APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED
AUG 05 2015
CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

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 # 12033)
- ☒ 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, August 11, 2015

Time 11:30 a.m

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 436/438 PAGE St. E City: St. PAUL State: MN. Zip: 55107

Appellant/Applicant: RAFAEL FUENTES Email rafuens1@yahoo.com

Phone Numbers: Business 651-332-3077 cell Residence _____ Cell _____

Signature: Rafael Fuentes Date: 8-5-2015

Name of Owner (if other than Appellant): RAFAEL FUENTES

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 — Need clear expectations and time to do them.
- ☐ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

352.0

August 04, 2015

Rafael Fuentes
Raquel Fuentes
133 Congress St E
St Paul MN 55107-2242

Dear Sir or Madam:

438 – 436 PAGE ST E is a Registered Vacant Building that requires a Code Compliance Inspection per the Vacant Building Statute (Chapter 43). This inspection can be obtained by calling Building and Inspections and Design at (651) 266-9016. **This dwelling cannot be occupied without a Certificate of Code Compliance.** Call (651) 266-9016 for a permit sign-off.

THE VACANT BUILDING REGISTRATION FORM AND REGISTRATION FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI MAY ISSUE PERMITS.

Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.

Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold. Requirements that must be met for Category 2 vacant buildings include: 1. register/re-register the building, 2. Pay outstanding fees, 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use. In addition to meeting all 6(six) of these requirements a Category 3 vacant building must obtain a **Certificate of Occupancy** or a **Certificate of Code Compliance** prior to the sale of the building.

If you have any questions you can call me at the number below.

PROPERTIES THAT ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO INSPECTIONS AT ANY HOUR OF THE DAY OR NIGHT.

Sincerely,

Dennis Senty
651-266-1930
Vacant Buildings Code Enforcement Officer

ncc60120

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Order with your appeal application.

Date:	**August 04, 2015**	**HP District:**	
File #:	**15 - 146809**	**Property Name:**	**Mathias Engel Double House**
Folder Name:	**438-436 PAGE ST E**	**Survey Info:**	**RA-SPC-4836**
PIN:	**082822410030**		

Front posting 438

Front posting 438

West side

UHH plac posted on 436 unit

Shed

Shed

Date:	**August 04, 2015**	**HP District:**	
File #:	**15 - 146809**	**Property Name:**	**Mathias Engel Double House**
Folder Name:	**438-436 PAGE ST E**	**Survey Info:**	**RA-SPC-4836**
PIN:	**082822410030**		

South side

East side

North side

INSPECTION REQUEST

Address: 438 - 436 PAGE ST E, 08 28 22 41 00 30, w: 2, ct: 372, dc: 3, yb: 1894

[X] Residential 2 units [ ] Residential/Commercial [ ] Commercial

Type Construction: 3 story, wood frame

Category: II

Accessory Structures: detached wood frame shed
detached metal shed

Referred By: G Niemeyer Of: DSI CO Program

Condemned: Yes [ ] No [ ] Date:

Met owner at property, open for work under permit, explained cat 2 req's, appeals process, #436 is unoccupied, #438 is occupied, owner stated that he will appeal the CO revocation and VB Program referral, plac's posted on front of each unit

Cat II VB folder opened – CO revoked, multiple code violations

Category: II

Photos: yes
Placards: yes

Signed: Dennis Senty Date: August 4, 2015

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director

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

July 22, 2015

RAQUEL FUENTES
RAFAEL FUENTES
133 CONGRESS ST E
ST PAUL MN 55107-2242

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 438 PAGE ST E
Ref. # 106929

Dear Property Representative:

Your building was inspected on July 16, 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 July 31, 2015 at 1:00pm 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. 436 - Front entry - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-

2. 436 - Kitchen - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-

3. 436 - Second floor bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-

4. 436 - Throughout - MSFC 605.6 - Provide all openings in junction boxes to be sealed.- Open electrical boxes were found throughout the unit.

5. 436 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.-There are exterior walls on all three floors that are open to the exterior sheeting, and interior walls that are only bare studs.

6. 436 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-There are ceilings missing from all three floors in the unit.

7. 436 - Condemned - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-Unit is condemned due to the fact that there is exposed wiring, unfinished walls throughout, unfinished ceilings throughout, improper fire separation between it and 438, and lack of properly installed Smoke and Carbon monoxide detectors.

8. 438 - Basement bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Vent fan was installed without an electrical or mechanical permit.

9. 438 - Building and electrical permits - MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit.
-There are open electrical and building permits open that need to be inspected and approved.

10. 438 - Dryer vent - MSMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-7/21/15 dryer vent was done without a permit.

11. 438 - First floor bathroom - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-7/21/15 There was a new ceiling installed that covered the improperly installed wiring.

12. 438 - First floor bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-

13. 438 - Kitchen - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-

14. 438 - Master bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-

15. 438 - Master bathroom - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-

16. 438 - Master bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-

17. 438 - Second floor - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Trim missing throughout the second floor.

18. 438 - Stairs to second floor - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-

19. 438 - Third floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.

20. 438 - Third floor bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-There is no vent fan in the bathroom.

21. Burn pit - MSFC 307.1 Fire Prevention has been receiving complaints regarding fires conducted on your property. All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be under 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance.-Relocate or remove the burn pit.

22. Common wall between 436/438 - Second and third floors - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-

23. Exterior - Siding - 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 is siding missing on all sides of the house. It appears that new siding is being installed.

24. Retaining walls - Throughout - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Repair cracked and leaning retaining walls throughout the property.

25. 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. # 106929