



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

APR 28 2015

CITY CLERK

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, May 5, 2015  
 Time 1:30 p.m.  
 Location of Hearing:  
 Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1048/50 Payne Ave. City: St. Paul State: MN Zip: 55130

Appellant/Applicant: T. V. Eklund 40 Troy Olson Email troy@superiorclassic.com

Phone Numbers: Business 651-774-5582 Residence \_\_\_\_\_ Cell 612-919-2183

Signature: [Signature] Date: 4/27/15

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing 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/Correction Exterior Storage - remove dumpster
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)



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 21, 2015

TV EKLUND / TROY OLSON  
1048 PAYNE AVE SUITE B  
ST PAUL MN 55101

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1048 PAYNE AVE

Ref. # 12523

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on April 6, 2015. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

**A re-inspection will be made on May 7, 2015 at 10:00am.**

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

#### DEFICIENCY LIST

1. 1048 (Payne Oriental Market) - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain an approved ventilation system in all bathrooms. **-The bath vent consists of flexible plastic. This material is not approved. Contact a licensed contractor to install a code compliant bath vent fan under permit.**

**Note: Ventilation inspector, James Lichtblau, has corrections that need to be made before the open ventilation permit can be finalled. Contact your contractor to make the necessary corrections and schedule final inspection with ventilation inspector, James Lichtblau 651-266-9061.**

2. 1050 (Vacant) - Unoccupied - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office. **-Tenant space 1050 is currently vacant/unoccupied. Tenant space 1050 must not be occupied until inspected and approved by this office.**

An Equal Opportunity Employer

3. Exterior - Outdoor Storage - **SPLC 62.101** - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. **-This property is zoned B2 which does not permit outdoor storage. Enclosed is a letter dated August 31, 2006 addressed to Superior Exterior (attention Troy Olson) regarding the outdoor storage being conducted on the property at that time and the advisory that outdoor storage is not permitted at the property. Outdoor storage is defined as merchandise for sale or rent; material awaiting servicing, processing or manufacturing; finished products of a servicing, processing or manufacturing operation; equipment; portable storage containers but excluding trash containers or garbage dumpsters that are accessory to the main use; and automobiles, trucks, automobile trailers, semitrailers, intermodal cargo containers, or other vehicles not used for more than 5 days. Immediately remove all outdoor storage (piles of dirt, sand bags, and large dumpster used for debris from off-site construction jobsites) and discontinue outdoor storage at this property. Failure to comply will result in enforcement action.**

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 [wayne.spiering@ci.stpaul.mn.us](mailto:wayne.spiering@ci.stpaul.mn.us) or call me at 651-266-8993 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,

Wayne Spiering  
Fire Inspector  
Ref. # 12523

**Sec. 62.101. - Intent.**

There exist within the districts established by this code and subsequent amendments lots, structures, and uses of land and structures that were lawful before this code was passed or amended that would be prohibited, regulated or restricted under the terms of this code or future amendments. It is the intent of this code to permit legal nonconforming lots, structures or uses to continue until they are removed and not replaced in accordance with Minnesota Statutes, section 462.357, subdivision 1e.

The code recognizes that in some circumstances allowing nonconforming uses to be changed to similar or less intense nonconforming uses, or allowing nonconforming uses to be reestablished in vacant buildings may benefit the city and surrounding neighborhood. Some buildings have a long useful life and allowing their continued occupancy for nonconforming uses can be more desirable than requiring them to be vacant if they cannot be converted to conforming uses. Consequently, the code allows conversion of nonconforming uses to similar nonconforming uses and allows the planning commission to reestablish nonconforming uses in vacant buildings if regulated so as to be compatible with the surrounding neighborhood.

The code provides, under limited circumstances, for expansions or relocations of nonconforming uses when compatible with the surrounding neighborhood.

(Ord 12-71, § 2, 12-12-12)

in accordance with applicable law.

