



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

DEC 27 2016

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number check 9971)
- 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>January 10, 2017</u>
Time <u>1:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1728 Hague Ave City: St Paul State: MN Zip: 55104

Appellant/Applicant: Ferdinand and Gisela Peters Email: ferdpeters@ferdlaw.com

Phone Numbers: Business 6516476250 Residence _____ Cell _____

Signature: [Handwritten Signature] Date: 12/23/2016

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

Ferdinand F. Peters, Esq.
Lakes & Plains Office Bldg.
842 Raymond Ave.
St Paul, MN 55114

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.)
- please see attachments

FERDINAND F. PETERS, ESQ. LAW FIRM
Lakes & Plains Office Building
842 Raymond Avenue, Suite 200,
St. Paul, MN 55114
Phone: (651) 647-6250 Fax: (651) 251-1183
ferdpeters@ferdlaw.com

RECEIVED
DEC 27 2016
CITY CLERK

December 23, 2016

Ms. Marcia Moermond
310 City Hall
15 W. Kellogg Boulevard
St. Paul, Minnesota 55102
Email: marcia.moermond@ci.stpaul.mn.us

Sent Via U.S. Mail and Email

Subject: Fire Inspection Deficiency Appeal for 1728 Hague Avenue, St. Paul, MN 55104

Dear Ms. Moermond:

I am appealing the code deficiency orders that Knoxbox stickers be placed on all exterior doors of my property at the address provided above. I only have one exterior door for all tenants at that property. Any other door is a private door. The Knoxbox sticker specified does not indicate anywhere on it that a key box is located anywhere at the building. Knox should not be allowed to have a monopoly in St. Paul. Any sticker would do if they would actually were necessary. The DSI Info Sheet does not state that stickers must be on "all exterior doors" but only on building "entrance doors." My building only has one entrance door.

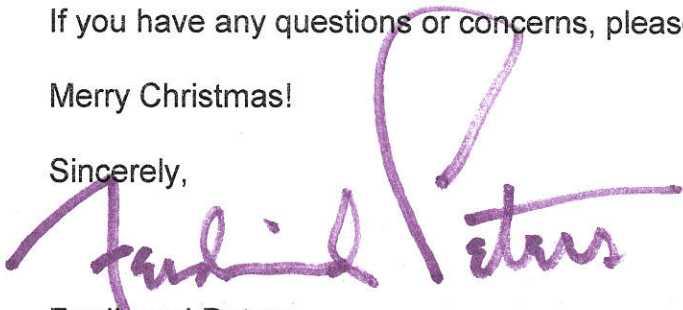
Attached please find the relevant portion of the MSFC that was cited in the "Correction Notice," date December 14, 2016, which does not specify that Knoxbox stickers be placed on all exterior doors. It is not even addressed in the MSFC.

Also, I will not be paying the twenty-five dollar filing fee to the City of Saint Paul because I was told that it will not be refunded if I win the appeal. This is a violation of Due Process and other Constitutional rights, and is fundamentally unfair.

If you have any questions or concerns, please contact me.

Merry Christmas!

Sincerely,



Ferdinand Peters
FFP/jmp

Fee received
12-29-16

FERDINAND F. PETERS, ESQ. LAW FIRM
Lakes & Plains Office Building
842 Raymond Avenue, Suite 200,
St. Paul, MN 55114
Phone: (651) 647-6250 Fax: (651) 251-1183
ferdpeters@ferdlaw.com

RECEIVED
DEC 29 2016
CITY CLERK

December 28, 2016

City Clerk
310 City Hall
15 W. Kellogg Boulevard
St. Paul, Minnesota 55102

Sent Via U.S. Mail

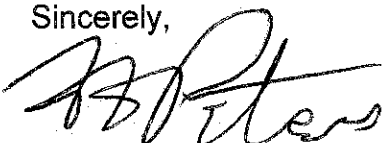
**Subject: Fire Inspection Deficiency Appeal for 1728 Hague Avenue, St. Paul,
MN 55104**

Dear Sir or Madam:

Enclosed please find a check for twenty-five (25) dollars to the City of Saint Paul for the filing fee in the above referenced matter.

