



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

APR 30 2013

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number 351945)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>May 14, 2013</u>
Time <u>11:30 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1166 E. 7th Street City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Keith Whaley Email \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell (651) 776-3344

Signature: Keith Whaley Date: Apr. / 30, 2012

Name of Owner (if other than Appellant): Brent Hauger

Mailing Address if Not Appellant's: 1133 E. County Road "B", Maplewood, MN. 55109

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell (651) 324-3140

## 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

*I am appealing Revocation of Fire C of O and order to Vacate by May 15, 2013 @ 10 a.m. simply on the ground that deficiency list has been reduced from original 17 items down to currently seven. But one of these remaining seven items in particular may not be completed by May 15 reinspection date because sagging floor must be raised gradually. If not done, bldg. must be vacated? (Def. list item #1)*



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)

April 30, 2013

BRENT HAUGER  
PO BOX 9274  
NORTH ST. PAUL MN 55109

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1166 7TH ST E  
Ref. # 10808

#### **Dear Property Representative: ALL WORK MUST BE COMPLETED**

Your building was inspected on April 30, 2013, 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 40.06 of the Saint Paul Legislative Code. **A reinspection will be made on May 15, 2013 at 9:30 A.M. 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. 1st Floor - Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor near the radiator in an approved manner.
2. 2nd Floor rear exit. - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
3. Bathroom ceiling 1st floor - Unit 1 - NEC 300-11 Provide for all raceways, boxes, cabinets, and fittings to be securely fastened in place.
4. Bathroom ceiling 1st floor - MSFC 705.3.2.1 - Groups I and R occupancies. Incidental use areas in Groups I and R occupancies need not be separated when the incidental use area is protected with automatic sprinklers and the construction of such areas is capable of resisting the passage of smoke. Doors to such areas shall be a minimum of one-hour fire-rated solid-core wood doors or insulated steel doors. doors shall be self-closing or

automatic- closing by smoke detection-The bathroom ceiling must be repaired with fire-rated one hour materials .

5. By unit 10 - MSFC 705.3.2.1 - Incidental use areas in Groups I and R occupancies. Incidental use areas in Groups I and R occupancies need not be separated when the incidental use area is protected with automatic sprinklers and the construction of such areas is capable of resisting the passage of smoke. Doors to such areas shall be a minimum of one-hour fire rated solid core wood doors or insulated steel doors. Doors shall be self closing or automatic closing by smoke detection.-The ceiling by unit 10 has to be repaired with 1 hour fire rated materials.
6. Unit 9 - MSFC 705.3.2.1 - Groups I and R occupancies. incidental use areas in Groups I and R occupancies need not be separated when the incidental use area is protected with automatic sprinklers and the construction of such areas is capable of resisting the passage of smoke. Doors to such areas shall be a minimum of one-hour fire-rated solid-core wood doors or insulated steel doors. Doors shall be self-closing or automatic-closing by smoke detection.-The ceiling in unit 9 has to be repaired with 1 hour fire rated materials.
7. Unit 9 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile. Kitchen

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 this order.

If you have any questions, email me at: [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas  
Fire Inspector

Ref. # 10808

By Order of the  
City of Saint Paul  
Department of Safety & Inspections  
Fire Inspection Division  
651- 266- 8989

# REVOCAATION NOTICE

The Fire Certificate of Occupancy Required for  
The Occupancy or Use of This Building, Has been  
Revoked. It is unlawful to Use or Occupy this  
Building After: 5-15-13 at 10AM

Persons Using or Allowing the Use or Occupancy of  
This Building are Subject to Criminal Penalties.

Building Address: 1166 E 7th St.

Code: SPLC, Art.: 40, Sect. 06.  
Inspector: J. THOMAS, Date: 4-30-13.

Any Person affected by this Order, may file an appeal at the Office of the City Clerk,  
Room 310, City Hall, 15 Kellogg Blvd. West, or call (651) 266-8688 within 10 days  
of the original notice. The cost to file an appeal is \$25.00 and must include a copy  
of the letter of revocation. This letter of revocation is available at: Saint Paul Department  
of Safety & Inspections, Fire Inspection Division, 375 Jackson Street Suite #200 Saint Paul, MN 55101