



# 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

JUL 11 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 \_\_\_\_\_)
  - 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, 7-16-13

Time 1:30 p m

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 75 W. Aft City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Jeff Conlin Email Con - Chief at msn.com

Phone Numbers: Business 651-292-4160 Cell 651-334-7119 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: Jeff Conlin Date: \_\_\_\_\_

Name of Owner (if other than Appellant): \_\_\_\_\_

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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Upon inspection of our café, our fire inspector is requiring us to prohibit the use of our four N.S.F. approved butane burners, or to install a hood system over the burners because of grease laden vapors.

We have been in business for 8 years at Anita's Café and Catering and these butane burners have been in use since our opening day. There have been multiple inspections here over the years, with 0 restrictions on our burners. Our building engineer Larry Williams stated in our meeting with our inspector that there is clearly no grease build-up or problem whatsoever. Being a small business, there is not a large enough budget to include the installation of a new hood system.

Butane burners are very popular in restaurants and hotels for short order items. Omelets on brunch buffets and pasta stations are some of the more common uses in these establishments. Many of them also having no ventilation over their burners. I believe that this restriction will have a major effect on many of these short order venues. My hope is that with the understanding of the importance of these burners, I will be able to continue the use of them in the future.

1  
Jeff Conlin



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)

May 20, 2013

AMY MINO  
COUNTY OF RAMSEY MN LANDMARK  
75 5th St W Suite 404  
St Paul MN 55102-1414

### FIRE INSPECTION CORRECTION NOTICE

RE: 75 5TH ST W  
Ref. #12684

Dear Property Representative:

Your building was inspected on May 17, 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 July 18, 2013 at 9:30 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

1. 100 - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Replace missing ceiling tile.*
2. 100 - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.  
*-Remove double cylinder lock and replace with a thumb lock.*
3. 202 - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace painted sprinkler head.*

4. 210 - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.  
*-Remove items in front of exit door.*
5. 210 - MSFC 903.3.3 - Remove obstruction to the fire sprinkler head.  
*-Remove tape from the sprinkler head.*
6. 210 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cord on projector.*
7. 210 TYPEWRITTER - MSFC 1010.1, 1003.2.10 - Provide or relocate and maintain approved exit signs to indicate a clear path to the exits.  
*-Relocate exit sign.*
8. 215 - 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.
9. 219 - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace painted sprinkler head in main hallway.*
10. 222 STORAGE/WORK - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cords and the power strip shall plug directly into an outlet.*
11. 2ND FLOOR EXIT - MSFC 315.2.2 - Remove storage from the exit enclosure.
12. 2ND FLOOR EXIT - MSFC 1010.3 - Provide an approved external or internal lighting of the exit sign.  
*-Provide a sign on the door leading to the exterior.*
13. 2ND FLOOR EXIT - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Patch hole above the door.*
14. 302 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords, and all power strips shall plug directly into an outlet and not into an extension cord or another power strip.*
15. 304 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords. Power strips shall plug directly into an outlet.*
16. 309 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords.*
17. 310 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords.*

18. 312 - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Patch wall where old emergency light was.*
19. 318 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cord and the power strips shall plug directly into an outlet.*
20. 319 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords.*
21. 323 - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Patch holes in the closet.*
22. 327 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove multi-plug extension cord.*
23. 3RD FLOOR JANITORS CLOSET - WOMENS RESTROOM - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Replace missing access panel.*
24. 407 - MSFC 605.4 - Discontinue use of all multi-plug adapters.  
*-Remove multi-plug from power strip on the middle desk.*
25. 408 - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Patch hole in the marble where old gas lantern was located.*
26. 412 PANTRY - MSFC 903.3.3 - Remove obstruction to the fire sprinkler head or contact a licensed fire sprinkler contractor to provide code compliant coverage. Any sprinkler work must be done by a licensed contractor under a permit.  
*-Relocate the sprinkler head or relocate the light.*
27. 4TH FLOOR WINTER CARNIVAL - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cords.*
28. 4TH FLOOR WINTER CARNIVAL RECORDS DOOR - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.  
*-Remove small deadbolt.*
29. 5TH FLOOR COMPUTER LAB - MSFC 605.4 - Discontinue use of all multi-plug adapters.  
*-Remove multi-plugs.*
30. 5TH FLOOR OUTSIDE OF COMPUTER LAB - MSFC 903.3.3 - Remove obstruction to the fire sprinkler head or contact a licensed fire sprinkler contractor to provide code compliant coverage. Any sprinkler work must be done by a licensed contractor under a permit.