If you have any questions or concerns, please contact me.

Sincerely,



Ferdinand Peters
FFP/jmp

Enclosures

MSFC 506.2

SECTION 506 KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

506.1.1 Locks. An approved lock shall be installed on gates or similar barriers when required by the fire code official.

506.2 Key box maintenance. The operator of the building shall immediately notify the fire code official and provide the .new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

The Correction Notice says that "All Exterior Doors Need Knoxbox Stickers."

The rule above doesn't say that.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

KEYBOXES REQUIRED IN SAINT PAUL BUILDINGS

In cases of fire or medical emergencies, it is vital that fire fighters and paramedics be able to gain access to buildings whether or not a caretaker is present. For this reason, the Minnesota State Fire Code provides authority to require installation of keyboxes.

A keybox is an armored tamper-proof box in which entry keys are placed for Fire Department emergency use. The keybox also helps minimize damage to your doors in an emergency. Only the Fire Department has keys to these boxes.

Here are the standards that must be applied when you install a keybox:

1. TYPE:

Effective January 1, 1988, the only approved keybox specified for use in Saint Paul to assist the Fire Department in gaining access to a building will be a Knoxbox.

NOTE: Effective January 1, 2007, existing ECS Elevator Fire Control Keyboxes equipped with a 10404 Ace Lock, are no longer authorized as building security lock boxes. Existing ESC boxes shall be replaced with a Knoxbox.

2. PURCHASE REQUIREMENTS:

The only company who distributes the Knoxbox for use in Saint Paul.

The Knox Company
1601 W. Deer Valley Road
Phoenix, AZ 85027
(623) 687-2300 or 1-800-552-5669
Knoxbox.com

3. INSTALLATION/MAINTENANCE:

When you buy the keybox, the box door will be unlocked so that the box can be installed. For security, the box does not come with a key.

The keybox should be installed at the main entrance to the building. The Fire Department Alert Decal that is included with the keybox must be placed in the upper right-hand corner of the entrance door where the keybox is located. Additional decals must be purchased and placed on the upper right-hand corner of all building entrance doors. This will alert Fire Department personnel that a Knoxbox is on the premises.

When the box has been installed, and the keys clearly labeled, and someone is available at the building to meet the Fire Department, contact the Communication Center at (651) 266-7702. A fire company will be dispatched immediately to lock the key(s) in the keybox.

IMPORTANT:

If any of the locks that the keys unlock are changed, call the Communication Center at (651) 266-7702 to request that a Fire Company be dispatched to open the box so that the keys can be exchanged. This must be done immediately when changing any of the keybox key locks.

4. FOR APARTMENT BUILDINGS:

If your building's main entrance door is always open, but the vestibule door (the door used for access to apartments) is always or sometimes locked, mount the box in the lobby or entry way above your mailboxes so the keybox bottom is no more than seven feet above the floor.

FOR ALL BUILDINGS:

If your building's main entrance door is always or sometimes locked, the keybox must be located on the outside of your building as close as possible to the main entrance so that the keybox is no more than seven feet above the bottom sill of the main entrance door(s).

If your buildings entrance door is always open, but it has been determined by the Fire Department that it would be unduly difficult to gain access to locked rooms within the building, such as, boiler, furnace, laundry, mechanical, storage, automatic sprinkler system, fire alarm system rooms, a keybox must be provided as stated above at a visible location outside or inside the main entrance door and must contain keys as required by the Fire Department.

5. KEYS:

*If your keybox is mounted outside the building, a key to your building's main entrance must be furnished.

If your keybox is mounted inside the building, a key to your building's lobby/vestibule entrance must be furnished. Boiler, furnace, laundry, mechanical, storage, and automatic sprinkler system room keys should be provided if those rooms are kept locked and must be provided if the Fire Department has determined that it would be unduly difficult to gain access to any of these rooms. If the building has a fire alarm system, the key to the control panel must be tagged and installed in the box.

