



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 03 2014

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number Check 5577)
 - 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>July 22, 2014</u>
Time <u>1:30 PM</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 360 Spring Street City: St Paul State: MN Zip: 55102

Appellant/Applicant: Riverview at Upper Landing Email: Aleskanski@stuartco.com

Phone Numbers: Business (651) 228-9800 Residence _____ Cell _____

Signature: Angela Jaskowski Date: 7-1-14

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business 651-228-9800 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

Please see attached

We are appealing item #14

SPLC 34.11 (6)- Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the St. Paul Fire Marshal's Existing Fuel Burning Safety Test Report to his office. –Contact mechanical contractor to provide test for each individual heating system.

Our apartment community is comprised of 344 apartments at two buildings located at 360 Spring Street and 400 Spring Street. Each apartment home has its own individual heating/cooling system located in the apartment called a MagicPak system. We are objecting to the necessity to conduct an individual inspection on each apartment for the following reasons:

- In 2009 the City Of St Paul required carbon monoxide detectors to be placed in every apartment. Some apartments required multiple detectors. We installed the required equipment per the City requirement with a cost of \$8945 for the equipment, which did not include installation labor charges or battery charges. It is our understanding the carbon monoxide detectors would alert us in the event of monoxide output. Why does the City feel we need to have a test when we've already solved the issue by installing Carbon Monoxide detectors back in 2009? What has changed since our last inspection in 2009 when this test was not required?
- The cost of testing each apartment is very high. We are estimating a \$30,000 expense to complete the testing. We have a vendor bid which estimates \$19,780 for testing, which accounts for an estimated ½ hour total test time per unit. This estimate would not include our own labor time of estimated \$5,000 for our staff to oversee testing in each home. The bid does not account for any additional time beyond ½ hour or any other fees that may be required. Requiring this test for every apartment is so costly we find it to be unreasonable.
- We are currently not in heating season and our residents are using their air-conditioning, which is part of the MagicPak system.
- We provide annual preventative maintenance to our Magic Pak systems and are considered Allied Partners by Xcel Energy center for conducting heating system tune ups and conducting system analysis testing.

We propose the inspection affidavit should be sufficient to satisfy the City's' objective in verifying the heating equipment is not producing monoxide.



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

June 19, 2014

ATTN. ANGELA
RIVERVIEW AT UPPER LANDING
400 SPRING ST
ST PAUL MN 55102

FIRE INSPECTION CORRECTION NOTICE

RE: 360 SPRING ST
Ref. #100418
Residential Class: A

Dear Property Representative:

Your building was inspected on June 19, 2014 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 9, 2014 at 12:00 PM.

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. 1st Floor - Bathroom - MSFC 703 - Provide, repair or replace the fire rated door and assembly. - Repair and maintain the woman's bathroom door closer.
2. Garage - 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 fueled equipment from electrical room.

3. Garage - Storage room - MSFC 3404.3.5.1 Immediately remove and discontinue storage of all Class 1 Flammable liquids in the electrical room. - Remove gasoline storage in electrical room
4. Garage - MSFC 3404.3.3.4 Provide approved Flammable/Combustible liquid storage cabinet for quantities of Class 1 and 2 liquids exceeding 10 gallons used for maintenance purposes and operation of equipment.
5. Garage Level - Storage Room - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels. - Remove storage in front of electrical panels.
6. Stair C - MSFC 703 - Provide, repair or replace the fire rated door and assembly. -Repair and maintain the door closer.
7. Stairway D - MSFC 1010.5 - Provide and maintain an approved emergency lighting system. - Repair emergency lighting in approved manner.
8. Unit 117 - MSFC 605.4 - Discontinue use of all multi-plug adapters.
9. Unit 120 - MSFC 703 - Provide, repair or replace the fire rated door and assembly. - Repair and maintain the door closer.
10. Unit 141 - MSFC 605.4 - Discontinue use of all multi-plug adapters.
11. Unit 141 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
12. Unit 141 - 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.
13. Unit 230 - MSFC 703 - The fire door must not be obstructed or impaired from its proper operation at any time. - Remove rug and adjust door sweep to clear obstruction from door swing.
14. 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. - Contact mechanical contractor to provide test for each individual heating system.

15. MSFC 506.2 - Call Fire Department communication center at (651) 224-7371 to make arrangements to have the keybox opened when you have the correct keys on site.

