

RLH #co 16-14



# 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  
JAN 07 2016

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 # 1223)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>January 12<sup>th</sup>, 2016</u>
Time <u>1:30 P.M.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

### Address Being Appealed:

Number & Street: 1734 7TH ST E City: ST PAUL State: MN Zip: 55106

Appellant/Applicant: CHARLES MCCARTY Email CMONEY392@GMAIL.COM

Phone Numbers: Business 651-354-1342 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] Date: 1-7-16

Name of Owner (if other than Appellant): \_\_\_\_\_

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
  - Summary/Vehicle Abatement
  - Fire C of O Deficiency List/Correction
  - Code Enforcement Correction Notice
  - Vacant Building Registration
  - Other (Fence Variance, Code Compliance, etc.)
- ON NOV 19 2015 I APPEALED MY REVOCATION OF C/O ST PAUL FIRE DID NOT GIVE ME MY DUE PROCESS. I NEVER RECEIVED CORRECTION ORDERS IN A TIMELY MANNER, WHICH IS AGAINST THE LAW. I WAS TOLD MY C/O WAS NOT REVOKED AND THE BUILDING WAS TO BE TAKEN OFF THE VACANT BUILDING LIST ST PAUL FIRE IS ILLEGALLY TARGETING ME, THEY ARE BIASED



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](http://www.stpaul.gov/dsi)

January 6, 2016

CHARLES MCCARTY  
324 -3RD ST N  
HUDSON, WI 54016-1003

RE: 1734 7TH ST E  
Ref. # 123517

Dear Property Representative:

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

**A re-inspection will be on February 1, 2016 at 9:30 AM.**

#### DEFICIENCY LIST

1. Exterior - Front of House - 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.  
The front concrete stairs are cracked and damaged.  
Update: On 12/21/15, the concrete stairs have not been repaired.
2. Exterior - Garage - 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.  
The garage has chipping and peeling paint on it.  
On the East side of the garage there are panels that are broken, have holes on them and panels that are becoming loose from the garage.  
The main garage door is damaged.  
The side garage entry door is damaged and the locking hardware is missing and damaged.  
Update: On 12/21/15, there has been no work done on the garage.
3. Exterior - Garage - SPLC 34.19 - Provide access to the inspector to all areas of the building.  
Allow access to the garage.

4. Exterior - Inside of Garage - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.  
There is an excessive amount of garbage inside the garage.  
The garbage disposal service has been discontinued for 3 weeks.  
Update: On the re-inspection date 12/21/15, Access to the garage has been denied by the owner. The owner has screwed the garage door shut.
5. Exterior - Inside the Garage - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-There is an electrical junction box in the garage that is missing the cover.  
Update: On the re-inspection date 12/21/15, Access to the garage has been denied by the owner. The owner has screwed the door shut.
6. Interior - Dining Room - 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.  
Permit is required for the removal of the left patio door and erecting a new wall.
7. Interior - Near Bedrooms - 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 manufacturer's instructions.  
The carbon monoxide detector near the bedrooms is missing the battery cover.  
Updated: On re-inspection date 12/21/15, the carbon monoxide has a cover with two screws in it.
8. SPLC 40.06.04 - Suspension, revocation and denial. (A) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor: (4) If the owner, in a material matter, fails to comply with regulations in section 40.09 of this chapter;  
Per the City Councils resolution, all repairs were to be completed by 12/18/15.  
Revocation is due to incomplete repairs.
9. 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.
10. 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: [Efrayn.Franquiz@ci.stpaul.mn.us](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz  
Fire Inspector

Ref. # 123517



By Order  
City of Saint Paul  
Department of Safety & Inspections  
Fire Safety Inspection Division  
651- 266- 8989



## REVOCATION NOTICE

The Fire Certificate of Occupancy required for the Occupancy or Use of This Building, has been Revoked.

It is unlawful to Use or Occupy this building

After: January 31, 2016.

Persons Using or Allowing the Use or Occupancy of This Building, are Subject to Criminal Penalties.

Building Address: 1734 7th St. E

Code: 40, Art.: \_\_\_\_\_, Sect. 06.

Inspector: Efrayn Franquiz, Date: 1-5-16.

