



✓ 12-123

APPLICATION FOR APPEAL

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. 18, 2012

Time 11:30

Location of Hearing:

Room 330 City Hall/Courthouse

Emailed

Address Being Appealed:

Number & Street: 603 Edmund Avenue City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Richard D. Hawke, Attorney Email rdhawke@ties2.net
for Estate of Emily M. Marcy

Phone Numbers: Business 651-482-9933 Residence _____ Cell _____

Signature: *Richard D. Hawke* Date: 12/3/12

Name of Owner (if other than Appellant): Estate of Emily M. Marcy

Address (if not Appellant's): c/o 2345 Rice Street, Suite 165, St. Paul, MN 55113

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? *Attachments Are Acceptable*

- Vacate Order/Condemnation/Revocation of Fire C of O This single family home is occupied by the intended beneficiary and other extended family members who are all direct descendents of the deceased title owner (plus one spouse). Due to complications beyond the control of any of the residents, the probate of this matter has been delayed pending the location of missing heirs.
- Summary/Vehicle Abatement
- Fire C of O Deficiency List
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other Assistance with required repairs is also being sought.

An Eviction of these family members at this time will create a hardship. Revised 3/7/2011

RICHARD D. HAWKE

ATTORNEY AT LAW
2345 RICE STREET, SUITE 165
ST. PAUL, MINNESOTA 55113

Licensed in MN & MA

(651) 482-9933
(651) 482-8259 FAX
rdhawke@ties2.net

Kirsten Lindgren Christopherson
Associate - Licensed in MN & IL
kirsten@lindgrenlaw.com

RECEIVED
DEC 09 2012
CITY CLERK

December 3, 2012

St. Paul City Clerk
310 City Hall
15 West Kellogg Boulevard
St. Paul, MN 55102

RE: Application for Appeal
603 Edmund Ave.
Estate of Emily M. Marcy

Dear Sir or Madam:

Enclosed for filing is an Application for Appeal of the enclosed Revocation Notice of Certificate of Occupancy for the above referenced property. Will you please process this appeal for us?

I note that hearings are generally heard on Tuesdays, however, I am scheduled to be out of town on Tuesday, December 11, 2012. If it is possible to schedule this hearing on the following Tuesday, December 18th, I would be very appreciative.

If you have any questions, please feel free to contact me. Thank you for your attention to this.

Sincerely,


Richard D. Hawke

RDH/rlm
Enclosure

cc: Wesley Pettiford



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 27, 2012

EMILY MARCY
C/O WESLEY PETTIFORD
603 EDMUND AVE
ST PAUL MN 55103-1612

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 603 EDMUND AVE
Ref. # 105044

Dear Property Representative:

Your building was inspected on November 16, 2012, 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 re-inspection will be made on December 19, 2012 at 12:00pm 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. Basement - Dryer Vent - 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 requires a permit(s). Call DSI at (651) 266-8989.- Remove the unapproved flexible plastic dryer exhaust duct and replace with a code compliant exhaust duct. This work must be done by licensed contractor under permit.

Note: Work has been done without permit. Obtain the required permit and contact area inspector for final inspection.

2. Basement - Electrical Panel - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.

3. Basement - Furnace and Water Heater - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.
4. Basement - Incinerator - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work requires a permit(s). Call DSI at (651) 266-9090.-Remove and discontinue the use of the incinerator located in the basement. Contact licensed mechanical contractor to cap the gas line and seal the chimney.
5. Basement - South Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrades must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
6. Basement - South Stairway - 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.
7. Basement - Utility Sink - SPLC 34.11 (4), 34.34 (1), MPC 4715.0900 MPC 4715.0220S - Provide and maintain an approved waste trap.-The utility tub is draining into a floor drain. This is not an approved connection. Contact a licensed plumbing contractor to provide a code compliant waste trap/drain connection. This work must be done under permit.
8. Basement - Water Heater - SPC 4715.1800.9, 2210 - Provide pressure relief valve for hot water heater piped to within 18 inches of the floor.-Remove the unapproved hose and install a code compliant pressure relief valve piping.
9. Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove and discontinue using the extension cords throughout the basement.
10. Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce the storage of combustible material in the basement by 50 percent.
11. Exterior - Garbage Service - SPLC 34.11 (8), 34.34 (4) - Provide approved garbage containers impervious to weather.-Contact an approved garbage hauler to provide regular garbage pick-up service to the property. Provide the inspector documentation that garbage service has been obtained.
12. Exterior - Parking Space - 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.-There are vehicles parked on the grass/dirt adjacent to the garage. Grass/dirt is not an approved parking surface. Provide an approved parking surface.
13. Exterior - Rear Yard - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.-Mazda with license plate VJL 394 has expired tabs (2-2011).