- (e) *License and permit administration.* The department of safety and inspections shall have duties related to licenses and permits. The duties shall include the following:
- (1) Providing and maintaining a system of processing city business licenses and permits (except building permits) to achieve a coordinated process of administration.
  - (2) Acceptance of all applications for business licenses and permits, requisite processing through the various city departments and agencies, the final preparation of reports to be submitted to the city council, and the issuance of receipts for all city business licenses and permits.
  - (3) Establishment of uniform requirements and standards for all business licenses and permits and the maintenance of a complete records system.
  - (4) Maintenance of departmental records and the keeping and updating of departmental statistical reports and inspection reports for all license and permit administration.
  - (5) Providing a license inspection unit, which shall make such inspections as are required by law and report all license violations to the city council in coordination with all proper city departments. Any reference to the "license inspector" in the legislative code, administrative code, or city charter shall refer to the director of the department of safety and inspections and his/her designee.
- (f) *Fire inspection.* The department of safety and inspections shall have duties related to fire inspection, these duties shall be supervised by the fire marshal.
- (1) *Duties of the fire marshal.* The fire marshal shall report to the director of the department of safety and inspections regarding fire inspection duties. On all other matters, the fire marshal shall report to the fire chief in the department of fire and safety services.
  - (2) Duties regarding fire inspection. Under the supervision of the fire marshal, inspectors shall be responsible for periodic inspection of all existing residential rental properties (except owner-occupied rental properties with two (2) or fewer dwellings) and **commercial structures for compliance with all safety codes** including collection of appropriate fees.
- (g) *Public information and complaint office.* The department of safety and inspections shall supervise the public information and complaint office. The department shall act as a liaison between complainants, the city council and city offices and departments responsible for responding to citizen complaints and requests. The director shall be responsible for the program supervision, development and operation of the computerized referral system, the establishment of procedures, training of personnel, making presentations to various groups, and the provision of information on city services and events. Consistent with these duties, the department shall develop and operate a city-wide computerized complaint system to do the following:
- (1) Act as an advocate for citizens in responding to requests and complaints that pertain to city services.
  - (2) Work closely with all city departments to constantly improve the city's response to requests and complaints.
  - (3) Report regularly to the mayor and city council on the performance of city departments in response to requests and complaints and the relative satisfaction of the citizens with the city's response.
  - (4) Work closely with city-wide information services to operate a fully computerized complaint referral and follow-up system.
  - (5) Provide public information on city services, events, and who to contact for response to requests and complaints.
- (h) *Zoning.* The department of safety and inspections shall have duties related to zoning. The duties shall

include the following:

- (1) Determine whether buildings and property comply with the zoning ordinances. This includes but is not limited to a review of applications for construction permits, licenses and changes in certificates of occupancy.
- (2) Provide staff recommendations to the board of zoning appeals. This includes preparing a staff report for matters that come before the board, making a recommendation to the board regarding those matters; presenting a written and oral report to the board at the public hearing; and processing the board's decision and presenting any appeals to the city council.
- (3) Staff the site plan review process as delegated by the planning commission. This includes the review and approval of all site plans required by code, coordination of site plan review meetings for inclusion of comments from other staff. When a public hearing before the planning commission is required, prepare staff reports, process the planning commission's decision and handle any appeals to the city council.
- (4) Enforce zoning regulations, respond to complaints and investigate compliance with conditions of approvals attached to zoning permits and variances.
- (5) Review and issue sign permits.
- (6) Heritage preservation. The department of safety and inspections shall have duties related to heritage preservation. The duties shall include the following:
  - a. Safeguard the heritage of the city by identifying and preserving areas, places, buildings, structures and other objects having historical, architectural, archeological or engineering significance.
  - b. Provide staff support to the heritage preservation commission which advises the city on heritage preservation matters, identifies historic resources, recommends sites for designation, conducts plan and design review of heritage preservation sites and districts, reviews street name changes, and provides education.
  - c. Promote the recognition, protection, reuse and preservation of historic resources by developing and administering a preservation plan for the city in cooperation with the planning commission and the department of planning and economic development.