31. 6TH FLOOR ELEVATOR LOBBY - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Repair hole in wall.*
32. 6TH FLOOR ELEVATORY LOBBY - MSFC 605.6 - Provide all electrical splices within junction boxes.  
*-Old lights.*
33. 6TH FLOOR HALL - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling/wall in an approved manner.
34. 6TH FLOOR ROOM 604 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.  
*-Replace missing outlet cover.*
35. 8TH FLOOR STANDPIPE - MSFC 901.6 - The fire standpipe system must be maintained in a operative condition at all times, replace or repair where defective. All standpipe work must be done by a licensed contractor under permit.  
*-Secure standpipe in place.*
36. AAW - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.  
*-Back exit remove deadbolt from door.*
37. AAW - MSFC 1011.1 - Remove unapproved signs on approved exits.
38. AAW - MSFC 1303 - Maintain accumulations of dust to a minimum. Floors and other surface dust must be collected by vacuum cleaning. Force air must not be used.
39. AAW - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cord from power strip. The power strip shall plug directly into an outlet.*
40. AUDITORIUM - NFPA 6.2.7.2 - Cover plates shall be part of a listed sprinkler assembly.
41. AUDITORIUM CURTAINS - MSFC 805.2 - Provide documentation that decorative materials have been treated and maintained with an approved flame retardant or remove decorative materials that do not meet the flame retardant requirements.
42. BASEMENT FRIEGHT ELEVATOR - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace painted sprinkler head.*
43. BASEMENT BACK EXIT - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
*-Replace missing wall panel.*

44. BASEMENT GALLERY - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace painted cover plates.*
45. BASEMENT KITCHEN - MSFC 904.11.6.4 - Provide required six month service of the hood and duct fire suppression system. Provide documentation from qualified contractor.  
*-Provide report from Northland Fire dated this year.*
46. BASEMENT KITCHEN - MSFC 904.11.6.3 - Contact a qualified hood and duct cleaning service company to clean and service grease duct vent for commercial cooking equipment. Provide documentation as proof of compliance. Maintain venting system in a clean and sanitary condition.
47. BASEMENT KITCHEN - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace corroded sprinkler heads by dishwashing area.*
48. BASEMENT KITCHEN - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Replace missing ceiling tiles.*
49. BASEMENT KITCHEN - 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.
50. BASEMENT KITCHEN HALLWAY - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.  
*-Remove all storage from hallway.*
51. BASEMENT KITCHEN HALLWAY - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Replace missing ceiling tiles.*
52. BASEMENT LIQUOR ROOM - NFPA 13 (2002) 8.6.3.3 - Relocate sprinklers so that they are at least 4 inches from the wall.  
*-Contact a licensed sprinkler contractor to relocate heads. This work will require a permit.*
53. BASEMENT LIQUOR ROOM/OFFICE AND HALLWAY - NFPA 13 (2002) 4.1 - Provide sprinkler coverage in the missing room or area.  
*-Contact a licensed sprinkler contractor to provide coverage. This work will require a permit.*

