



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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Saint Paul, Minnesota 55101-1806

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August 23, 2012

Justin J Waggoner
1426 N Orleans St
Chicago IL 60610-7208

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 361 BATES AVE
Ref. # 16884

Dear Property Representative:

Your building was inspected on August 23, 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. **An inspection will be made on September 26, 2012 at 9:30 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. 2nd Floor Hallway - CO Detector - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.- Missing CO detector on east end of 2nd floor hallway.
2. Basement - Behind West Entry Door - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Replace damage wall panel.
3. Basement - Furnace Room - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Remove white cord from appliances and piping in furnace room.
4. Basement - Furnace Room - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove extension cord.

5. Basement - Furnace Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Install missing furnace room door handle.
6. Basement - Furnace Room - MFGC 503 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-8989.-Mechanical venting installed incorrectly. Replace and repair with proper venting elbows and venting pipe throughout basement.
7. Basement - Kitchen - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-No hot water. Not vented correctly.
8. Basement - Unit 9 - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Ceiling separation damaged or missing.
9. Building - Permit Work - MSFC 105.1.1 Permits required. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.-Pull permits for all trade repair work to include electrical, mechanical, building, plumbing and HPC.
10. Exterior - By Garage - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair grading around southeast side of garage. Have rain water run down backside of property.
11. Exterior - East Porch - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Install missing balustrade on east porch.
12. Exterior - East Porch - 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.-Repair or replace loose and damaged east deck boards.
13. Exterior - House - SPLC 34.09 (1) b,c, 34.32 (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 replace damaged exterior window sills. Repair or replace damaged siding. Scrape and paint sills and trim throughout.
14. Exterior - Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Replace all broken glass throughout the property.

15. Fire Alarm - Annual Testing - MSFC 907.20 as amended - Provide required annual maintenance of the fire alarm system by a qualified person and provide written documentation to this office as proof of compliance.-Fax a copy to inspector at 651.266.8951 of the most recent fire alarm test.
16. Fire Extinguishers - Throughout - 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.-Service all fire extinguishers throughout property.
17. Furnace Room - Basement - UMC 104 - Correct and maintain any changes made to the original system in compliance with the mechanical code to prevent unsafe, unhealthy or overloaded conditions. This work may require a permit(s). Call DSI at (651) 266-9090.- Remove all unused venting and piping throughout furnace room.
18. Furnace Room - Basement - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove choke cord running from heater to unused piping.
19. Garage - Gutters - 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.-Repair and replace damaged gutters and eave boards behind gutters.
20. Gas Meter - Drive Way - MSFC 603.9- Call Xcel Energy at 1-800-895-4999 to provide vehicle impact protection for the gas meter.-Install gas meter protection posts in front of gas meter.
21. HPC Application - Permit Work - Legislative Code Sec. 73.04(4) Review of permits. The commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites.
22. House - Screens and Storm Windows - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Repair or replace missing, torn or damaged window screens and storm windows throughout the property.
23. Interior - East Inner Door - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair or replace door sweeper on bottom of entry door.
24. Interior Doors - Throughout - MSFC 703 - Provide, repair or replace the fire rated door and assembly.-Repair and maintain the door closers throughout interior of building.
25. Plumbing - Throughout - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Low water pressure throughout interior of property. Missing aerators in common space rooms to include bathrooms and kitchens.

26. Roof - Chimney - 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.-Repair or replace loose mortar and joints along chimney stack.
27. UNIT 01 - CO Detector - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.-Missing CO detector.
28. UNIT 01 - Ceiling Fan Blades - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Clean and remove dust from ceiling fan blades.
29. UNIT 01 - Inner Door Frame - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair inner part of door frame. Deadbolt showing on inside of door frame.
30. UNIT 01 - Sash Cords - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-Replace broken or missing sash cords in both windows.
31. UNIT 01 - Window Locks - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.-Repair and replace window locks in unit.
32. UNIT 01 - Window Sash Cords - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-Repair or replace broken window sash cords.
33. UNIT 02 - Bathroom Wall by Toilet - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair wall between tub and toilet.
34. UNIT 02 - Bathtub - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Repair or replace caulk around tub to ensure water tightness around the tub.
35. UNIT 02 - Ceiling Tiles - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace hallway and north 2nd bedroom ceiling tiles.
36. UNIT 02 - Hallway Closet Ceilings - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.
37. UNIT 02 - Kitchen Storage - 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 lawn mower from kitchen.
38. UNIT 02 - Kitchen Walls - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Tenant is to clean smoke stains from kitchen walls throughout kitchen.
39. UNIT 02 - North 1st Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.

