



# 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

SEP 18 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 194063)
  - 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>October 6<sup>th</sup> 2015</u>
Time <u>11:30 am</u>
Location of Hearing: Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 2554 Como Ave. Building C City: St. Paul State: MN Zip: 55108

Appellant/Applicant: Maypop Sales + Services Email: bender\_ahc@live.com tschweiger@yahoo.com

Phone Numbers: Business 651.644.8473 Residence \_\_\_\_\_ Cell 651.755.5658

Signature: [Handwritten Signature] Date: 9.18.15

Name of Owner (if other than Appellant): Benjamin Helberg / Tara Schweiger

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

We are asking for an extension for gas line + gas meter install. The mechanical permit is ~~being~~ reviewed; we called PSI and spoke w/ the mechanical inspector and he wouldn't tell me why the permit was under review.



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)

September 17, 2015

TOM TOMARO  
DANFORD LLC  
PO BOX 1015  
LAKEVILLE MN 55044

**UPDATED – SEE CORRECTED RE-INSPECTION DATE**  
**Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 2554 COMO AVE – BLDG C  
NORTHEAST SUITE - MAYPOP TIRES

Ref. # 20778

Dear Property Representative:

Your building was inspected on September 16, 2015, 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. **The deadline for compliance or vacating the ‘Maypop Tires’ suite was September 16th, 2015 at 11:00 a.m. Required deficiencies were not completed by deadline and the suite is not re-certified for any occupancy. The suite must be immediately vacated and no continued business operation or occupancy is permitted until approved by DSI.**

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. Maypop Tires - Dryer - MSMC 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989. - *Dryer is vented incorrectly to the interior of the building.*
2. Maypop Tires - Near Front Entry Door - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service. - *Fire extinguisher near front door has 2013 tags.*

An Equal Opportunity Employer

3. Maypop Tires - Occupancy - SPLC 40.06 - The Fire Certificate of Occupancy for the Northeast portion of the building containing Maypop Tires is revoked for non-compliance. The deadline for compliance or vacating the suite was September 16th, 2015 at 11:00 a.m. Required deficiencies were not completed by deadline and the suite is not re-certified for any occupancy. The suite must be immediately vacated and no continued business operation or occupancy is permitted until approved by DSI.
4. Maypop Tires - Office - SPLC 34.11 (6), 34.34 (3) - Provide approved permanent heat sources for the office per code. - An extension for this item was granted through September 15, 2015 per appeal.
5. Maypop Tires - Office - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090. - *Repair incorrect wiring connection at the newly installed water heater, currently wired with a flexible cord which is not secured at the appliance. Repair the exposed wiring connection at the furnace in lower level. Repair or remove the electric heater in office restroom which is incorrectly wired to a flexible cord.*
6. Maypop Tires - Office - Near Furnace - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.- *Remove or replace the damaged fluorescent light fixture with exposed wiring at ceiling in the office furnace room.*
7. Maypop Tires - Office - Water Heater - MFGC 501.2, MSFC 605.1 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work will require a permit(s). Call DSI at (651) 266-9090. - *Obtain inspection and approval for Electrical and Plumbing permits for new electric water heater in office.*
8. Maypop Tires - Storage - MSFC 1010.1, 1004.3.1 - Provide and maintain a minimum of 44 inch aisles where storage or fixtures are on two sides of the aisle.
9. Maypop Tires - Storage - MSFC 315.2 - Provide and maintain orderly storage of materials.
10. Maypop Tires - Vehicles - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building except for buildings or rooms constructed for such use in accordance with building code requirements. - *Remove the fueled vehicles and equipment from the building.*
11. Maypop Tires - Vehicles - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building except for buildings or rooms constructed for such use in accordance with building code requirements. - *Remove the fueled vehicles and equipment from the building.*

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: [mitchell.imbertson@ci.stpaul.mn.us](mailto:mitchell.imbertson@ci.stpaul.mn.us) or call me at 651-266-8986 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mitchell Imbertson  
Fire Inspection

Ref. # 20778