



APPLICATION FOR APPEAL

RECEIVED

MAR 26 2012

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 (courier)

YOUR HEARING Date and Time:
Tuesday, <u>4-10-12</u>
Time <u>1:30 P.M.</u>
Location of Hearing:
<u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 2004 Randolph Ave. City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Laura Goodman Email llgoodman@stkate.edu

Phone Numbers: Business 651-690-8888 Residence _____ Cell _____

Signature: Laura Goodman Date: _____

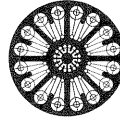
Name of Owner (if other than Appellant): St. Catherine University

Address (if not Appellant's): _____

Phone Numbers: Business 651-690-8888 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
- See attachment



March 26, 2012

Legislative Hearing Officer
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, MN 55102

Dear Legislative Hearing Officer:

I am writing on behalf of St. Catherine University to appeal a fire code deficiency order of the St. Paul Fire Inspector. Specifically, the University is appealing deficiency # 3, which states...

MSFC 315.2.3—Remove combustible storage from the fuel burning equipment rooms. Remove all storage in the tunnel system, or provide plans for separation. [Emphasis added.]

Background

This building in question is the O'Shaughnessy Theater. It is approximately forty years old. For the duration of the building's life, the Theater Department has been storing props in the tunnel space located beneath the theater. Props include everything from period furniture to books and accessories. The storage is neat and well organized. The walkway through the tunnel is clear allowing theater employees to clearly see and retrieve props. The paths are not cluttered or obstructed. This is not a fuel burning equipment room. The tunnel complex is one big space that supplies utilities: heat, cooling and electricity as required to operate this complex. Heat and cooling are provided through steam.

The building is not a lecture building or classroom. It is a limited use theater.

Current Situation

Upon receiving the fire inspector's report, the university assessed costs for either removing the stored props or sprinkling the space. After considering all options and major costs associated with those options, it seemed that some clarification may assuage the City's concerns and allow for a less restrictive interpretation of the code.

First, there is no public access to this space. The building (and campus) is entirely smoke free. There is no fuel burning equipment (furnaces, boilers) in the area.

Second, the inspector's position does not seem to analyze the total fire protection in the building. The building is not an unprotected building. It has fire protection, exit lights, evacuation alarms (horns/strobes in the tunnel space), sprinklers under the stage, smoke and heat detectors on the first and second floors, and clearly marked fire exits. It is protected.

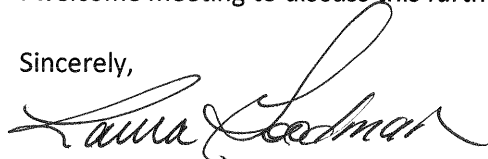
Third, the building is a limited occupancy building. That is, it is not occupied 24 hours a day. The main use is during performances and practices.

The solutions we have attempted to discover have proven to be cost prohibitive or have the potential to create more serious safety risks to our students, faculty and staff. At minimum, after forty years, the university needs time to properly evaluate the situation, plan and develop a capital budget to make changes, if necessary, and incorporate any changes into the campus master plan.

While the university does not disagree that the city has the right to direct it to make these changes, given that the building has fire protection, there does not appear to be a genuine need to make the suggested changes. The order seems to be based on conservation versus public safety. Under the current fire protection in the building, the public would be alerted to a fire and have access to easy ways out that would occur before a sprinkler system would even activate.

I welcome meeting to discuss this further.

Sincerely,

A handwritten signature in cursive script that reads "Laura Goodman". The signature is written in black ink and is positioned above the printed name.

Laura Goodman
Director of Public Safety



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

March 16, 2012

ST. CATHERINE UNIVERSITY
2004 RANDOLPH AVE
ST PAUL MN 55105

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
2004 RANDOLPH AVE BLDG SCU
Ref. # 66132

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on December 27, 2011. 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 or after April 5, 2012.**

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. 14A - MUSIC BLDG - 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.
2. LIGHT BOOTHS - OSHAUGHNESSY - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove extension cords and multi-plugs from lights in booths above seating areas L-Q.
3. TUNNELS - OSHAUGHNESSY - MSFC 315.2.3 - Remove combustible storage from the fuel burning equipment rooms.-Remove all storage in the tunnel system, or provide plans for separation.

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 the original orders.

If you have any questions, email me at kris.skow-fiske@ci.stpaul.mn.us or call me at 651-266-8949 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,

Kris Skow-Fiske
Fire Inspector
Ref. # 66132