



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAY 18 2018

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number _____)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 5, 2018</u>
Time <u>1:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 451 Hatch Avenue City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Pearl Sandick Email: pearlsandick@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-805-5908

Signature: [Handwritten Signature] Date: May 16, 2018

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 67 S 1200 E; Salt Lake City, UT 84102

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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:

An unannounced (exterior-only) inspection was made on May 8th that found one deficiency: "Throughout - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen."

My objections are:

- 1) According to the tenants, there are no broken screens in any windows. Screens and storms are provided to the tenant and the tenant chooses to store them in the basement when they are not in use. The screens and storms stored in the basement are in good working order.
- 2) After talking and emailing with Fire Inspector Maicee Hervang, it was made clear to me that all windows must have a screen installed at all times in order to be in compliance with SPLC. However, no code has been cited that requires screens in all windows at all times (prior to 2017, it was required that all windows be equipped with screens, but that is no longer the case in the current SPLC).

If a hearing is required, I request to appear telephonically. Correspondence with Fire Inspector Maicee Hervang is attached.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

May 8, 2018

PEARL E SANDICK
67 S 1200 E
SALT LAKE CITY UT 84102-1642

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 451 HATCH AVE
Ref. # 113568

Dear Property Representative:

An inspection was made of your building on May 8, 2018 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A reinspection will be made on June 8, 2018.

Failure to comply may result in a criminal citation or 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. Throughout - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen.

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: (651-266-8585) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: Maicee.hervang@ci.stpaul.mn.us or call me at 651-266-8940 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,
Maicee Hervang
Fire Inspector

Ref. # 113568



Pearl Sandick <pearlsandick@gmail.com>

Ref # 113568**Hervang, Maicee (CI-StPaul)** <maicee.hervang@ci.stpaul.mn.us>
To: Pearl Sandick <pearlsandick@gmail.com>

Thu, May 17, 2018 at 11:31 AM

Thank you for the research. I have forward your question to my supervisor this morning to take a look. The Deficiency will stay the same until farther review and confirm by my supervisor.

The Most Livable
City in America**Maicee Hervang, CFI**
Fire Safety Inspector I
Department of Safety & Inspections
375 Jackson St, Suite 220
Saint Paul, MN 55101

P: 651-266-8940

F: 651-266-8951

maicee.hervang@ci.stpaul.mn.us

Making Saint Paul the Most Livable City in America

“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”

From: Pearl Sandick [mailto:pearlsandick@gmail.com]
Sent: Thursday, May 17, 2018 12:12 PM
To: Hervang, Maicee (CI-StPaul) <maicee.hervang@ci.stpaul.mn.us>
Subject: Re: Ref # 113568

Hi again, Maicee,

Sorry to bother you again, but I think I figured out what's going on. The Legislative Codes were updated in 2016. I found the record of the updates (attached). There were a lot of changes to 34.09 (4). If you look at 34.09 (4)e at the bottom of page 9, the language that says that all windows must be equipped with screens has been removed and the current language just specifies that all screens be maintained. So as I read it, the current Saint Paul Legislative

Codes do not require that screens be kept on all windows. Do you agree?

Here is the record of the amendment to the SPLC: <https://stpaul.legistar.com/LegislationDetail.aspx?ID=2896258&GUID=BD10E286-5998-429D-B263-735BF717B4FA&FullText=1>

Thanks,

Pearl

On Wed, May 16, 2018 at 3:16 PM, Pearl Sandick <pearlsandick@gmail.com> wrote:

Thank you for your response, Maicee. Can you point me to the code that specifies that all windows have to have screens? The two codes cited in the "deficiency list" are SPLC 34.09 (4) and 34.33 (3). Those two codes seem to say that if you have screens they must be kept in good working order, but I don't see where it says that all windows have to have screens installed.

Thanks,

Pearl

On Wed, May 16, 2018 at 8:48 AM, Hervang, Maicee (CI-StPaul) <maicee.hervang@ci.stpaul.mn.us> wrote:

Hi Pearl,

It's very nice talking to you.

Unfortunately, window screen have to stay on. There's no exception for windows that are openable. This is for preventing mosquitoes, bugs, and dust when air conditional is not working due to breaking or power outage.

If you strongly disagree on the deficiency, I encourage you to appeal to Legislative hearing and see if that deficiency can be take out. Information are on that letter. Let me know if you have any question.

Thank you,
Maicee Hervang, CFI
Fire Safety Inspector I
Department of Safety & Inspections
[375 Jackson St, Suite 220](https://www.ci.stpaul.mn.us/375-Jackson-St-Suite-220)
Saint Paul, MN 55101
P: 651-266-8940
F: 651-266-8951
maicee.hervang@ci.stpaul.mn.us

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"DSI's Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all."

-----Original Message-----

From: Pearl Sandick [<mailto:pearlsandick@gmail.com>]

Sent: Tuesday, May 15, 2018 11:44 AM
To: Hervang, Maicee (CI-StPaul) <maicee.hervang@ci.stpaul.mn.us>
Subject: Ref # 113568

Dear Maicee,

I received a Correction Notice from an inspection made in response to a "referral" that lists one deficiency for my rental property regarding the window screens. I'm a bit confused about what I'm being asked to do here - I just went through the whole inspection process and received my Certificate of Occupancy a few months ago, and specifically remedied this deficiency. I called the tenants and they said that there are no broken windows, screens, or storms in the windows, but that they'd taken most of the screens to the basement because they don't open the windows often (the house has central air). They also said that they were not aware of any inspection. Was it a drive-by inspection? Are the tenants required to store all screens and storms in the windows at all times, or are they allowed to store them in the basement?

Thank you for the clarifications. I've been renting the house out since I had to move away for work ten years ago (and obviously couldn't sell it - I never wanted to be a landlord!). It's only in the last inspection that I was alerted that all windows must have screens, so I had them made, even though the tenants keep them in the basement.

Thanks again,
Pearl Sandick