APPLICATION FOR APPEAL

RECEIVED
JUL 25 2011
CITY CLERK

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:

- [x] $25 filing fee payable to the City of Saint Paul (if cash: receipt number_____)
- [x] Copy of the City-issued orders or letter which are being appealed
- [x] Attachments you may wish to include
- [x] This appeal form completed
- [ ] Walk-In *OR* [x] Mail-In

YOUR HEARING Date and Time:

Tuesday, 8-16-11

Time 1:30

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 946 Conroe St City: St Paul State: MN Zip: 55117

Appellant/Applicant: Judith M. Martin Email judith@martinandassociates.com

Phone Numbers: Business (952) 857-2424 Residence _____ Cell (612) 720-9407

Signature: Judith M Martin Date: 7/21/11

Name of Owner (if other than Appellant): _____

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
- [x] Fire C of O Deficiency List — See attached letter and documentation
- [ ] ~~Fire C of O:~~ Only Egress Windows (including)
- [ ] Code Enforcement Correction Notice
- [ ] Vacant Building Registration
- [ ] Other

Revised 3/7/2011

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director

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

July 12, 2011

JUDITH M MARTIN
5232 -- 70TH ST W
EDINA MN 55439-2109

FIRE INSPECTION CORRECTION NOTICE

RE: 946 GALTIER ST

Dear Property Representative:

Your building was inspected on July 12, 2011 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 16, 2011 at 10 am.

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

done — need to mow lawn

1. Exterior - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall.
2. Exterior - SPLC 71.01 - The address posted is not visible from street.-Provide reflective numbers or background or illuminate at night on the garage. — provided
3. Exterior-Doors - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Provide approved dead bolt locks on exterior doors.
4. Exterior-Doors - 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.
5. Exterior-Doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair or replace the damaged storm door on the side of the property. (Lower Door)

6. Exterior-Egress Window - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupanices handout for more information.-The egress window measured 19H x 37W, double hung.

7. Interior - SPLC 200.02 (a) No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989

8. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting that is torn near the kitchen.

9. Interior-Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing doors on the cabinets in the kitchen.

10. 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.

For an explanation or information on some of the violations contained in this report, please visit our web page at: http://www.ci.stpaul.mn.us/index.aspx?NID=211

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: lisa.martin@ci.stpaul.mn.us or call me at 651-266-8988 between 6:30 a.m. - 8:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin
Fire Inspector

JUDITH M. MARTIN

5232 West 70th Street
Edina, Minnesota 55439
Phone: (952) 857-2424

July 21, 2011

Saint Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102

By FAX (651)266-8574
And 1st class mail

RE: Appeal
Fire Inspection Correction Notice
946 Galtier Street

To the Hearing Officer:

This is in Appeal of the deficiencies noted in the Fire Inspection Correction Notice dated July 12, 2011, received Friday evening, July 15, 2011, thus leaving just 4 business days to respond rather than the 10 days stated in the Notice. The $25 filing fee is enclosed with the original of this Appeal, sent by 1st class mail with other enclosures. Copies of the Notice, check and enclosures follow by fax.

My protest is as follows:

First, I request a minimum of 60 days additional time prior to the assigned re-inspection date of August 16, 2011.

> I was not previously aware of all the "deficiencies" noted. Some had been addressed and resolved prior to the July 12 Fire Inspection, some need further clarification and, unless waived based on this Protest, I will have to make arrangements for qualified licensed contractors to perform the work required at suitable times. Two tenants live in the residence. The one at home during the day is quite ill, so all arrangements have to be made in consideration of his condition, scheduled and unscheduled medical appointments, and the like. The other tenant works full time and is not at the residence during business hours.

Following the numerical list of deficiencies in the Notice:

1.Exterior SPLC 45.03 (6) The tenants state that the lawn has now been cut and is in compliance. Their finances have been strained by increasing costs of medical care and other living expenses, including a series of unreasonably high water bills from the City that have yet to be explained. Repairing their lawn mower was not their top priority.

