



APPLICATION FOR APPEAL

RECEIVED
DEC 06 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, Dec 20, 2011
 Time 1:30 P.M.
 Location of Hearing:
 Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 549 Selby Ave #2 City: St Paul State: MN Zip: 55102
 Appellant/Applicant: Calabash Properties (Bill Walker) Email: Bill@calabashproperties.com
 Phone Numbers: Business 612-280-8560 Residence _____ Cell _____
 Signature: Bill Walker Date: 12/6/11
 Name of Owner (if other than Appellant): BRAD NILES
 Address (if not Appellant's): 525 OHIO STREET ST PAUL MN 55107
 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

Window opens 14.5 inches. Then releases from hardware and fully opens. Windows have been in place 25 years and accepted by housing inspection in the past



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

November 14, 2011

CALABASH PROPERTIES
C/O BRAD NILES
525 OHIO ST
ST PAUL MN 55107-2659

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 549 SELBY AVE
Ref. # 106821

Dear Property Representative:

Your building was inspected on November 14, 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 30, 2011 at 1:30 PM 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. Attic - UMC 1002 - Repair, replace or install duct work in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090. The heating ducts located in the attic space are damaged and some broken.-Repair in an approved manner.
2. Basement - 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.
3. 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 **will** require a permit(s). Call DSI at (651) 266-8989.

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4. Basement - UMC 2213 (f) - Install proper hangers and support for the gas piping in compliance with the mechanical code.
5. Basement - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew. There is mold-like substances in the basement.
-Contact a licensed contractor to abate moisture and mold-like substance. **Provide documentation.**
6. Basement - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings.
7. Basement - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the moisture damaged floor coverings.
8. Basement - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace the damaged or deteriorated ceiling.
9. Basement - MSFC 605.6 - Provide all electrical splices within junction boxes.-Near electrical panel.
10. 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.
11. Basement - MFGC 304 - Provide approved combustion make up air in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.
12. Basement - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. *Provide documentation of extermination.* There are signs of mice and rat activity.
-Contact a licensed exterminator to treat entire property.
13. Basement - MFGC 404.1.2 - Provide leak tight caps or plugs on disconnected or unused gas lines.
14. Exterior - Front - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
15. Exterior - Front - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair damaged steps.
16. Exterior - Porch - 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.

17. Exterior - West - 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 or replace damaged and rotted wood under windows.
18. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects. This work may require a permit. Contact DSI at 651-266-8989.
19. Exterior - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair damaged gutters in an approved manner.
20. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
21. Exterior - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.
22. Exterior - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
23. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
24. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.
25. 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 vent in an approved manner.
26. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair damaged windows throughout.
27. Exterior - UMC 1104 - Provide exhaust ducts to terminate outside of the building and be equipped with back draft dampers.
28. Exterior - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.

29. Garage - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.
 - Repair leaking roof and damaged sheathing.
 - Repair water damaged studs and other structural members where needed.
30. Interior Stairwell - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner.
31. Interior Stairwell - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings.
32. Lower Unit - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings. Repair damaged tiles in an approved manner.
33. Lower Unit - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair damaged deadbolt.
34. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace the damaged or deteriorated ceiling.
35. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the damaged floor coverings.
36. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings.
37. Lower Unit - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
38. Lower Unit - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
39. Rear Entry - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.
40. Upper Unit - 3rd Floor Bedrooms - MSFC 1026.1 - 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.
 - Both third floor bedrooms have skylight awning windows for egress. They are obstructed by hardware and measure 19.5 inches height by 41 inches width openable space and have a glazed area of 9.2 square feet.

41. Upper Unit - 3rd Floor South Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
42. Upper Unit - 3rd Floor South Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.
43. Upper Unit - Attic - SPLC 34.11 (4), 34.34 (1), MPC 4715.022.E - Repair and maintain sewer vent to code.
44. Upper Unit - Bathroom - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
45. Upper Unit - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair damaged tile and tub surround in an approved manner. Repair or replace caulking.
46. Upper Unit - Entry - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.
47. Upper Unit - Entry - 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. -There is a transom window above the unit's entry door. -Provide a one hour rated separation.
48. Upper Unit - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
49. Upper Unit - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
50. Upper Unit - 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 leak that has damaged lower unit ceiling.
51. Upper Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings.
52. Upper Unit - NEC 408.7 - 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.
53. Upper Unit - MFGC 304 - Provide approved combustion make up air in compliance with the mechanical code. This work will require a permit(s). Call DSI at (651) 266-9090.
54. Upper Unit - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.

55. 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.
56. 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. # 106821