Under Penalty of Law, this notice shall not be removed without authorization from the Department of Safety & Inspections

Any Person affected by this Order, may file an appeal at the Office of the City Clerk, Room 310, City Hall, 15 Kellogg Blvd. West, or call (651) 266-8688 within 10 days of the original notice. The cost to file an appeal is \$25. and must include a copy of the letter of Revocation. This letter of Revocation is available at: Saint Paul Department of Safety & Inspections, Fire Inspection Division, 375 Jackson Street Suite #220 Saint Paul, MN 55101

Date: January 06, 2016  
File #: 15 - 176167  
Folder Name: 1734 7TH ST E  
PIN: 272922440009



By Order of the  
City of Saint Paul  
Department of Safety & Inspections  
Fire Safety Inspection Division  
651-266-8989



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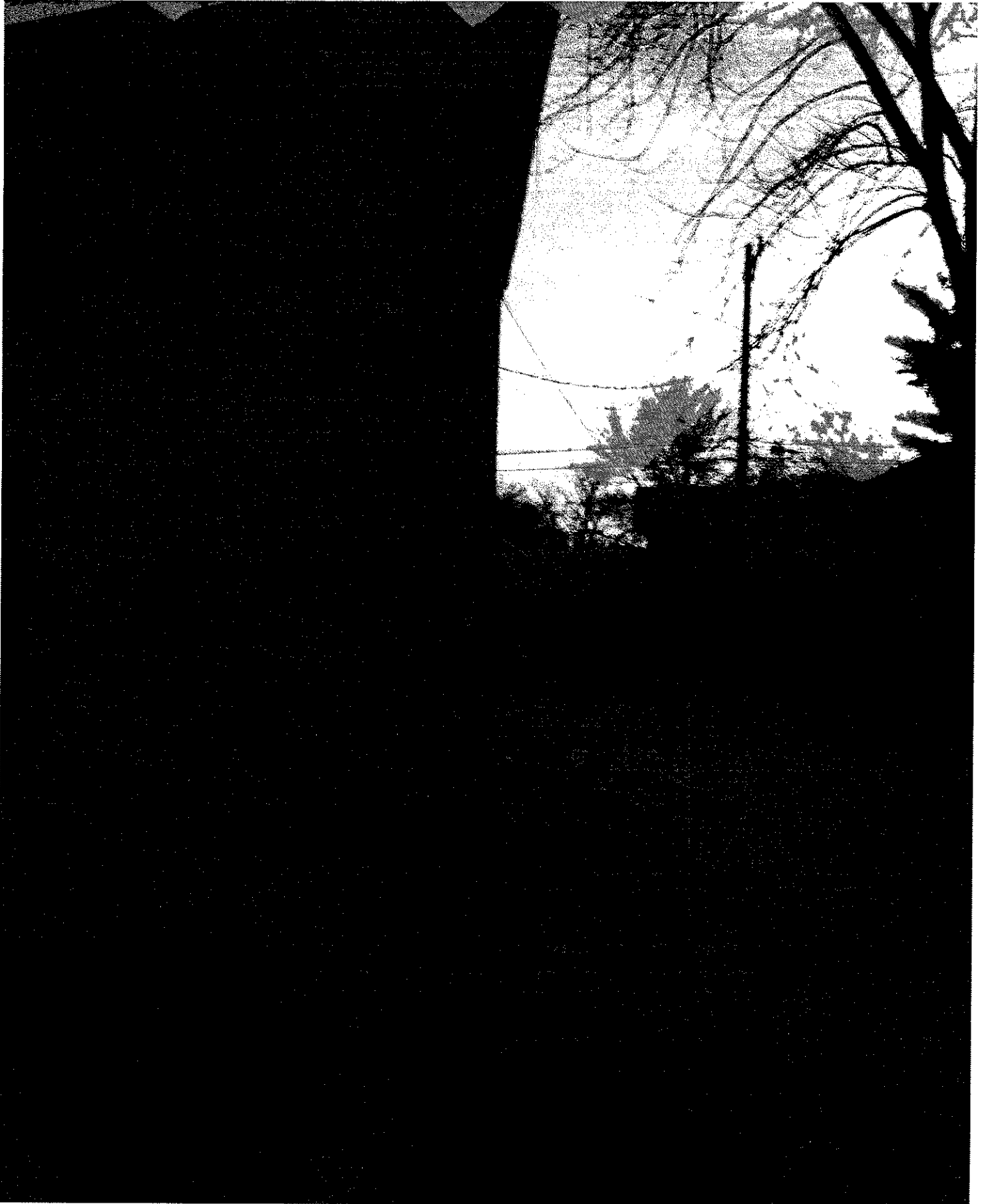
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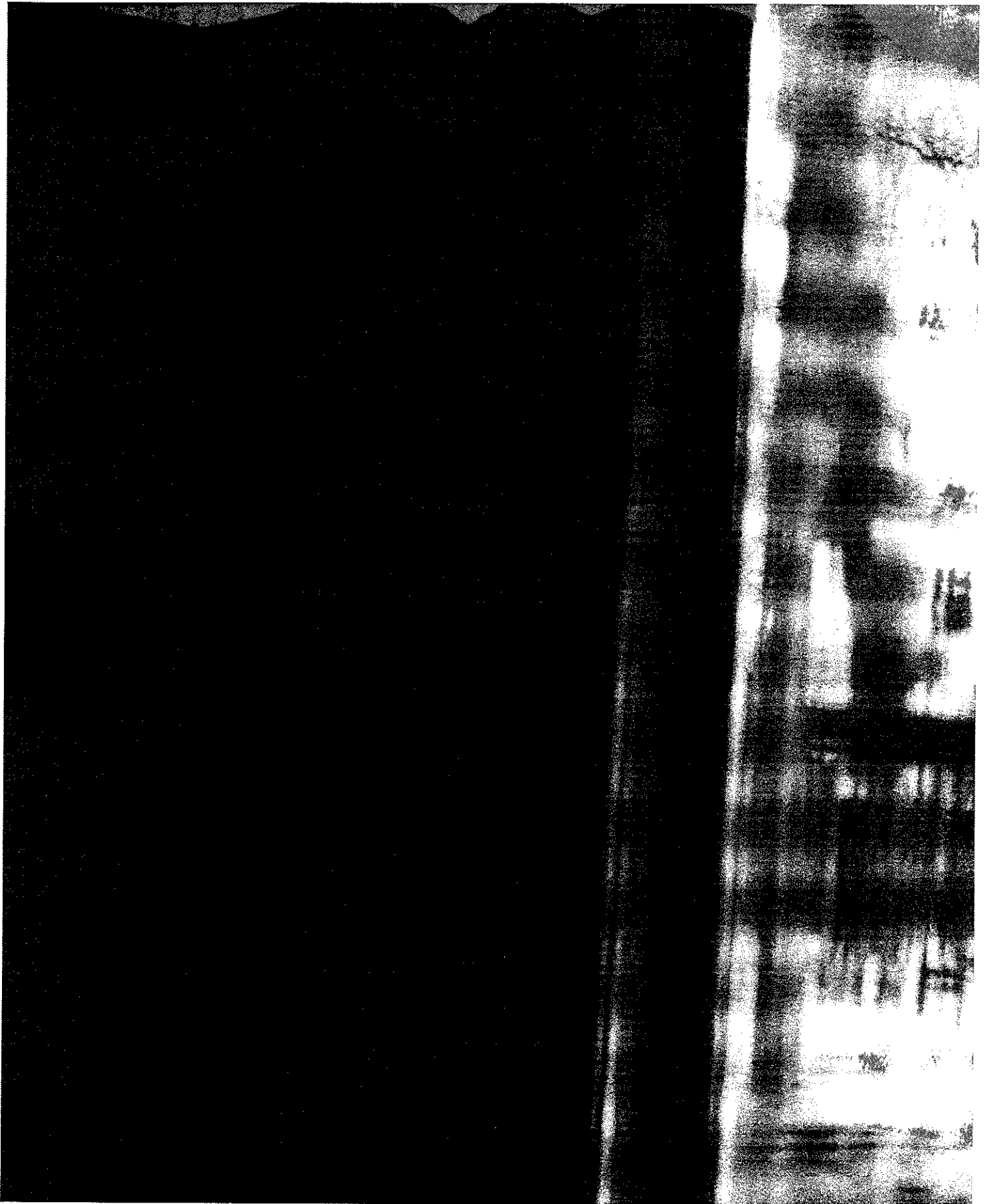


