



# 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

AUG 05 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 351972)
  - 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>August 13, 2013</u>
Time <u>1:30 P.M.</u>
Location of Hearing:
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 924/926 Rice St City: St. Paul State: MN Zip: 55117

Appellant/Applicant: CMS Holdings LLC Email Jeffrey.Martinson@msn.com

Phone Numbers: Business 952-484-7382 Residence 952-484-7382 Cell 952-484-7382

Signature: [Signature] Date: 8-5-13

Name of Owner (if other than Appellant): CMS Holdings LLC - Jeffrey L. Martinson - owner

Mailing Address if Not Appellant's: 9255-176th Ave NW, Ramsey, MN 55303

Phone Numbers: Business 952-484-7382 Residence 952-484-7382 Cell 952-484-7382

## 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
- The majority of the cost for the deficiency is not available in the budget. Additionally, several items are contested or not in the scope of life safety



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)

July 17, 2013

CMS HOLDING LLC ATT JEFF MARTINSON  
9255 176TH AVE NW  
RAMSEY MN 55303

### FIRE INSPECTION CORRECTION NOTICE

RE: 926 RICE ST  
Ref. #11882

Dear Property Representative:

Your building was inspected on July 15, 2013 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. A re-inspection will be made on August 30, 2013 at 1030am.

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

**YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.**

#### DEFICIENCY LIST

1. Basement - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
2. Basement - SPC 4715.1800.9, 2210 - Provide pressure relief valve for hot water heater piped to within 18 inches of the floor.
3. Commercial space 926 #1 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.-Remove water damaged wall and repair in an approved manner.

4. Commercial spaces - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
5. Commercial spaces - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work must be done under a permit(s). Call DSI at (651) 266-9090.
6. Commercial spaces - 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.
7. Commercial spaces - MSFC 605.6 - Provide all electrical splices within junction boxes.
8. Commercial spaces - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.
9. Commercial spaces - 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.
10. Commercial spaces - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
11. Exterior - SPLC 34.09 (1) b,c, 34.33 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair and re-paint wood surfaces and Tuck-Point: Immediately contact a licensed masonry contractor to repair and tuck-point exterior walls. Remove any loose and damaged brick and repair the walls in an approved manner all work must be done under permit and approved.

Repair and repaint exterior wood surfaces in an approved manner.

12. Throughout - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Calk all bathtubs and repair the tub enclosures in an approved manner in unit 1.
13. Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. Unit 1&2 Bathrooms
14. Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Unit 1&2 Bathrooms
15. Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.
16. Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

17. Unit 4 - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.
18. 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.
19. SPLC 39.02(c) - Complete and sign the 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [mike.urmann@ci.stpaul.mn.us](mailto:mike.urmann@ci.stpaul.mn.us) or call me at 651-266-8990 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,

Michael Urmann  
Fire Inspector

Reference Number 11882