(C.F. No. 07-147, § 3, 3-28-07)



**CITY OF SAINT PAUL**

*Christopher B. Coleman, Mayor*

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

**SUMMARY OF USES ALLOWED IN SAINT PAUL ZONING DISTRICTS, 2013**

**RESIDENTIAL DISTRICTS**

**RL, R1, R2, R3, R4 One-Family**

One-family dwelling  
Carriage house dwelling (historically existing)\*  
Cluster residential development\*  
Reuse of structures over 9,000 sq. ft.\*  
Home occupation  
Community residential facility (≤6 residents)  
Day care  
School, library, park, church  
Rectory, convent  
College, university\*  
Cemetery\*  
Golf course, noncommercial recreation\*  
Utility/public service building\*  
Yard waste site, municipal\*  
Bed and breakfast (one guest room)  
Agriculture\*

**RT1 Two-Family**

All R1-R4 uses  
Two-family dwelling  
Bed and breakfast\*

**RT2 Townhouse**

All RT1 uses  
Three- and four-family dwelling  
Townhouse  
Community residential facility\*

**RM1 Multiple Family**

All RT2 uses  
Multiple-family dwelling (≤3 stories)  
Rooming and boarding house\*

**RM2 Multiple Family**

All RM1 uses  
Multiple-family dwelling (≤5 stories)  
Nursing home\*  
Accessory retail service and office uses\*  
Elderly housing support services

**RM3 Multiple Family**

Most RM2 uses except 1-2 family dwellings  
Multiple-family dwelling (any height)

**TRADITIONAL NEIGHBORHOOD DISTRICTS**

**T1 Traditional Neighborhood**

One-, two- and multiple-family dwelling  
Most other RM2 uses  
Live-work unit  
Mixed residential and commercial use  
College, university, trade school, arts school  
Fraternal organization, lodge hall  
Museum  
Noncommercial recreation  
Utility/public service building\*  
Artist and photographer studio  
Business office, bank, insurance, real estate office  
Professional office, medical clinic  
Post office, photocopying  
Service businesses, e.g. watch and shoe repair,  
tailor shop, barber, beauty shop  
Coffee shop, tea house\*  
Bed and breakfast

**T2 Traditional Neighborhood**

All T1 uses  
Hospital\*, veterinary clinic  
General retail, grocery, bakery, liquor store\*  
Drive through sales and services\*  
Laundromat, dry cleaning (retail outlet)  
Mortuary, funeral home  
Service business with a showroom or workshop\*  
Tattoo shop, tobacco products shop\*  
Restaurant\*, catering  
Hotel, inn  
Health club, indoor recreation\*  
Theater, assembly hall\*  
Auto convenience market, service station\*  
Limited production and processing\*  
Printing and publishing\*

**T3 Traditional Neighborhood**

All T2 uses except drive-through sales/services  
Parking facility, commercial\*

**T4 Traditional Neighborhood**

Most T3 uses except 1-2 family dwellings, auto  
convenience market and auto service station

## **COMMERCIAL DISTRICTS**

### **OS Office-Service**

Multiple-family dwelling, home occupation  
Mixed residential and commercial use  
Community residential facility, human service  
Day care, school, library, park, church  
College, university, trade school, arts school  
Noncommercial recreation  
Utility/public service building\*  
Artist and photography studio  
Business office, bank, insurance, real estate office  
Professional office, medical clinic  
Drive-through sales and services\*  
Service businesses, e.g. shoe repair, tailor, barber

### **B1 Local Business**

Most OS uses (not multiple-family dwelling)  
General retail, grocery store, bakery, liquor store  
Laundromat, dry cleaning (retail outlet)  
Post office  
Coffee shop/tea house\*, carry-out restaurant  
Bed and breakfast

