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# APPLICATION FOR APPEAL

RECEIVED

Saint Paul City Clerk

MAR 23 2011 310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

CITY CLERK

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

**YOUR HEARING Date and Time:**

Tuesday, 4-12-11

Time 1:30

Location of Hearing:  
Room 330 City Hall/Courthouse

*Mailed 3-23-11*

## Address Being Appealed:

Number & Street: 692 Desoto St City: St Paul State: MN Zip: 55101

Appellant/Applicant: John L. Ricci Email Karen. ricci@state.mn.us

Phone Numbers: <sup>(Karen)</sup> Business (651) 201-1187 Residence (651) 771-3424 Cell \_\_\_\_\_

X Signature: *John L. Ricci* Date: 3-19-2011

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
- Other
- Other

① Windows: Interior  
MSFC 1026.1 windows size was determined when the house was built 100 years ago.  
Note: Exception Statement says: The only exception to the above policy that may be granted by the Dept of Safety & Inspections is for previously installed replacement windows that were installed under permit, inspected, and approved by the Dept of Safety and Inspected prior to April 28, 2009.

Revised 8/20/2010

*more (2)*

② SPLC 34.09(3), 34.32(3) Interior window locks.  
Entire home has window locks - 1st and 2nd floors.  
In addition they have Storm locks on all  
windows in the house.  
Distance from the ground to the 2nd  
store floor 16-18 feet.

3) This is not a rental unit. A  
family member occupies the home.

4) This is a family dwelling not  
rental property.

5) Deadbolts - not a rental unit

In addition, the Fire Marshal has declared that all escape windows with openings less than 20 inches in width, 24 inches in height and 5 square feet of entire glazed area with a finished sill height of no more than 48 inches to be a distinct hazard to life and property. (See Fire Marshal Steve Zaccard's Policy Memo, April 2009).

Window Policy:

Based on the Minnesota State Fire Code, windows in existing structures must have a clear opening be at least 20 inches in width, 24 inches in height and at least 5 square feet of entire clear glazed area, with a finished sill height of no more than 48 inches. In addition, replacement windows cannot be smaller than the originally approved windows, unless the originally approved windows exceed the current building code,

*Windows*  
Exceptions:

The only exception to the above policy that may be granted by the Department of Safety and Inspections is for previously installed replacement widows that were installed under permit, inspected, and approved by the Department of Safety and Inspections prior to April 28, 2009.

*Example for statement #1*

Appeals:

Any window not meeting these specific requirements can appeal to the City Council via the City's Legislative Hearing Officer. The Council will consider the benefit to be obtained by complying with the fire marshal's orders and the effect on affordable housing, provided that the spirit of the code is complied with and public safety is secured. (Minn. Stat. § 299F.011, subd. 5b).

Please direct any questions regarding this policy to Mr. James Bloom, Building Code Official for the Department of Safety and Inspections. 651-266-9071



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)

March 16, 2011

JOHN L RICCI  
7369 Blaine Ct  
Inver Grove Heights MN 55076-2318

### FIRE INSPECTION CORRECTION NOTICE

RE: 692 DESOTO ST  
Ref. #109067  
Residential Class: C

Dear Property Representative:

Your building was inspected on March 16, 2011 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

**A re-inspection will be made on April 18, 2011 at 11:15 am.**

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 shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

#### DEFICIENCY LIST

1. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. *Fried - #*
2. EXTERIOR - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Provide deadbolt locks for back doors. *Fried*
3. INTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window locks. *STORM WINDOW HAVE LOCKS*
4. INTERIOR - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions. *done*

An Equal Opportunity Employer *signed - copied done*  
*marked 3/21/11*

5.

INTERIOR - 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. -Upon inspection, window in south bedroom measured 21 inches openable height x 22 inches openable width.

GET INSPECTED 6 APR

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.

Standard Heating - Payne # Hot Water Boiler - Gross Burner # 459-2896

GET FORM

7. ? SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

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 this order.

