



RLH VO 12-124

APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

DEC 06 2012

CITY CLERK

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number 351904)
- 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, Dec-18, 2012

Time 11:00 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2554 Como Ave Ste #5 City: St Paul State: MN Zip: 55108

Appellant/Applicant: MAYPOP Sales & Services Email: tschweiger@yahoo.com

Phone Numbers: Business 651-644-8473 Residence 651-755-5658 Cell 651-955-6390

Tara Schwäger owner
Signature:

Thomas Tomaro BENJI HEIBERG owner Date: 12.6.12

Name of Owner (if other than Appellant): THOMAS TOMARO

Address (if not Appellant's): 2554 Como Ave St Paul, MN 55108

Phone Numbers: Business _____ Residence _____ Cell 651.246.0020

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

DID NOT RECEIVE NOTICE OF INSPECTION.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

December 5, 2012

TOM TOMARO
DANFORD LLC
PO BOX 1015
LAKEVILLE MN 55044

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 2554 COMO AVE
Ref. # 81152

Dear Property Representative:

A re-inspection was made on your building on December 5, 2012, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date. **A re-inspection will be made on December 20, 2012 at 1:00 pm. Unit 5 is condemned and is not approved for occupancy as of December 4, 2012.**

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. 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. Exterior - Throughout - SPLC 45.03(b) - All exterior surfaces must remain free of any initials, marks, symbols, designs, inscriptions or other drawings, scratched, painted, inscribed or otherwise affixed.
2. Unit 5 - 1st Floor - MSFC 901.6 - Have fire extinguisher recharged and tagged.-Extinguisher near wall with the rim display has been discharged.
3. Unit 5 - Bathroom - SPC 4715.0400 - Provide approved plumbing materials for water, waste, and vent. This work may require a permit(s). Contact DSI at (651) 266-8989.-Repair sink drain which has unapproved flexible piping and improper connectors.
4. Unit 5 - Electrical Panels - NEC 408.7 Unused Openings. Unused openings for circuit breakers and switches shall be closed using identified closures, or other approved means that provide protection substantially equivalent to the wall enclosure.

5. Unit 5 - Exterior - MSFC 1103.3.6 - Arrange exterior storage of tires to be neat and orderly and free of vegetation. Piles must not exceed 5,000 square feet of continuous area, 50,000 cubic feet of volume, and be located within 50 feet of any property line or building. Piles must not exceed 10 feet in height.
6. Unit 5 - Exterior - MSFC 304.1 - Remove excessive combustible storage and/or vegetation from exterior property areas.
7. Unit 5 - Exterior - SPLC 34.08 (6), 34.31 (4) - Remove the accumulation of exterior storage that creates a nuisance or harbors rodents.
8. Unit 5 - Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
9. Unit 5 - Main Level - Furnace - MFGC 503 - Provide, repair or replace the fuel equipment vent or vent liner 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) 266-8989.-Repair furnace vent connector which is damaged and not properly secured together.
10. Unit 5 - Main Level - Furnace - SPLC 34.11 (6), 34.34 (3) - Repair and maintain the furnace in an approved manner. - Replace missing cover over burners on furnace.
11. Unit 5 - Stairway - 3rd Floor - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner. This work may require a permit(s). Contact DSI at (651) 266-8989.-Stairway to 3rd floor loft area is unsound and must be repair or re-built in an approved manner.
12. Unit 5 - Stairways - Throughout - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
13. Unit 5 - Stairways - Throughout - SPLC 34.10 (3), 34.33(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.
14. Unit 5 - Throughout - 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.-Remove slide-bolt lock and bar lock from the rear exit door.
Remove slide-bolt lock and double-keyed deadbolt lock from upper level doors.
15. Unit 5 - Throughout - MSFC 1010.1, 1004.3.1 - Provide and maintain a minimum of 44 inch aisles where storage or fixtures are on two sides of the aisle.
16. Unit 5 - Throughout - MSFC 104.9, 1009.5.3 - Remove the storage under the stairs or provide and maintain 1 hour fire resistive construction on the storage side of the stairs.
17. Unit 5 - Throughout - MSFC 2302.1 - Reduce and maintain storage height to 12 feet or less or provide approved high-piled storage protection.
18. Unit 5 - Throughout - MSFC 2305.5 - Maximum permissible storage height and pile volume in high-piled storage areas shall be in accordance with MSFC table 2306.2 Maximum pile / volume shall not exceed:-6 feet maximum height for tire storage.
19. Unit 5 - Throughout - MSFC 315.2 - Provide and maintain stable piles and stacks of materials
20. Unit 5 - Throughout - MSFC 315.2 - Provide and maintain orderly storage of materials.

21. Unit 5 - Throughout - MSFC 315.2 - Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling.
22. Unit 5 - Throughout - MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords.
23. Unit 5 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Multiple extension cords throughout the space are run through wall, in lieu of permanent wiring, and are hard-wired into junction boxes in some areas. Remove all unapproved cords.
24. Unit 5 - Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.
25. Unit 5 - Throughout - MSFC 605.6 - Provide all electrical splices within junction boxes.
26. Unit 5 - Throughout - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work will require a permit(s). Call DSI at (651) 266-8989.
27. Unit 5 - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
28. Unit 5 - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair, replace or remove all damaged light fixtures, electrical boxes, receptacles and other fixtures throughout the unit.
29. Unit 5 - Throughout - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.
30. Unit 5 - Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
31. Unit 5 - Upper Level - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner 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.-Water heater vent was damaged and not connected. Water heater was shut off by occupant at time of inspection and may not be used until repaired and approved.
32. Unit 5 - Upper Level - SPLC 34.11 (4), 34.34 (1), MPC 4515, MPC 326 - Connect or cap the sewer piping in accordance with the plumbing code.-Repair the disconnected sink or remove and cap piping in an approved manner.
33. Unit 5 - Upper Level - Music Studio Area - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Flooring for upper levels of the building is unsound and not supported to code. Holes and loose plywood were noted on the floors in many areas of 2nd and 3rd floor areas.
34. Unit 5 - Upper Level - Music Studio Areas - MSFC 806.2 - Wall and/or ceiling finishes exceed the code requirements for flame spread ratings. Remove or provide documentation of flame spread compliance.-Remove the cloth, foam insulation, and other unapproved wall coverings.
35. Unit 5 - SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue:-Immediately discontinue use of the building for residential and sleeping purposes.
36. Unit 5 - 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.-Immediately discontinue use of the building for residential and sleeping purposes.

37. Unit 5 - MSFC 38.01, NFPA 58 - 6.2.1 - Propane Storage - LP-Gas containers must be located outside of the building except for specifically allowed uses.
38. **Unit 5 - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-This unit is condemned as unsafe and may not be re-occupied until inspected and approved. No business operations or residential use is allowed as of December 4, 2012.**
39. Unit 5 - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
40. Unit 5 - 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.
41. Unit 5 - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.- Materials throughout the unit are stored in exit paths and obstructing access to the exits.

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>

If you have any questions, email me at mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 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,

Mitchell Imbertson
Fire Inspection

Ref. # 81152