14. Exterior - Window Screens - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
15. Exterior - Wooden Stairway - 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/replace the rotted/deteriorated exterior wooden stairway leading to the upper floor. This work must be done under permit.
16. Exterior - Yard - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove the garbage, recyclables, and debris from the exterior of the property.
17. Garage - Electric Service - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.-The garage is powered by an extension cord running from the house. This is not an approved electrical service for the garage. Remove and discontinue the use of the extension cord. Contact a licensed electrical contractor to provide a code compliant electrical service to the detached garage. This work must be done under permit.
18. House - Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Replace the deteriorated roof.
19. House and Garage - Exterior Surfaces - 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.-Scrape all flaking/chipped paint from the house and garage. Replace all rotted/deteriorated surfaces on the garage. Maintain all exterior surfaces in a good state of repairs and protected against elements of the weather.
20. Interior Stairway - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work requires a permit(s). Call DSI at (651) 266-9090.-The light fixture in the interior stairway adjacent to the upper floor entry door is not installed correctly. Contact a licensed electrical contractor to install a code compliant light fixture. This work must be done under permit.
21. Interior Stairway - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
22. Lower Unit - Kitchen - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair/replace the damaged countertop.
23. Lower Unit - Kitchen - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
24. Lower Unit - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceiling in an approved manner.-Repair/replace the damaged walls and ceiling.

25. Lower Unit - South Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.
26. Lower Unit - South Bedroom - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace the missing thermostat cover.
27. Lower Unit and Upper Unit - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
28. Upper Unit - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Replace the missing handle for the bath tub faucet. Secure the loose bath tub faucet.
29. Upper Unit - Bathroom - SPLC 34.11 (4), 34.34 (1), MPC 4715.0900 MPC 4715.0220S - Provide and maintain an approved waste trap.-There is an S-trap on the bathroom sink drain. This is not an approved waste trap. Contact a licensed plumbing contractor to install a code compliant waste trap. This work must be done under permit.
30. Upper Unit - Bathroom - SPC 4715.1800 (g) - Provide stop to water closet water supply.- Install water shut-off valves for the bath tub.
31. Upper Unit - Kitchen - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-Remove and discontinue the use of the extension cord used to supply power to the refrigerator and gas range. Refrigerators and ranges must be plugged directly into a permanently grounded outlet. Any newly installed electrical wiring/outlets must be done by licensed electrical contractor under permit.
32. Upper Unit - Kitchen - 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/replace the leaking plumbing under the kitchen sink.
33. Upper Unit - Kitchen - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-The water to the sink has been shut-off due to the leaking plumbing. Restore the water supply to the kitchen sink.
34. Upper Unit - Porch - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair/replace the damaged door/door frame. Replace the missing door handle.
35. Upper Unit - South Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
36. Upper Unit - South Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.

37. Upper Unit - South Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove the unapproved slide-bolt lock from the bedroom door.
38. Upper Unit - South and West Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
39. Upper Unit - West Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
40. 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.
41. 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 this order.

If you have any questions, email me at: wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 between 7:30 - 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. # 105044



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



REVOCATION 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: DECEMBER 19, 2012.

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

Building Address: 603 EDMUND AVE

Code: SPLC, Art.: 40, Sect. 06.

Inspector: W. SPIERING, Date: 21 November 21, 2012

Under Penalty of Law, this notice shall not be removed without authorization from the
Department of Safety & Inspections

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. 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 #220 Saint Paul, MN 55101