APPLICATION FOR APPEAL

Saint Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8560

RECEIVED
AUG 01 2012
CITY CLERK

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
- [ ] Attachments you may wish to include
- [x] This appeal form completed
- [ ] Walk-In *OR* [ ] Mail-In

YOUR HEARING Date and Time:

Tuesday, August 14, 2012

Time 11:00 a.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 855 Tuscarora Ave City: St Paul State: MN Zip: 55102

Appellant/Applicant: Kristina Duren Email kristinhduren@yahoo.com

Phone Numbers: Business _____ Residence _____ Cell 701 460-7361

Signature: _____ Date: 8/1/12

Name of Owner (if other than Appellant): Kristina A Duren

Address (if not Appellant's): 855 Tuscarora Ave #1, St Paul, MN 55102

Phone Numbers: Business _____ Residence _____ Cell 701-460-7361

What Is Being Appealed and Why? *Attachments Are Acceptable*

- [x] Vacate Order/Condemnation/ Revocation of Fire C of O — ① House is still in probate / ② I am just being removed on title ③ Lived in MN & was incarcerated 1/6 - 3/12 & unable to leave State until 7/6/12
- [ ] Summary/Vehicle Abatement
- [ ] Fire C of O Deficiency List
- [ ] Fire C of O: Only Egress Windows
- [ ] Code Enforcement Correction Notice
- [ ] Vacant Building Registration
- [ ] Other

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 20, 2012

DAVID A SMITH
3238 72nd ST E
INVER GROVE HEIGHTS, MN 55076

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 855 TUSCARORA AVE
Ref. # 117970

Dear Property Representative:

Your building was inspected on July 16, 2012, 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.

A reinspection will be made on August 6, 2012 at 11:00 AM or the property vacated.

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. Basement - Boiler - SPC 4715.2000, 2110 - Provide an approved backflow preventer. This work **will** require a permit; call Regional Water Services at (651) 266-8989.

2. Basement - Laundry - SPLC 34.11 (4), 34.34 (1), MPC 4515, MPC 326 - Connect or cap the sewer piping in accordance with the plumbing code. This work **will** require a permit. Contact DSI at 651-266-8989. The drains serving the laundry were improperly installed and without permit.-Contact a licensed plumber to install the drains under permit.

3. Basement - Laundry - MFGC 404.1.2 - Provide leak tight caps or plugs on disconnected or unused gas lines.

4. Basement - Laundry - UMC 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. This work **will** require a permit(s). Call DSI at (651) 266-8989.- Contact a licensed contractor to install the dryer vent under permit

5. Basement - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

6. Basement - Throughout - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work **will** require a permit(s). Call DSI at (651) 266-9090.

7. Basement - Water Heater - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to properly install the water heater with a manufactured date of 8/2009. This work **will** require a permit(s). Call DSI at (651) 266-9090.

8. Basement - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-Both stairs.

9. Basement - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Both stairs.

10. Basement - MSFC 605.6 - Provide all electrical splices within junction boxes.

11. Basement - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work **will** require a permit(s). Call DSI at (651) 266-9090. -Properly install damaged light fixture and all outlets.

12. Basement - NFPA 72 11.4.3 - The performance of fire warning equipment shall depend on such equipment being properly selected, installed, operated, tested, and maintained. -Repair or replace the non-working hard wired smoke detector.

13. Exterior - Front Entry - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair the damaged door and knob.

14. Exterior - Front Porch - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.

15. Exterior - Front Steps - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.

16. Exterior - Front Steps - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.

17. Exterior - Rear - MSFC 307.1 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be less than 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance.

18. Exterior - Rear - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Repair and tuck damaged mortar joints.

19. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

20. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Repair and paint damaged window frames.

21. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition. This work **will** require a permit.
-Contact DSI at 651-266-8989 to obtain approval for the open building permit for new windows.

22. Interior - Hall - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

23. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.

24. Lower Unit - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair loose outlet.

25. Lower Unit - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.

26. Lower Unit - Bathroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.

27. Lower Unit - Kitchen - MFGC 404.12 - Provide leak tight caps or plugs on disconnected or unused gas lines.

28. Lower Unit - North Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.
-Repair damaged outlet.

29. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. This work **will** require a permit. Contact DSI at 651-266-8989.-Repair and properly finish the remodel project and obtain approval under permit.

30. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair and properly finish the remodel project and obtain approval under permit.

31. Lower Unit - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work **will** require a permit(s). Call DSI at (651) 266-9090. New Romex dated 6/8/09 and new electrical fixtures have been installed throughout the unit without permit.-Properly install all electrical fixtures and obtain approval under permit.

32. Lower Unit - MSFC 605.6 - Provide all electrical splices within junction boxes.

33. Lower Unit - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

34. Lower Unit - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.

35. Lower Unit - 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.

36. Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.

37. Lower Unit - MSFC 315.2.5 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Remove the snow blower from the building

38. Porch - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.

39. Shed - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.
-Obtain approval for the open building permit. Contact DSI at 651-266-8989.
-Paint exposed wood.

40. Upper Unit - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair damaged wall under the sink and repair caulking on the tub.

41. Upper Unit - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Light.

42. Upper Unit - North Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Contact a licensed electrician to repair the non grounded three prong outlets.

43. Upper Unit - North Bedroom - 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 Occupancies handout for more information.
-The double hung egress window measured 19 inches height by 27 inches width openable space and has a glazed area of 6.3 square feet.
-Also relocate the air conditioner that obstructs the egress window.

44. Upper Unit - North Bedroom - MSFC 605.4 - Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363. Relocatable power taps shall be directly connected to a permanently installed receptacle.

45. Upper Unit - South Bedroom - 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.

46. Upper Unit - South Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

47. Upper Unit - MSFC 605.4 - Discontinue use of all multi-plug adapters.

48. Upper Unit - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

49. Upper Unit - NFPA 72 11.4.3 - The performance of fire warning equipment shall depend on such equipment being properly selected, installed, operated, tested, and maintained.
-Immediately replace all non working smoke alarms throughout the unit.

50. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit an approved completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office for each heating appliance.

51. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

52. SPLC 40.04 (5) On or after April 30, 2009, The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Minnesota Crime Free Multi Housing training program or other landlord training program approved by the Fire Marshal. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI.
This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009.
-Contact 651-266-5451 to enroll.

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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: william.beumer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

William Beumer
Fire Inspector

Ref. # 117970