If you have any questions, email me at: [kelly.booker@ci.stpaul.mn.us](mailto:kelly.booker@ci.stpaul.mn.us) or call me at 651-266-8985 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,

Kelly Booker  
Fire Inspector

Call on Monday just before noon not on property

Reference Number 109067

Tues (10-1:00)  
Wed 3/23/11 (9-12)  
Thurs 3/24 (1-4)

\$195.00

Hot water boiler system street  
692 - res. to

Summer  
772-2449



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

January 24, 2011

John L Ricci  
7369 Blaine Ct  
Inver Grove Heights MN 55076-2318

## INSPECTION APPOINTMENT

Dear Property Owner:

An inspection of your property has been scheduled as follows:

<b>Address:</b>	692 DESOTO ST	<b>Units:</b>	
<b>Date:</b>	February 15, 2011	<b>Time:</b>	11:00 am
<b>Inspector:</b>	Kelly Booker	<b>Phone:</b>	651-266-8985
		<b>Email:</b>	kelly.booker@ci.stpaul.mn.us

You or your responsible representative is requested to meet the inspector at the front of the building to admit and accompany the inspector throughout the building, including each rental unit. It is the responsibility of the owner to notify the tenants at least 24 hours in advance that an inspection will be done. Please have keys available to all units and common areas.

Saint Paul Legislative Code authorizes this inspection and it is a criminal misdemeanor violation should you not permit this inspection by failing to appear for this appointment without rescheduling with the inspector. In addition, a **No Entry Fee of \$60.00** may be assessed to the Renewal Fee whenever the owner or responsible representative needs to re-schedule the appointment but fails to notify the inspector, **in writing**, by 8:00 a.m. on the date of the inspection.

If you no longer own this building, contact the inspector immediately between 7:30 - 9:00 a.m., Monday through Friday.

### FOR CONDOS:

The interior of owner-occupied dwelling units are **exempt** from this inspection. In condominium buildings, only *rental* units, the common areas, and utility area will be inspected.

### FOR APARTMENTS AND DWELLINGS:

**A Smoke Detector Affidavit and an Existing Fuel Burning Equipment Safety Test report must be completed at the time of inspection.** For these forms, information and other inspection handouts, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

Thank you for your co-operation.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
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Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

**SMOKE AND CARBON MONOXIDE DETECTOR  
INSPECTION AFFIDAVIT**

\*\* This affidavit must be completed and returned to the fire inspector upon inspection of the property. A certificate of occupancy cannot be issued/renewed without this completed affidavit. If all the units were not inspected by one person, signatures of all persons inspecting are required. More than one sheet may be used. \*\*

692 Desoto St.      Single dwelling  
Address                      # of Units      C of O #  
Family home

**I affirm that I have given the occupant of each dwelling unit or guest room in the building at the above address a written explanation of the following:**

- 1. The location and operation of each smoke detector and carbon monoxide detector.
- 2. Instructions describing the action to be taken when an alarm sounds.
- 3. The procedures for testing the detectors.
- 4. Who to contact when a low-battery tone sounds or power light fails.
- 5. The penalties for disabling smoke detection or carbon monoxide detection.

X Signature: [Signature]      Date: 3-19-2011

**I affirm that I personally inspected the smoke detectors and carbon monoxide detectors in the dwelling units and guest rooms in the building at the above address as follows and that all detectors were in place and good working order:**

Apt. #	Apt. #	Apt. #	Apt. #	Apt. #	Apt. #
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Minnesota State Statutes 299F.362 requires smoke detectors and Minnesota State Statute 299F.50 requires carbon monoxide detectors and Saint Paul Ordinance 39.02 (c) requires that an affidavit stating that "all detectors are inspected and serviced when needed and are operational be filed before a Certificate of Occupancy can be issued or renewed."