40. UNIT 02 - North 1st Bedroom - 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 turn lock from bedroom door.
41. UNIT 02 - North 1st 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.-Replace missing crank on egress window or replace egress window.
42. UNIT 02 - North 2nd Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.-Missing bedroom door handle.
43. UNIT 02 - North 2nd Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Replace missing and broken cover plates throughout bedroom.
44. UNIT 02 - North Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove extension cord.
45. UNIT 02 - North Bedroom - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Remove multi plug adapter.
46. UNIT 02 - North Entry/Exit Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.-Replace door handle assembly.
47. UNIT 02 - West Entry/Exit Door - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:-Repair and maintain the door closer.
48. UNIT 03 - East Wall - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Tenant is to remove multi plug adapter from east wall.
49. UNIT 03 - Fridge - NEC 440.13 - For cord-connected equipment such as room air conditioners, household 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 fridge cord from extension cord and plug directly into wall outlet.
50. UNIT 04 - Entry Door Frame - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair or replace entry door frame.
51. UNIT 05 - Ceiling - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.

52. UNIT 05 - Kitchen Sink Piping - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- Remove flex piping from underneath kitchen sink.
53. UNIT 05 - Kitchen Wall - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Tenant is to remove grease from kitchen wall.
54. UNIT 06 - Entry Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.- Missing door handle.
55. UNIT 06 - Sleeping Area - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Tenant is to remove extension cord.
56. UNIT 06 - Smoke Detector - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Missing smoke detector.
57. UNIT 07 - Storage 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.-Tenant is to give key to owner and a copy for key box for fire department or owner is to remove deadbolt lock and have key provided for the key box.
58. UNIT 07 - Storage Room - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce storage in room by 50%.
59. UNIT 07 - Storage Room - MSFC 315.2.5 - Fueled equipment, including but not limited to lighter fluid, charcoal, motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Remove lighter fluid containers from storage room.
60. UNIT 07 - Unit - SPLC 34.19 - Provide access to the inspector to all areas of the building.-Provide access into unit. Property has been inspected twice with no access into this unit.
61. UNIT 07 - Unit Room - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce inside of sleeping room by 25%.
62. UNIT 08 - Bathroom Ceiling - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.
63. UNIT 08 - Bathroom Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace damage bathroom floor tile.
64. UNIT 08 - Bathtub - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Repair or replace caulk around tub to ensure water tightness around the tub.

65. UNIT 08 - CO Detector - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.-Replace missing CO detector in unit.
66. UNIT 08 - Entry Doors - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20 minute.-Replace entry doors to unit.
67. UNIT 08 - Hallway - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove cable cord running on floor throughout unit.
68. UNIT 08 - Kitchen - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace bottom panel on refrigerator.
69. UNIT 08 - Kitchen Faucet - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace leaking kitchen faucet.
70. UNIT 08 - Sleeping Room Egress Windows - 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.

**-North Bedroom Sleeping Room Egress Window (Casement Window):
15 w x 30 h openable/glazed.**

**South Bedroom Sleeping Room Egress Window (Double Hung):
20 w x 20 h openable/glazed.**

71. UNIT 08 - Smoke Detector - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Replace or repair inoperative smoke detector.
72. UNIT 08 - Southwest Staircase - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Tenant is to remove clothing and material from back staircase.
73. UNIT 08 - Stairwells - SPLC 34.14 - Provide and maintain light and ventilation in all habitable rooms in accordance with the Saint Paul Legislative Code.-Replace all burnt out light bulbs in both stairwells.

74. UNIT 08 - Storage - MSFC 315.2.5 - Fueled equipment, including but not limited to charcoal, lighter fluid, motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Tenant is to remove charcoal and lighter fluid immediately from unit and kept stored outside of building at all times.
75. UNIT 08 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Tenant is to remove extension cords throughout the unit.
76. UNIT 08 - Walls Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls.
77. UNIT 09 - Back Room - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove extension cord running from back room into unit.
78. UNIT 09 - Ceiling Height - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-Ceiling height measured 76 inches.
79. UNIT 10 - Exterior Window Well - SPLC 34.13 (4) - Provide and maintain the egress window well in accordance with the provided EW-1 attachment.-Remove wooden well and install an approved metal egress window well on outside of egress window.
80. UNIT 10 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean unit and remove storage from unit.
81. UNIT 10 - Unit Door - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20 minute.-Repair and maintain the door closer and door assembly on unit door.
82. Unit 07 - Interior Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.-3-12-2012 - No access to unit 7 to include the storage porch.
83. Zoning - Rooming House Application - Zoning. Comply with all zoning requirements in letter sent on 2.28.2012 regarding Rooming House License 20120000449.
84. 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.
85. SPLC 39.02(c) - Complete and sign the provided 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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: sean.westenhofer@ci.stpaul.mn.us or call me at 651-266-8982 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,

Sean Westenhofer
Fire Inspector
Ref. # 16884