### **B2 Community Business**

All B1 uses  
Community residential facility\*  
Veterinary clinic  
Service businesses with a showroom or workshop,  
e.g. contractor, painter, appliance repair  
Tattoo shop, tobacco products shop  
Restaurant, catering, coffee kiosk  
Private hall, club, health club, indoor recreation\*  
Theater, bingo hall\*, assembly hall  
Auto convenience market, service station\*  
Mail order house\*, printing/publishing\*

### **B3 General Business**

All B2 uses  
Hospital  
Business sales/services, package delivery service  
Alternative financial establishment\*, pawn shop\*  
Dry cleaning, commercial laundry  
Greenhouse\*, outdoor commercial use\*  
Mortuary, funeral home  
Hotel, inn, motel  
Adult use\*  
Auto repair\*, auto sales (outdoor\* indoor) car wash\*  
Bus/railroad passenger station, helistop\*  
Finishing shop, limited production and processing  
Wholesaling (no outside storage, <15,000 sq. ft.)

### **B4 Central Business**

Most B3 uses except auto and outdoor uses  
Multiple-family dwelling  
Indoor auto sales  
Commercial parking facility

### **B5 Central Business-Service**

All B4 uses  
Overnight shelter  
Public utility heating or cooling plant  
Auto convenience market, service station, repair  
Finishing shop, limited production and processing  
Warehousing, wholesaling

## **INDUSTRIAL DISTRICTS**

### **IT Transitional Industrial**

Most B3 uses except outdoor commercial uses  
Television/radio/public utility/microwave antennas\*  
Auto body shop\*  
Commercial parking facility\*  
Warehousing, wholesaling, storage facilities  
Manufacturing from previously prepared materials  
Brewery, micro and regional  
Lumber and contractor's yards  
Research, development and testing laboratory

### **I1 Light Industrial**

All B3 and IT uses  
Overnight shelter  
Public utility heating or cooling plant  
Gun shop\*, shooting gallery\*  
Airport\*, heliport\*, bus garage  
Railroad yard\*/freight facility  
Taxi dispatching, maintenance and storage

### **I2 General Industrial**

All I1 uses  
Public services and utilities, transportation facilities\*  
Intermodal freight yard\*, motor freight terminal\*  
General industrial, general outdoor processing\*  
Brewery, national  
Hazardous and infectious waste processing\*  
Mining of sand, gravel, other raw materials\*  
Salvage yard\*

### **I3 Heavy Industrial**

Public services and utilities, transportation facilities\*  
Intermodal freight yard\*, motor freight terminal\*  
General industrial, general outdoor processing\*  
Hazardous/infectious waste processing\*  
Mining\*, rock crushing\*  
Petroleum/gasoline tank farm  
Salvage yard\*, auto body shop

\* **Conditional uses** - May require a Conditional Use Permit (CUP) granted by the Planning Commission.

Note: THIS IS NOT A COMPLETE LIST OR LEGAL DOCUMENT. For simplicity and readability, it departs from legal and technical language of the Saint Paul Zoning Code and other applicable regulations




**MapRamsey** 1050 Payne 2003










60.0 C 30.00 60.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**Legend**



-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries
-  Airports

**Notes**

Enter Map Description



### 1050 Payne 2006



#### Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports

#### Notes

Enter Map Description

60.0 0 30.00 60.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
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**MapRamsey** 1050 Payne 2009



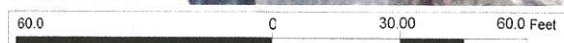
**Legend**



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports

**Notes**

Enter Map Description



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### 1050 Payne 2011



#### Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Lakes - Neighboring Counties
- Airports

#### Notes

Enter Map Description

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Sec. 60.217. - P.

**Parking.** The placement of automobiles, trucks, trailers, semitrailers, intermodal cargo containers, or other vehicles for five (5) or fewer days.