Revised 12/09

3 doors in small middle room

Example

Door 2

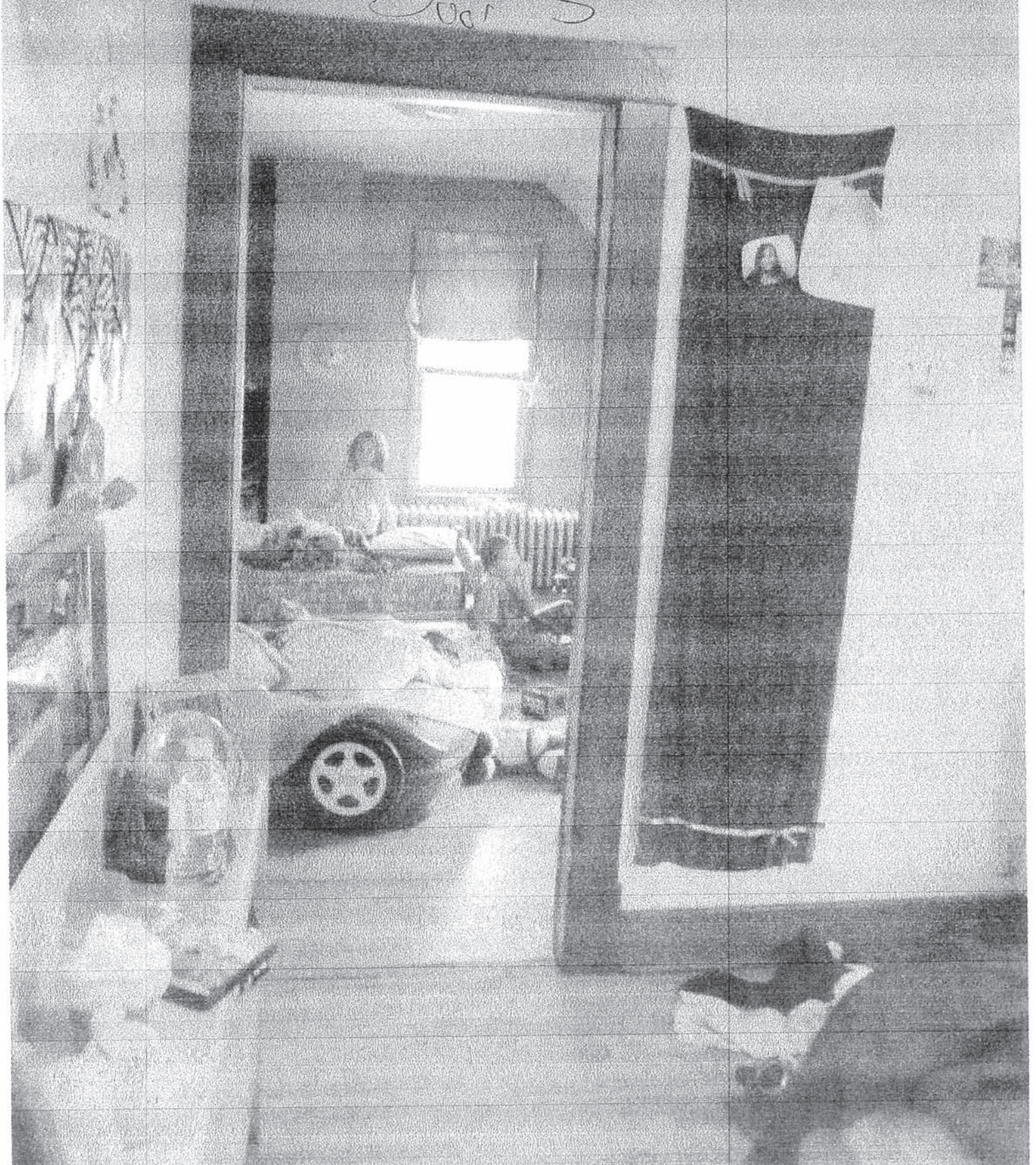