54. BASEMENT MENS RESTROOM - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-Replace painted cover plates.*
55. CAFE - MSFC 904.2.1 - Contact a qualified contractor to provide an approved hood and duct ventilation fire suppression system. All work must be done under a permit. Call Fire Prevention at (651) 266-8989.
56. CAFE - MSFC 609.2 - Provide an approved hood and duct ventilation system to remove the grease laden vapors. This work may require a permit(s). Call DSI at (651) 266-9090.  
*-Remove hot plates.*
57. CAFE - 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.
58. CATERING - ELETRICAL CLOSET - 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.
59. CATERING - ELETRICAL CLOSET - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.  
*-Remove all storage.*
60. CENTER STAIR STANDPIPE - MSFC 901.6 - Provide approved permanent label on the standpipe at each hose connection indicating whether it is wet or dry.  
*-LOCATIONS: Basement and first floor.*
61. CENTER STAIR STANDPIPE - 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.
62. ESCUTCHEONS/COVER PLATES - NFPA 13 6.2.5.2 - Escutcheons and cover plates shall be part of a listed sprinkler assembly.  
*-Replace missing escutcheons and cover plates. LOCATIONS: 5th floor outside of testing room.*
63. FIRE ALARM ROOM - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.  
*-Remove storage.*
64. GIFT SHOP - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords. All power strips shall plug directly into an outlet.*



65. GIFT SHOP - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.  
*-Remove tape from floor and provide an approved cord cover.*
66. PAINT ROOM - NFPA 13 2-6.1.7 - Remove all objects, equipment or storage hanging from the fire sprinkler piping and/or fire sprinkler heads.
67. PAINT ROOM - MSFC 2703.5 - Provide NFPA 704 hazard identification HM-1. Blue = 2 Red = 4 Yellow = 1 White = Leave Blank. See handout on DSI website at: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi) > Fire Certificate of Occupancy > Hazard Identification Placard Information (for HM-1).  
*-Provide a six inch placard on door.*
68. PAINTED SPRINKLER HEADS/COVER PLATES - MSFC 901.6 - Contact a fire sprinkler contractor to replace all painted or damaged fire sprinkler heads. All sprinkler work must be done by a licensed contractor under permit.  
*-LOCATIONS: Room 573 and outside of room.*
69. RATSCELLER - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cords on chargers.*
70. RC RESEARCH - NFPA 13 (2002) 4.1 - Provide sprinkler coverage in the missing room or area.-Contact a licensed sprinkler contractor to provide coverage in back room. This work will require a permit.
71. RCHS - FIRST FLOOR OFFICE - 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.
72. SPRINKLER/FIRE ALARM REPORT – MSFC 901.6 – Provide documentation of annual service of the sprinkler system and fire alarm inspection.
73. SUB BASEMENT DIESEL TANK - 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.
74. SUB BASEMENT GREENHOUSE - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Insulation shall not be exposed.*
75. SUB BASEMENT GREENHOUSE - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cords on lights.*
76. SUB BASEMENT GREENHOUSE - MSFC 605.5.3 - Immediately; discontinue use of frayed, deteriorated, damaged or spliced electrical cords.

77. SUB BASEMENT GREENHOUSE - NFPA 13 (2002) 4.1 - Provide sprinkler coverage in the missing room or area.  
*-Contact a licensed sprinkler contractor to provide coverage. This work will require a permit.*
78. SUB BASEMENT GREENHOUSE BATHROOM - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.  
*-Repair hole in ceiling.*
79. SUB BASEMENT JANITORS CLOSET - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.  
*-Remove all storage.*
80. SUB BASEMENT SHOP - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove all extension cords.*
81. SUB BASEMENT SHOP - NEC 440.13 - For cord-connected equipment such as refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.  
*-Remove extension cord on fridge.*
82. WOOD TUNERS STORAGE - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.  
*-Remove extension cord and the power strip shall plug directly into an outlet.*
83. WOOD TURNERS - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.  
*-Do not block the doors into the electrical rooms. Provide a sign on the doors indicating 'Do Not Block'.*

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: [kris.skow-fiske@ci.stpaul.mn.us](mailto:kris.skow-fiske@ci.stpaul.mn.us) or call me at 651-266-8949 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,

Kris Skow-Fiske  
Fire Inspector