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APPLICATION FOR APPEAL

RECEIVED

APR 05 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

YOUR HEARING Date and Time:

Tuesday, 4-17-12

Time 1:30 P.M.

Location of Hearing:
Room 330 City Hall/Courthouse

Emailed 4-5-12 Janice

Address Being Appealed:

Number & Street: 303 ~~B~~ 13 Birmingham St City: Saint Paul State: MN Zip: 55106
Apts B

Appellant/Applicant: Ana S. Lovel Email phalen.village@gmail.com

Phone Numbers: Business 651 771 5625 Residence _____ Cell 651 528 4701

Signature: _____ Date: 04/04/12

Name of Owner (if other than Appellant): Pro1 property Management Inc.

Address (if not Appellant's): 1511 Westminister St - Apt 201

Phone Numbers: Business 651 771 5625 Residence _____ Cell 651 528 4701

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
- Windows do not meet the minimum size
would be inconvenient for the tenants currently
living in the unit, very expensive to be construct the
wall to fit a bigger window
Attached is an email from the fire inspector dismissing
the windows in the neighboring building -

273, 277 and 281 Birmingham St Building

Wayne Spiering [Wayne.Spiering@ci.stpaul.mn.us]

Sent: Thursday, January 26, 2012 3:36 PM

To: Schultz, Ronald

Attachments: 3863368077.DOC (135 KB)

Ronald,

A reinspection was performed on January 6, 2012 for the above referenced building.

During the reinspection I made contact with the tenant in unit 281-B regarding the use of the living room as a sleeping area with respect to the living room egress windows. I had advised that the egress windows in the living room were not meeting minimum openable height size. The tenant has 4 members in their family and are occupying a 1 bedroom unit. The bedroom is only large enough for 2 person occupancy so the living room is being used for the other two people. My orders indicated this would be permissible provided the windows in the living room met minimum egress size.

After my January 6, 2012 inspection, I reviewed the remaining deficiencies with my supervisor, Leanna Shaff. Leanna has indicated that this is not a concern due to the fact that the interior stairway/corridor is a 1-hour rated assembly and the unit opens directly into the rated stairway/corridor. I have been instructed by my supervisor to abate this deficiency. As of my last inspection all items have been addressed and completed regarding unit 281-B. See the attached notice.

Wayne Spiering
Fire Inspector
Dept. of Safety and Inspections
Division of Fire Inspections

651-266-8993 - Office
651-266-8951 - Fax

6. 281-B - Egress Window - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.

Living Room (Double-hung)

20h x 21w - Openable
40h x 20w - Glazed

Note: The tenant is using the living room as a sleeping area.

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

If you have any questions, email me at wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 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,

Wayne Spiering
Fire Inspector

651-224-7811

Reinspection
Dec. 5, 2011 at
11:30 am



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

April 2, 2012

PLEASANTVILLE LLC BIRMINGHAM APTS.
C/O ANA LAVOLD
1511 WESTMINSTER ST. # 201
ST PAUL MN 55130-3133

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
303 BIRMINGHAM ST

Ref. # 16557

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on March 27, 2012. 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 April 27, 2012 at 12:30pm.

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. 303 Building - Boiler Room - MSFC 605.1 - Repair or replace damaged electrical appliance wiring. This work requires a permit(s). Call DSI at (651) 266-9090.-The water heater is wired using an extension cord. This is not an approved appliance wiring. Contact a licensed electrical contractor to wire the water heater in accordance with all electrical codes. This work must be done under permit. **Work has been done without permit. Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
2. 303 Building - Boiler Room - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be 1-hour.- Repair/replace the damaged ceiling. Provide the inspector documentation that the product used provides the required rating. **There is an open building permit. Contact building inspector, Dave Nelson 651-266-9027, for final inspection.**

3. 303 Building - Storage Room - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be 1-hour.- Repair/replace the damaged ceiling. Provide the inspector documentation that the product used provides the required rating. **There is an open building permit. Contact building inspector, Dave Nelson 651-266-9027, for final inspection.**
4. 303-1 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
5. 303-2 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
6. 303-3 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
7. 303-3 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean the dirt, dust, grease from the walls, ceiling, and floors.
8. 303-4 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
9. 303-B - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**

10. 309 Building - West Overhang - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Repair/replace the damaged overhang at the west entrance. This work must be done under permit. **There is an open building permit. Contact building inspector, Dave Nelson 651-266-9027, for final inspection.**
11. 309-1 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
12. 309-2 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
13. 309-3 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
14. 309-4 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
15. 309-4 - Kitchen and East Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.
16. 309-B - Bedroom and Hallway - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace the missing hardware (knobs) on the closet doors. Repair/replace the inoperable closet doors.
17. 309-B - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**

18. 313 Building - West Overhang - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Repair/replace the damaged overhang at the west entrance. This work must be done under permit. **There is an open building permit. Contact building inspector, Dave Nelson 651-266-9027, for final inspection.**
19. 313-1 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
20. 313-2 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
21. 313-2 - Kitchen - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean the floor, walls, and range.
22. 313-3 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
23. 313-4 - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
24. 313-B - Electrical Panel - NEC 110.12 - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaners, abrasives, or corrosive residues.-Replace the circuit breakers that are covered with paint. This work must be done by licensed electrical contractor under permit. **Obtain the required permit and contact electrical inspector, Peggy Schlichte 651-266-9039, for final inspection.**
25. Building - Exterminate - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Inspector saw mouse dropping throughout the kitchen. Contact licensed exterminator to treat the building for mice. Provide inspector documents from the exterminator. **Continue to treat the building for roaches and rodents and provide the inspector documents of the exterminator's reports.**

26. Egress Window - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.

303-B

Bedroom (Double-hung)

19.5h x 28w - Openable

41h x 28w - Glazed

313-B

Bedroom (Double-hung)

19.5h x 28w - Openable

41h x 28w - Glazed

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 wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 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,

Wayne Spiering
Fire Inspector
Ref. # 16557