



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

JUN 30 2015

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number check 09804544)
- 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>July 21, 2015</u></p> <p>Time <u>1:30</u></p> <p>Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>

Address Being Appealed:

Number & Street: 25 REV. DR. MARTIN LUTHER KING JR. BLVD. City: ST. PAUL State: MN Zip: 55155

Appellant/Applicant: DAWN TORGERSON Email dawn.torgerson@courts.state.mn.us

Phone Numbers: Business 651-296-5609 Residence _____ Cell _____

Signature: Dawn Torgerson Date: 6-30-2015

Name of Owner (if other than Appellant): STATE of MN - DEPT. OF ADMINISTRATION, PLANT MANAGEMENT DIVISION

Mailing Address if Not Appellant's: 50 SHERBURNE AVE., ST. PAUL, MN 55155

Phone Numbers: Business 651-201-2328 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/Correction
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- SEE SUPPLEMENTAL DOCUMENTS.

MINNESOTA JUDICIAL BRANCH
MINNESOTA JUDICIAL CENTER
25 REV. DR. MARTIN LUTHER KING JR. BLVD.
SAINT PAUL, MINNESOTA 55155

Dawn Torgerson
Deputy State Court Administrator
State Court Administrator's Office

(651) 296-5609
Fax: (651) 297-5636
E-mail: dawn.torgerson@courts.state.mn.us

June 30, 2015

TO: Shari Moore, City Clerk for the City of St. Paul

RE: Appeal of Fire Inspection Correction Notice Ref. #65043 – Supplemental Information

The purpose of this memorandum is to provide supplemental information related to the appeal of items 9, 10, 11 and 12 in the attached Fire Inspection Correction Notice Ref. #65043.

The Minnesota Judicial Center (MJC) is the home of the state's judiciary on the Capitol Mall. The building houses the Minnesota Supreme Court, the Court of Appeals, the Clerk of the Appellate Courts, the offices of the State Court Administrator and the state law library. The MJC contains three appellate courtrooms used by the Supreme Court and the Court of Appeals, chambers for the justices, judges, and their staff, administrative office space for staff of the State Court Administrator, a public counter for submitting appellate filings, a law library space that is open to the public at large, and an underground parking garage.

The building also houses additional courtroom facilities, chambers, and administrative space for the Executive Branch's Workers' Compensation Court of Appeals and the Tax Court.

Judges and employees of the Judicial Branch who work in this building total approximately 340 and include:

- The 7 Justices of the Minnesota Supreme Court and their staff of 24.
- The 19 judges of the Minnesota Court of Appeals and their staff of 64.
- The State Court Administrator and his staff of approximately 200.
- State Law Library staff totaling 15.
- The Clerk of Appellate Court's Office with 12 staff.

The Supreme Court and Court of Appeals play a vital role in our constitutional system, as well as an important role in the daily lives of citizens. As the highest court in Minnesota, the Supreme Court regulates the practice of law and judicial and lawyer discipline, and it promulgates rules of practice and procedure for the legal system in the state. Each year thousands of persons – individuals, companies, even state and local governments – bring their appeals of legal cases to these courts. Sometimes the

decisions these courts make interpreting a law may only affect the people in that case, but often the decisions have an impact on every citizen in the state.

Given the impact courts' decisions can have on the lives of individual citizens and the adversarial nature of the legal process, courthouse violence is a very real concern to the Judicial Branch. In 2011, our courthouse in Grand Marais, Minnesota (Cook County), was the site of a courthouse shooting where two individuals were shot and wounded, following an individual's conviction for sexual assault. Previously, our courthouse in Hennepin County was the site of a shooting where two individuals were shot. One was wounded and the other died. These two were scheduled to appear in a Housing Court matter. These tragic events spotlight why the Branch must remain vigilant in its efforts to take all steps within its authority to keep violence at bay and ensure the safety of its judges and employees throughout their workdays, including those in this building.

In an effort to add an additional level of security in the MJC, the decision was made in spring 2013 to install key card readers on the four doorways that lead from the parking garage into the elevator lobbies (items 9, 10, 11 and 12 of the Fire Inspection Correction Notice). Access into the parking garage (large overhead garage door and side entry door) also requires an employee access card; however, staff has observed that, in the time it takes for the overhead garage door to close, someone without proper access (does not possess an employee access card) could sneak into the parking garage. If someone inappropriately gains access into the parking garage, the additional card readers stop them from getting into the elevator lobbies and subsequently into judges' private chambers and employee offices, preventing a serious security breach.

For reasons of security we are appealing the decision of the fire inspector. All MJC judges and employees are required to carry an employee access card on their person. Access into non-public spaces in the MJC, including our parking garage, requires the use of an access card. We believe it is highly unlikely that any judge or employee would be in the parking garage without an access card on their person because they could not enter the building; therefore, we believe our judges and employees would be able to exit the parking garage in the event of a fire with minimal delay using the access card on their person.

In short, people in the garage would need an employee access card for entering and therefore, would be able to exit the building in the event of a fire without any impediment or obstruction by using their employee access card. A card reader is not an impediment or obstruction because people entering or exiting the garage would have the employee "key fob" access card.

If you have additional questions or concerns, please contact me. I will be unavailable starting July 1, but will return to the office on Tuesday, July 14.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

June 24, 2015

GENE PETERMAN
STATE OF MINNESOTA
50 SHERBURNE AVE ROOM G10
SAINT PAUL MN 55155

FIRE INSPECTION CORRECTION NOTICE

RE: 25 REV DR MARTIN LUTHER KING JR BLVD
Ref. #65043

Dear Property Representative:

Your building was inspected on April 21, 2015 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 24, 2015 at 10:00 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. 157-SHIPPING AND RECEIVING - MSFC 703.2 Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. Fire doors and smoke barrier doors shall not be blocked or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

-Keep the fire doors closed at all times.

2. 157-SHIPPING AND RECEIVING - 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.

3. A-302-GENERATOR ROOM - MSFC 2703.5 - Provide NFPA 704 hazard identification placards per handout.
Blue = 0
Red = 2
Yellow = 0
White = LEAVE BLANK
Size = 6 INCHES MINIMUM CORNER TO CORNER

-Provide two NFPA 704 placards. One on the door leading to the generator room and one on the day tank.

4. A-302-GENERATOR ROOM - 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.

5. FIRE ALARM DOCUMENTATION - 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.

-Email prior to the reinspection.

6. FIRE PUMP DOCUMENTATION - MSFC 901.6 - Provide required annual inspection and testing of the fire sprinkler pump by a licensed fire sprinkler contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the riser showing the latest date of inspection and testing.

-Email prior to the reinspection.

7. FIRE SPRINKLER DOCUMENTATION - MSFC 901.6 - Provide required annual inspection and testing of the fire sprinkler system by a licensed fire sprinkler contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the riser showing the latest date of inspection and testing.

-Email prior to the reinspection.

8. G LEVEL-FIRE RISER ROOM-FIRE PUMP - MSFC 901.6 - The fire pump must be maintained in an operative condition at all times, replace or repair where defective. All work must be done by a licensed contractor under a permit.

-Fire pump power on indicator is not lit up. The phase loss monitor is out. Repair or replace in an approved manner. This work must be done by a qualified contractor. A permit may be required.

9. P1-A301A - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

10. P1-A301B - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

11. P2-B201A - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

12. P2-B201B - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

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: Sebastian.Migdal@ci.stpaul.mn.us or call me at 651-266-8985 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Inspector

Reference Number 65043