*Parking facility, off-street.* All areas, spaces and structures designed, used, required or intended to be used for the parking of more than three (3) motor vehicles. This definition is intended to include adequate driveways, accessways, parking bays, garages, or a combination thereof, but does not include public roads, streets, highways and alleys.

*Parking space.* An area of definite length and width designed for parking of motor vehicles; said area shall be exclusive of drives, aisles or entrances giving access thereto.

*Parking, structured.* Off-street parking that is placed within a ramp, deck, underground, enclosed building, or tuck-under garage.

*Pathological waste.* Waste meeting the definition of "pathological waste" under Minnesota Statutes, section 116.76, subdivision 14.

*Pervious pavement.* Paving material that allows water to flow through it to minimize stormwater runoff.

*Planning administrator or planning coordinator.* The head of the division of planning of the department of planning and economic development of the city, or such employees under his direction as he may designate.

*Planning department.* The division of planning of the department of planning and economic development of the city.

*Planning district.* One (1) of seventeen (17) geographic areas delineated, and from time to time amended, by the city council to facilitate citizen participation, early notification of proposed city actions, and planning for the purpose of determining concentration of community residential facilities. Planning district thirteen is divided into three (3) separate planning districts: Merriam Park, Snelling-Hamline and Lexington-Hamline. An official map of the designated areas is maintained by the department of planning and economic development.

*Ponding area.* A basin which retains stormwater runoff from an adjacent area.

*Principal use or building.* (See "main building" and "main use.")

*Public realm.* That aspect of the urban environment that is visible and accessible to the public, including both public spaces - such as streets, plazas, sidewalks and parks - and the building walls that frame them.

*Public utility.* A person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing to the public, under federal, state or municipal regulations, gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

(C.F. No. 10-403, § 3, 6-16-10)

## Sec. 60.220. - S.

*Setback.* The distance required to obtain front, side or rear yard open space provisions of this code, measured from the lot line to the above-grade faces of the building.

*Sewage treatment system, individual.* A sewage treatment system or part thereof serving a dwelling, or other establishment or group thereof, that uses subsurface soil treatment and disposal or aboveground soil treatment in areas of high water table or bedrock or rapidly or slowly permeable soils.

*Shoreland.* Land located within the following distances from public waters:

- (1) One thousand (1,000) feet from the normal high water mark of a lake, pond, or flowage; and
- (2) Three hundred (300) feet from a river or stream, or the landward extent of a floodplain designated by ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances, as determined by the Minnesota Department of Natural Resources.

*Sign.* (See Chapter 64 Signs.)

*Slopes, steep.* Slopes which are steeper than one hundred (100) feet horizontal to twelve (12) feet vertical but are not steeper than one hundred (100) feet horizontal to eighteen (18) feet vertical (twelve (12) percent to eighteen (18) percent).

*Slopes, very steep.* Slopes which are steeper than one hundred (100) feet horizontal to eighteen (18) feet vertical (eighteen (18) percent and over).

*Source-separated organics.* Food scraps and non-recyclable paper that is separated at the source of its creation for the purpose of composting.

*Specified anatomical areas:*

- (1) Less than completely and opaquely covered:
  - a. Human genitals;
  - b. Pubic region;
  - c. Buttocks; and
  - d. Female breast below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

*Specified sexual activities:*

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of human masturbation, sexual intercourse or sodomy; and
- (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
- (4) No obscene work shall be allowed.

*Storage.* The placement of items such as, but not limited to, the following: merchandise for sale or rent; materials awaiting servicing, processing or manufacturing; finished products of a servicing, processing or manufacturing operation; equipment; portable storage containers but **excluding trash containers or garbage dumpsters** that are accessory to the main use; and automobiles, trucks, automobile trailers, semitrailers, intermodal cargo containers, or other vehicles not used for more than

five (5) days.

*Story.* That part of a building, except a mezzanine, as defined herein, included between the surface of one (1) floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall not be counted as a story.