DO NOT PROVIDE MASTER KEYS TO RESIDENTIAL APARTMENT UNITS IN THE KEYBOX. MASTER KEYS TO GAIN ACCESS TO AREAS WITHIN COMMERCIAL PROPERTY WILL BE AT THE OWNERS DISCRETION OR AS REQUIRED BY THE FIRE DEPARTMENT.

Keys stored in the keybox must be tagged and clearly marked as to the function of the key.

REMEMBER THREE THINGS ABOUT KEYBOXES:

1. Only the Fire Department has keys to the keybox.
2. The keybox allows fire fighters to gain rapid entry in case of a fire or medical emergency.
3. The keybox allows fire fighters to gain rapid entry without damaging doors.

Fw: keybox decals

Ferdinand Peters

Fri 12/23/2016 10:10 AM

Inbox

To: Jackie Primeau <jprimeau@ferdlaw.com>;

1 attachments (497 KB)

3464-keybox requirements.rtf;

pls add this to the appeal documents (her email with that sticker.

Ferdinand Peters
Ferdinand F. Peters Esq. Law Firm
Lakes & Plains Office Building
842 Raymond Avenue Suite 200
St. Paul, MN 55114
USA
651-647-6250
Fax: 651-251-1183
Subject to all notices at <http://www.ferdlaw.com>

From: Her, Mai See (CI-StPaul) <mai.see.her@ci.stpaul.mn.us>

Sent: Monday, December 19, 2016 3:34 PM

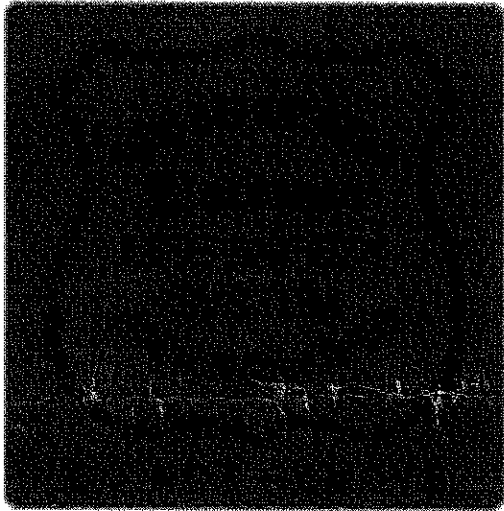
To: Ferdinand Peters

Subject: keybox decals

Hello Mr. Peters,

Below are a picture how a keybox decals look like. And I also attached the keybox requirement handout sheet for your reference.

Let me know if you have any question.



The Most Livable
City in America

Mai See Her, CFI
Fire Safety Inspector I
Department of Safety & Inspections
375 Jackson St, Suite 220
Saint Paul, MN 55101
P: 651-266-8940
F: 651-266-8951

mai.see.her@ci.stpaul.mn.us



“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

*Rec'd
12-17-16*

December 14, 2016
Ferdinand Peters
Ferdinand F Peters
1708 Portland Ave
St Paul MN 55104-6843

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 1728 HAGUE AVE
Ref. # 16209

Dear Property Representative:

A referral has been made to our office regarding code deficiencies that are reported to exist in your building or on the premises. An inspection has not been conducted by the Fire Prevention Division. If these deficiencies do in fact exist, you are hereby notified that the following deficiencies must be corrected immediately. **An inspection will be made on or after January 17, 2017.**

DEFICIENCY LIST

1. MSFC 506.2 - Repair broken keybox. If you need keybox opened, call the Fire Department Communication Center at (651) 226-7702 to make arrangements. If you need parts for the keybox, contact the Knox Company at 1-800-552-5669 or knoxbox.com. **-Per the Fire Department: ALL EXTERIOR DOORS NEED KNOXBOX STICKERS.**

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 mai.see.her@ci.stpaul.mn.us or call me at 651-266-8940 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sara Naglosky
Fire Inspector