946 Galtier
Protest page 2

2. Exterior – SPLC 71.01. The description of the problem with the address is confusing. The numbers on the front of the house are the same numbers that were approved when the property was purchased. Non-reflective house numbers have now been provided for the garage, which is illuminated but situated along the alley and definitely not visible from the street. If the numbers on the front of the house are no longer in compliance and not grandfathered in, and need to be either reflective or illuminated, please clarify.

3. 4. & 5. Exterior Doors. I am aware that the exterior doors need repair or replacement, including deadbolt locks. Several months ago the tenants were authorized to contact repairmen as necessary to schedule at times convenient to them, and told that I would pay the entire cost. Doors and deadbolts will be replaced as soon as appropriate arrangements can be made. I was unable to find MSFC 1003.3.1.8 , cited in the Correction Notice as the basis for deficiency #4, relating to unapproved locks, openability and need to use special knowledge or effort. The tenants have lived there since 2001 and have said nothing about difficult opening the door from the inside.

6. Exterior-Egress Window – MSFC1026.1. I protest. There are two adults living in the residence (built in the late 1800's) and one sleeping room. The egress window in that room, which measures 19.5" H and 36.5" W, falls short of the required glazed area by 7.25 Sq inches, or .05% square feet. It was in compliance with Code at the time the residence was purchased in 2001 to be used for rental purposes and should be grandfathered in. The two residents could escape side by side and simultaneously through the egress window in the sleeping room, if immediate escape was indicated.

7. Interior – dog. The tenants have been advised that the dog license must be renewed.

8. & 9. Interior – SPLC 34.10(7), 34.33(6) - torn carpet and kitchen cabinet door repair. I was not aware of either condition, or that interior "wear and tear" issues were covered and enforced by Code. **Some tenants need to have lower cost rental property available, at a fixed rate they can afford, as long as the property does not pose health and safety risks.**

10. I protest this vigorously. A completed Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report, dated June 9, 2011, was presented at the time of the July 12, 2011 inspection, which the Inspector had postponed from June 10, 2011. The Lennox Furnace, which was new in 2006, passed all tests required. Copies of the report, the computer printout showing various measurements and detailed cost breakdown is included.

Respectfully,

Judith Martin

Cc: Lisa Martin, Fire Inspector

C155 1.0
Sedgwickheating
952 - 881-9000

DATE 06/09/11
TIME 13:07:41
FUEL Nat Gas
COMBUSTION

O2	%	11.7
CO2	%	5.2
CO	PPM	15
FLUE	°F	304.1
INLET	°F	76.4
NETT	°F	227.7
EFF G(C)		80.6
LOSSES		19.4
XAIR	%	127.1
CO/CO2		0.0002
CO AIR FREE		34
PRS	InH2O	0.00

Customer

Appliance

Ref.

/EL BURNING EQUIPMENT ETY TEST REPORT

arate form for each Appliance)

Department of Safety & Inspections
Fire Prevention Division
375 Jackson Street – Suite 220
Saint Paul MN 55101
Fax: 651-266-8951

altier st Date: 6-9-11

Forced Air X Gravity Hot Water ____ Forced Hot Water ____
Unit Heater ____ Space Heater ____ Other ____
Oil ____ Other ____

Conversion

ner Lennox — Make ____
G604M-36A-070-06 — Model ____
5906H20897 — Max. BTU Rating ____
70,000 — Make of Furnace ____
Atmospheric ____ Induced Fan X Other ____

input of all vented gas appliances per chimney: 110,000

Type of Chimney: Masonry ____ Class B X Other ____
Type of Liner: None ____ Metal ____ Clay Tile ____
Combustible Air Supply Required?: Yes ____ No ____ Installed?: Yes ____ No ____

Safety & Operating Control Tests:	**Yes**	**No**
Pilot/Flame Safeguard Operating Properly	X	
Limit(s) Operating Properly	X	
Operator(s) Operating Properly	X	
Low Water Cut-Off Operating Properly	NA	
All Controls Operating Properly	X	

