



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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July 2, 2015

Breaking Free Inc
770 University Ave W
St Paul MN 55104-4805

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 778 UNIVERSITY AVE W Ref. # 120089

Dear Property Representative:

Your building was inspected on July 2, 2015, 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 re-inspection will be made on August 3, 2015 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 - Dryer - 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.-The dryer was being powered through a power strip.
2. Basement - Electrical panel - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.-
3. Change of use - Throughout - SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.-The building use has been changed by the ownership from residential to a "B" or business occupancy. Per letter from Steve Ubl to Terry Forlili dated April 3, 2015 the building was to be reverted back into residential use by July 1, 2015.

4. Exterior - North west corner - SPLC 34.09 (1) b, c, 34.33 (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.-There was a piece of fascia on the north west corner that is loose, and it appears that birds are getting into the roof area.
5. Exterior - Parking lot - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.-The entire back yard has been paved and is now parking for the business office. Per letter from Steve Ubl to Terry Forliti dated April 3, 2015 the parking space in the rear yard is to be removed and reestablished for residential use.
6. First floor - North east room - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.
-There was a smoke detector that had been removed from the wall, and was sitting on a shelf.
7. Interior - 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.-
8. North entrance - Stairs/ porch - SPLC 34.09 (1) b, c, 34.33 (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 the chipping and peeling paint on the front stairs/ porch.
9. Second floor - Hallway - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.
-There was a smoke detector at the top of the stairs that was hanging from the wires.
10. 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.
11. SPLC 39.02(c) - Complete and sign the 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: george.niemeyer@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,

George Niemeyer
Fire Inspector
Ref. # 120089