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: jeremy.hall@ci.stpaul.mn.us or call me at 651-266-8987 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,

Jeremy Hall
Fire Inspector

Reference Number 100418



DATE: 6/9/2009
INVOICE NUMBER: 64036
JOB NUMBER: 292074
PURCHASE ORDER:

4921 Babcock Trail • Inver Grove Heights, MN 55077 • Phone (651) 450-0352 Fax (651) 450-9740

Sold To: Riverview at Upper Landing
 c/o Stuart Co
 400 Spring St
 St Paul MN 55102

Complex: Riverview at Upper Landing
 400 Spring St
 St Paul MN

ITEM	PRICE
DIRECT SALE (397) Battery Operated CO Detectors @ \$17.75 ea:	\$7,046.75
DELIVERED By Roberta S.	\$15.00
DATE OF JOB 6/4/09	

PLEASE PAY ON THIS INVOICE - NO STATEMENT WILL BE SENT

TERMS Net 30	Subtotal \$7,061.75
	Tax \$511.99
	Total \$7,573.74

ELECTRIC Fire & Security

DATE: 7/23/2009
INVOICE NUMBER: 64685
JOB NUMBER: 292610
PURCHASE ORDER:

4921 Babcock Trail • Inver Grove Heights, MN 55077 • Phone (651) 450-0352 Fax (651) 450-974

Sold To: Riverview at Upper Landing
c/o Stuart Co
400 Spring St
St Paul MN 55102

Complex: Riverview at Upper Landing
400 Spring St
St Paul MN

ITEM		PRICE
DIRECT SALE	(71) Battery Operated CO Detectors @ \$17.75 ea	\$1,260.25
DELIVERED	By Roberta S.	\$15.00
DATE OF JOB	7/7, 7/17	

PLEASE PAY ON THIS INVOICE - NO STATEMENT WILL BE SENT

TERMS Net 30

Subtotal	\$1,275.25
Tax	\$97.25
Total	\$1,372.50

PROPOSAL

PLUMBING • HEATING • HIGH PURITY PIPING • AIR CONDITIONING • PROCESS PIPING • REFRIGERATION • SHEET METAL • SERVICE



Address: 4401 Quebec Ave. N., New Hope, MN 55428
Construction: 763.533.1900 Fax: 763.235.9810
Service: 763.235.9833 Fax: 763.235.9834
norwitz-mn.com

Stuart Company
1000 West 80th Street
Bloomington, MN
Attn: Darren Jakel

Date: July 1, 2014

Proposal Number: M14-108

Regarding: Riverview at Upper Landing – Fuel Burner testing on Magic-Pak units

Darren,

Per your request we have put together pricing to perform a fuel burning safety test report on a total of 344 Magic –Pak units at the Riverview Landing location at 400 Spring Street in St Paul, MN. This inspection will include the city required orsat-testing and carbon monoxide test for each individual unit. It is our recommendation that this inspection be completed during the heating startup season as these units are occupied and we are in the middle of the summer cooling season.

Proposed total cost: \$ 19,780.00

We figure it to be about ½ hour per unit for the inspection. This does not include the permit fees as we are not aware if there will be a city fee per unit or if this would be a bulk fee on this inspection.

Please feel free to give me a call if you have any additional questions or concerns.

Exclusions:

1. Overtime
2. Additional work required by code authority

PAYMENT to be made as the work progresses to the value of 100% of all work complete and material on job site. The entire amount of contract to be paid within **30 days** after completion.

Authorized
Signature:

Mark Totino

Please note this proposal may be withdrawn by us if not accepted within **30 days**.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of Acceptance _____

Signature: _____

RESIDENTIAL HEATING

Chapter 34 of the Saint Paul Legislative Code, known as the "Housing Code", sets minimum standards for health and life safety for occupants of all residential property in Saint Paul.

Many owners have confused the legal dates of Xcel shut-off requirements (October to April) with the code requirement to provide heat. To clarify this specific requirement, please note that a building owner or manager is responsible to maintain the heat in a dwelling unit to 68 degrees five feet above the floor in any occupied room at any time, throughout the year. Failure to do so may result in enforcement action. The laws not allow tenants to remain in a dwelling that lacks basic services (heat, light, water).

Please cooperate with Fire Prevention efforts to maintain a high level of health and life safety for occupants of all Saint Paul rental property.

Chapter 34 (Revised January, 1993) provides for assurance of safe heating equipment by allowing The enforcement officers to require proof of current service of any heating or space heating facility by a licensed contractor. The documentation of the service must include a carbon monoxide reading. We have furnished you with a form (see back of this page) to furnish your service contractor. Please have the contractor fill out the form and return it to the inspector during the Certificate of Occupancy renewal inspection (or referral inspection if a problem is apparent). This will expedite the inspection process and help assure the safety of tenants and protection of your property.

**Department of Safety and Inspections
Fire Inspection Division**