Fuel Analysis/Flue Gas Analysis:	**Yes**	**No**
Vents Properly without Spillage	X	
Flame Stays Inside/Doesn't Roll Out	X	
Burner Lights Smoothly	X	

	Initial	**Final**
Stack Temperature	254° F/Net	275 F/Net
Oxygen	12.4 %	12.1 %
Carbon Dioxide	4.9 %	5.0 %
Carbon Monoxide	21 % / (ppm)	17 % / ppm

Visual Inspection	**Yes**	**No**
Fuel Piping System – Okay	X	
Vent Systems—Drafthood, Connector, Vent Chimney-- Okay	X	
Heating Unit – Okay	X	

Carbon Monoxide Detector (tube type) Positive ____ **Negative** X

Look At Total Heating System Before You Leave:
Does system operate safely and properly? Yes X No ____

COMMENTS: ____

Name of Licensed Contractor: Sedgwick Heating Address 1408 Northland Dr #310 MPLS Phone # 952-881-9000

Person Doing Test (Print) Don Robinson (signature) ____

Certificate of Competency Number from City of Saint Paul for Appropriate Fuel: 20110000187

EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

946

Department of Safety & Inspections
Fire Prevention Division
375 Jackson Street – Suite 220
Saint Paul MN 55101
Fax: 651-266-8951

Address: 946 Gaultier st Date: 6-9-11

Owner: Judy

Type of Heat:

Gravity Air ____ Forced Air X Gravity Hot Water ____ Forced Hot Water ____

Steam ____ Unit Heater ____ Space Heater ____ Other ____

Type of Fuel: Gas ____ Oil ____ Other ____

Gas Design		**Conversion**	
Make of Burner	Lennox	Make	
Model	G60UH-36A-070-06	Model	
Serial	5906H20897	Max. BTU Rating	
Input	70,000	Make of Furnace	

Equipment venting type: Atmospheric ____ Induced Fan X Other ____

Total BTU input of all vented gas appliances per chimney: 110,000

Type of Chimney: Masonry ____ Class B X Other ____

Type of Liner: None ____ Metal ____ Clay Tile ____

Combustible Air Supply Required?: Yes ____ No ____ Installed?: Yes ____ No ____

Safety & Operating Control Tests:	**Yes**	**No**	**Fuel Analysis/Flue Gas Analysis:**	**Yes**	**No**
Pilot/Flame Safeguard Operating Properly	X		Vents Properly without Spillage	X	
Limit(s) Operating Properly	X		Flame Stays Inside/Doesn't Roll Out	X	
Operator(s) Operating Properly	X		Burner Lights Smoothly	X	
Low Water Cut-Off Operating Properly	NA				
All Controls Operating Properly	X				

	Initial		**Final**		**Visual Inspection**	**Yes**	**No**
Stack Temperature	254°	F/Net	275	F/Net	Fuel Piping System – Okay	X	
Oxygen	12.4	%	12.1	%	Vent Systems—Drafthood, Connector, Vent Chimney-- Okay	X	
Carbon Dioxide	4.9	%	5.0	%			
Carbon Monoxide	21	% / (ppm)	17	% / ppm	Heating Unit – Okay	X	

Carbon Monoxide Detector (tube type) Positive ____ **Negative** X

Look At Total Heating System Before You Leave:

Does system operate safely and properly? Yes X No ____

COMMENTS: ____

Name of Licensed Contractor: Sedgwick Heating Address 1408 Northland Dr #36-MDH Phone # 952-881-9000

Person Doing Test (Print) Don Robinson (signature) ____

Certificate of Competency Number from City of Saint Paul for Appropriate Fuel: 20110000187