Door 1

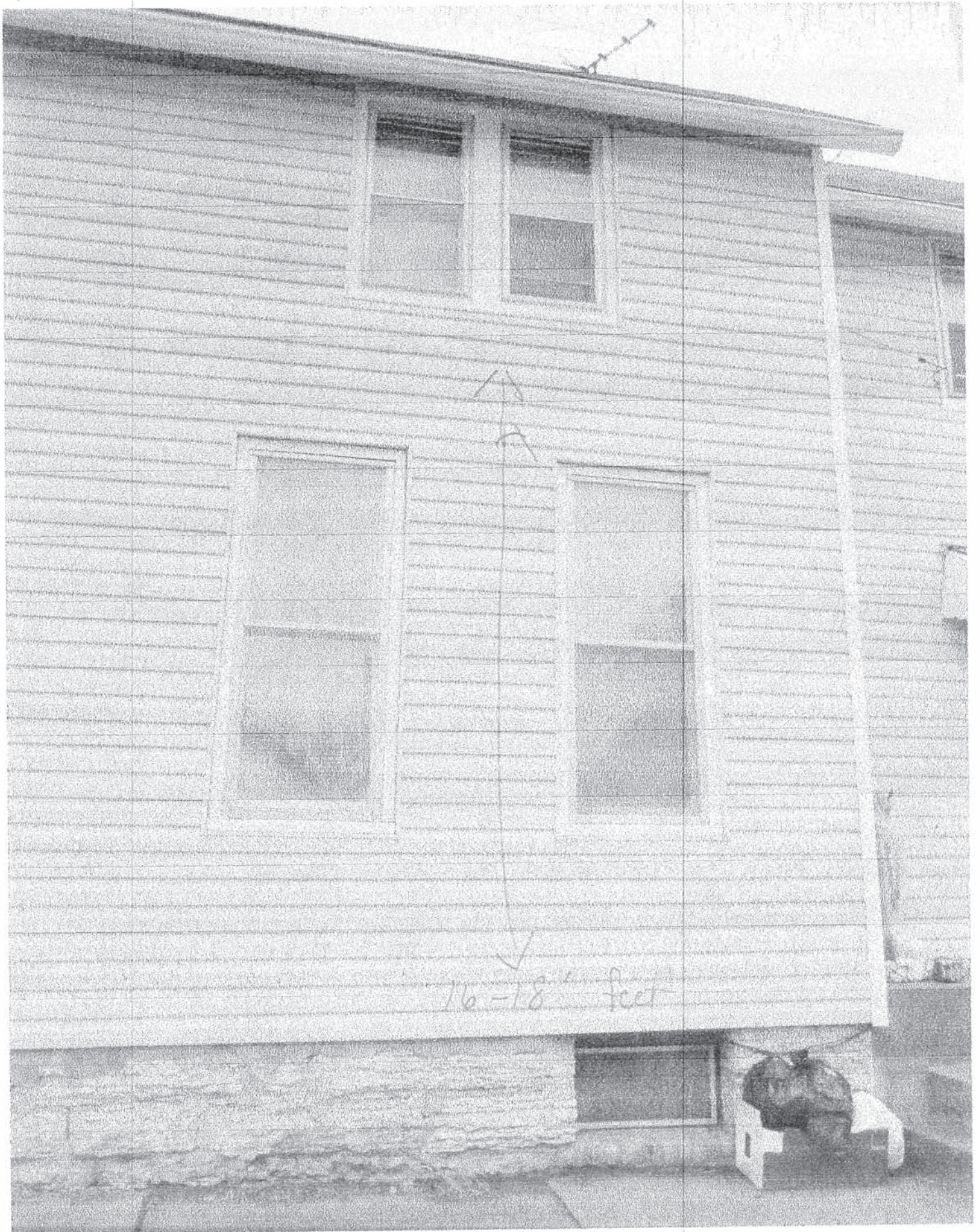




Example Small Bedroom

Door 3





16-18 feet