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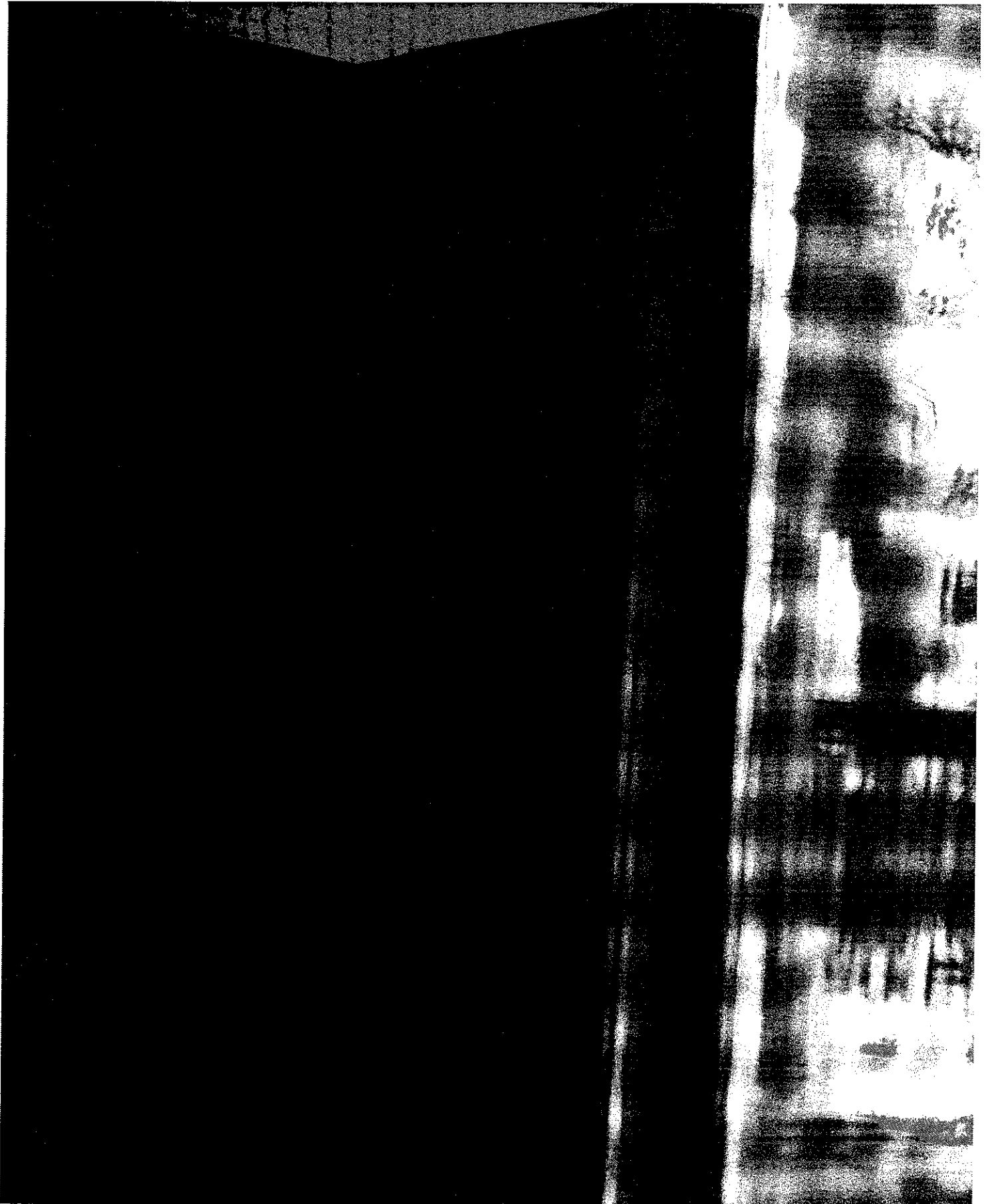




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