5232 W 70th St Edina 55439

SEDGWICK
HEATING + AC | COMFORT YOU CAN COUNT ON

1408 Northland Drive, Suite 310
Mendota Heights, MN 55120

www.sedgwickhe
Tel: (952) 881-90

Ticket # 330011 Dispatched: 11:15 Arrival: 12:00 Completed: 2:00 am (pm) Date 06-9-11

Reason for Today's Call: FRn Cert & smoke/co det

Technician: Don R

Customer: Judy Martin Rental Property

Address: 946 Galtier St

City: St Paul Email:

Home Phone: 952-857-2424 Work Phone: Cell Phone: 651-487-0883

Work Performed Address:

	Type	Age	Brand	Model	Serial No.
	FRN	4	Lennox	GLCUH-36A-020-06	5906H20897

Filters Humidifier Air Exchanger

WORK PERFORMED:

❑ SYSTEM
- ❑ Checked thermostat operation/calibration
- ❑ Replace/wash filter 1" standard
- ❑ Oil blower/condenser fan motor
- ❑ Check blower assembly and belt
- ❑ Check wiring
- ❑ Check fan/limit/safety controls
- ❑ Check system operation*
- ❑ C.O. Detector ❑ Yes ❑ No

❑ AIR CLEANER-ADD'L
- ❑ Make Model#
- ❑ Clean & inspect unit
- ❑ Replace filter

❑ FURNACE
- ❑ Visually check heat exchanger
- ❑ Check for gas leak
- ❑ Check temperature rise
- ❑ Check pilot assembly
- ❑ Check burner operation
- ❑ Check manifold pressure
- ❑ Check flue pipe & draft diverter
- ❑ Check for adequate combustion air
- ❑ Check flame sensor MA
- ❑ Clear all pressure ports
- ❑ Check for carbon monoxide

❑ HIGH EFFICIENCY FURNACE
- ❑ Check intake & exhaust piping
- ❑ Check exhaust termination
- ❑ Inspect & clean purge blower
- ❑ Inspect air flapper
- ❑ Check condensate drain line

❑ AIR CONDITIONING
- ❑ Check bypass damper
- ❑ Check condensate drainage
- ❑ Check temp drop/air flow for cool
- ❑ Check seasonal air flow dampers
- ❑ Clean outside condenser coil
- ❑ Check refrig. charge *weather permitting*
- ❑ Check amp draw/voltage
- ❑ Check all capacitors
- ❑ Check contactor
- ❑ Megohm compressor windings

❑ HUMIDIFIER-ADD'L
- ❑ Make Model#
- ❑ Clean & inspect unit
- ❑ Replace water panel
- ❑ Check drain line
- ❑ Open up bypass air damper
- ❑ Check unit operation
- ❑ No leaks at this time

Qty	Part # Used	Description	Price
Diagnostic Charge			
Plus Plan 1 yr 2 yr 3 yr			
Accessories:			
Start with HT or A/C			
1		FRN Cert	295 00
2	Labor	Smoke/co Dets (2)	190 00
1	Labor	Hard wire smoke	89 00
1		Fuel surcharge	5 00
		Plus Plan Disc.	
		Subtotal	
		Sales Tax	
		TOTAL DUE	579 00

Please Pay Technician at Time of Service

Paid By ❑ Cash ❑ Check # 0.13 90314C

☒ Visa ❑ MC ❑ Discover ❑ Amex

4 [redacted]
Card Number

Name on Card Judith Martin

Expiration Date: 03/13 Authorization Code

Description of Work Performed: Perform FRn Cert

Install 3-Smoke/co Detectors

Technician Recommendations:

STOP WANT TO PAY LESS? Plus Maintenance Agreement customers receive a 15% discount off repair services.

PMA Savings On This Invoice: $

The PMA Program has been explained to me & I decline to participate: (initial)

Thank You!

All of us at Sedgwick Heating value this opportunity to serve you!

See Reverse Side For Terms

Phone

Work Authorization

OFFICE COPY

*Price quotes are good for 30 days.

*Email your comments on this service call to: contact@sedgwickheating.com