaired on the exterior so it did not leak; however, they had not yet repaired the interior. They had also gotten two large dumpsters which they filled and removed and were getting two more. He requested a couple of months to comply with the orders.

Inspector Neis said that he found the conditions at the building posed a danger to firefighters to be able to navigate through the building as there was only one exit in and out. The roofing structure also posed a serious danger as there was one structure covering three separate buildings. Awnings were also installed without permits being pulled. He also found that the materials being stored could fall and injure anyone occupying the building.

Ms. Shaff stated that the property owner would need to have an engineer review the safety issues with the structure of the buildings concerning appropriate egress; the roofing structure would also need to be reviewed by an engineer and the building official would need to conduct a separate review.

Mr. Norris Sr. responded that he had contacted two engineers to come and look at the property and was waiting to schedule a time. He said he objected to the number of inspections that had been conducted with photographs being taken and the fact that the police were present which he believed was hurting his business.

Ms. Moermond asked Mr. Norris Sr. what his customer base was and whether he was the sole owner of the business. Mr. Norris Sr. responded that he and his wife owned the business and he had approximately 25,000 customers which included the City of St. Paul, the school district and electricians who would buy his used parts. Ms. Moermond asked for an explanation of the police presence at the property.

Inspector Neis explained that at his initial inspection in April, he met with Mr. Norris Sr. who became very belligerent, loud and confrontational when he had two other people basically corner him in the building with only one escape route. He was aware that Mr. Norris Sr. had a permit to carry a gun and also hired shady characters from off the street. He requested the police accompany him on further inspections of the property as a precaution and said Mr. Norris Sr. also became extremely belligerent when he took photographs of the property. On the last inspection when Mr. Norris Jr. was present, he seemed to be more reasonable where he did not feel threatened.

Ms. Moermond responded that from what was described, she believed police presence was warranted for the inspections. She asked Mr. Norris Sr. whether he would be willing to allow Jr. to handle working with the inspector for future inspections. Mr. Norris Sr. responded that they could all attempt to work together but acknowledged that Jr. was more the voice of reason than he was as he tended to blow things up.

Ms. Moermond reviewed the photographs of the conditions found at the property from the May 10 inspection. She suggested Inspector Neis write an explanation of the violations on the photographs for the Norris' so that they could understand what work needed to be done. She recommended denying the appeal and indicated that customers were not allowed inside the building. Any business would have to be conducted at least three yards away from the building only if the license permitted for an extension of service of the business.