*Story, half.* An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven (7) feet six (6) inches. For the purpose of this code, the gross floor area is only that area having at least four (4) feet clear height between floor and ceiling.

*Street.* A public dedicated right-of-way, other than an alley, which affords the principal means of access to abutting property.

*Street, collector.* A street connecting neighborhoods within the same communities and designed to carry traffic from local streets to the arterial system.

*Street, improved.* A public or private right-of-way, other than an alley, paved with concrete, brick or bituminous material, or with an oiled surface, that is maintained for the purpose of providing access to abutting property.

*Street line.* The property line separating private or public property from a designated street.

*Street, local.* A street connecting blocks within neighborhoods and designed for short trips at low speeds.

*Structure.* Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

*Swimming pool.* A pool or tub constructed either above or below grade and having a capacity of five thousand (5,000) or more gallons.

(C.F. No. 10-349, § 1, 4-28-10; Ord 14-3, § 1, 2-12-14)

Sec. 13.02. - General responsibilities enumerated.

- (a) *Environmental health.* The department of safety and inspections shall have duties related to environmental health. The duties shall include the enforcement of all health and sanitation programs as they relate to health and license inspection matters, including, but not limited to, inspections, investigations, and enforcement of the ordinances regarding swimming pools, water supplies, waste disposal systems, milk inspection programs and their coordination with other governmental entities; rooming/boardings, massage parlors, massage therapists, tattoo/body art, noise and general pollution (including the Clean Indoor Air Act and regulation of indoor smoking); and the inspection, investigation, and enforcement of laws regarding all food-handling facilities, including, but not limited to, restaurants, bars, hotels, lodging houses, food vehicles, bakeries, grocery stores, special food events, school and day care food, institutional food and food vending machines, and food education.
- (b) *Animal control.* The department of safety and inspections shall have duties related to animal control. The duties shall include the following:
- (1) Enforcement of animal control laws.
  - (2) Rabies control
  - (3) Maintenance of animal control facility for impounding and boarding of animals.
- (c) *Building inspection.* The department of safety and inspections shall have duties related to building inspection. These duties shall be managed by the building official who shall report directly to the director of the department of safety and inspections. The duties shall include the following.
- (1) The physical inspection of all new and remodeled buildings in the city. Such inspection shall be made to ensure compliance with the state building code, rules and regulations adopted by the city or made applicable thereto by federal and state law.
  - (2) Making inspection reports, maintaining departmental records and keeping and updating departmental statistical reports in accordance with state law.
  - (3) Reviewing all plans and specifications submitted with building permit applications, and verifying after review that all applicable building, zoning, housing, and fire prevention code requirements have been satisfied.
  - (4) Determining whether buildings in the city comply with the building codes and the zoning ordinances of the state and city, and, upon determination of any violation, taking the necessary and appropriate action to acquaint the owner of the dwelling with the violation, and proceeding with enforcement in accordance with applicable law.
  - (5) The issuance of construction permits and certificates of occupancy.
- (d) *Code enforcement.* The department of safety and inspections shall have a duties related to code enforcement. The duties shall include the following:
- (1) Inspect all owner occupied buildings and properties as required by city codes.
  - (2) Administer and enforce laws regulating the maintenance of residential property including, but not limited to, the city's vacant building program, the city's nuisance dwelling and nuisance abatement ordinances, the city's abandoned motor vehicle ordinance, the city's truth in sale of housing ordinance and program, and the city's graffiti removal program.
  - (3) Maintain appropriate departmental records, including but not limited to, garbage service billing records, excessive consumption of inspection services billing records, graffiti removal billing records, vacant building registrations, and truth in sale of housing disclosure reports.
  - (4) Investigate and enforce the city's boulevard planting ordinance and other right-of-way maintenance regulations.
  - (5) Enforce violations of the city's codes related to property maintenance, utilizing enforcement tools