



APPLICATION FOR APPEAL

RECEIVED

NOV 3 2011

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, Nov. 15, 2011

Time 1:30 11:00

Location of Hearing: a.m.

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 437 Goodhue St City: St. Paul State: MN Zip: 55104

Appellant/Applicant: Edward Mills (Willie Earl Thomas (Coretaker)) Edward Mills Darris Crawford Email snoopy-dghouse@yahoo.com

Phone Numbers: Business 651 398 4957 Residence _____ Cell 612 735-8365

Signature: Willie Thomas Date: 11/3/11

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

Items listed were in the process of being done. Over half of the items listed for units 1+2 has been completed. Inspector Beumer and the owner appear to have personal issues with one another by a statement he made. Mr. Beumer also took it upon himself look over mail & things not pertaining to the inspection. We feel that the inspection was bias against the owner/occupants and the order of vacate is unfair due to personal vendettas.

Legislative Hearing Fact Sheet

Legislative Hearings provide the forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer may request a public hearing before the City Council and it will be scheduled. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

Appeal Applications

Appeal application forms are available online at www.stpaul.gov or they can be mailed to you calling 651-266-8560. Appeal applications may be submitted in person at or by mail at 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council. In some cases involving egress windows, an appeal may be granted without a hearing. If this is the case with your appeal, you will receive a call from our office.

Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair
- 11:30 Condemnations, Revocations & Vacate Orders. Also, Summary & Vehicle Abatement Orders
- 1:30 Fire Certificate of Occupancy Letters, Code Enforcement Notices & Egress Window Building Permit Denials
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases and Overflow Hearings

What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally a decision cannot be made at the hearing, and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

Interpreter: If you need an interpreter for your hearing, please call 651-266-8560 for us to arrange one.



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 28, 2011

Mark D Shirley
6810 Sand Ridge Rd
Eden Prairie MN 55346-2940

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 437 GOODHUE ST
Ref. # 11958

Dear Property Representative:

Your building was inspected on October 27, 2011, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 33.05 of the Saint Paul Legislative Code.

A re-inspection will be made on November 16, 2011 at 10:00 AM or the property vacated.

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. Basement - MFGC 501.2 - Provide, repair or replace the fuel equipment vent to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-9090. -Properly install all three water heater vents.
2. Basement - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.
3. Basement - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair will require a building permit; call DSI at (651) 266-9090. The main beam is not properly supported.-Provide an approved support for all structural members. Obtain approval under permit.

4. Basement - 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. This work may require a permit(s). Call DSI at (651) 266-8989.-Properly install dryer vent under permit or remove and cap in an approved manner.
5. Basement - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair the leaking water pipes and/or fixtures near the water meter.
6. Basement - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.
7. Exterior - Rear - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.
8. Exterior - 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.-Repair damaged siding.
9. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Also repair damaged soffit and fascia.
10. Exterior - SPLC 34.11 (8), 34.34 (4) - Provide approved garbage containers impervious to weather.
11. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
12. Exterior - NFPA 211,9-2 - Have the chimneys, fireplaces, and vents inspected for soundness, freedom from deposits, and correct clearances. Cleaning, maintenance, and repairs shall be done if indicated by the inspection.-Repair damaged chimney.
13. Exterior - MSFC 506.2 - Call Fire Department communication center at (651) 224-7371 to make arrangements to have the keybox opened when you have the correct keys on site.
14. Interior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Paint windows where paint is chipped or peeling.
15. Interior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Repair broken windows.
16. Interior - 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.

17. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
18. Interior - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
19. Rear Porch - 1st Floor - MSFC 315.2 - Provide and maintain orderly storage of materials.
20. Rear Porch - 1st Floor - MSFC 3404.3.4, SPLC 34.15 (1) - Reduce and maintain the flammable or combustible liquids storage quantity in accordance with MSFC 2703.1.1(1) or other approved storage methods.-Remove gas can from the building.
21. Rear Porch - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.
22. Rear Porch - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
23. Unit 1 - Bathroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.
24. Unit 1 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
25. Unit 1 - 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.-Repair leaking sink drain.
26. Unit 1 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
27. Unit 1 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.
-Repair non-working outlet.
-Repair outlet that has an open neutral.
28. Unit 1 - Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.
29. Unit 1 - Kitchen - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
30. Unit 1 - Living Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair loose outlet.
31. Unit 1 - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair broken closet door.
32. Unit 1 - North Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair or replace damaged window and frame in an approved manner.

33. Unit 1 - North Bedroom - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove air conditioner from egress window.
34. Unit 1 - North Bedroom - 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.-Air conditioner is plugged into a non-grounded extension cord.
-Relocate the air conditioner to an approved location with an approved outlet.
35. Unit 1 - North Bedroom - NEC 410-8 (b) (1) Provide for the incandescent fixtures in closets to have a completely enclosed lamp.
36. Unit 1 - North Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
37. Unit 1 - North Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair non-working outlet.
38. Unit 1 - South Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
39. Unit 1 - MSFC 703 - Provide, repair or replace the fire rated door and assembly.-Repair and maintain the door closer.
40. Unit 1 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair three prong outlets that have no ground.
41. Unit 2 - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair improperly working GFI outlet.
42. Unit 2 - Kitchen - 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.-Microwave is plugged into an extension cord. The microwave must plug directly into an approved outlet.
43. Unit 2 - Porch - MSFC 3404.3.4, SPLC 34.15 (1) - Reduce and maintain the flammable or combustible liquids storage quantity in accordance with MSFC 2703.1.1(1) or other approved storage methods.-Remove all gas cans from the building.
44. Unit 2 - Porch - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.

45. Unit 2 - Porch - MSFC 1011.2 - Remove the materials that cause an exit obstruction or remove the non-required exit stairs under permit. This work may require a permit. Contact DSI at 651-266-9090.
46. Unit 2 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
47. Unit 2 - MSFC 315.2 - Provide and maintain orderly storage of materials.
48. Unit 3 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
49. Unit 3 - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.
50. Unit 3 - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-The unit cannot be occupied without gas service.
51. Unit 3 - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-The unit cannot be occupied without electrical service.
52. Unit 3 - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F.-There is no hot water.
53. Unit 3 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
54. Unit 3 - MN Rules 1300.0180 - Discontinue use of unsafe heating appliance until repaired or replaced or removed by a licensed contractor. This work will require a permit(s). Call DSI at (651) 266-9090. -Contact a licensed contractor to remove the unused heating appliance and remove and cap the gas lines in an approved manner. Obtain approval under permit.
55. Unit 3 - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.- Repair damaged windows and frames in Unit 3 and where needed throughout the building.
56. Unit 3 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace the damaged or deteriorated ceiling.
57. Unit 3 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.

58. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit an approved completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
59. SPLC 39.02(c) - Complete and sign the 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 this order.

If you have any questions, email me at: william.beumer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

William Beumer
Fire Inspector

Ref. # 11958