

RLH VG 18-26



# 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

JUN 11 2018

We need the following to process your appeal: **CITY CLERK**

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number CASH # 820507)
  - 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>June 26, 2018</u>	
Time	<u>11:30 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse	

## Address Being Appealed:

Number & Street: 1315 Rice St. City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Jay Rice LLC / Zeraida Reyes Email: reyes9373@gmail.com

Phone Numbers: Business 651-235-5907 Residence — Cell 612-963-5325

Signature: [Signature] Date: 6/11/18

Name of Owner (if other than Appellant): Zeraida Reyes

Mailing Address if Not Appellant's: 3739 Grand Ct., Eagan, MN 55123

Phone Numbers: Business — Residence — Cell 612-963-5325

## What Is Being Appealed and Why?

Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O clarification on new issues of deficiency listed
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction need time for the contractors to actually start work
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

June 5, 2018

*Dry Rice LLC*

## **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1315 RICE ST  
Ref. # 82077

Dear Property Representative:

Your building was inspected on June 1, 2018, 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 reinspection will be made on July 5, 2018 at 1:00 PM 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. All Stores - Throughout - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.  
Store 1315 - The air conditioner cord is running improperly through the ceiling tiles.  
Store 1319 - A wooden stud has been placed through the ceiling tile and there are wires hanging loosely and there is a power strip coming through the ceiling tile.
2. Exterior - Building - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points. -There is large cracks and openings along the building's foundation line that is allowing water to enter into the basement.

3. Exterior - Concrete Floors - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs. -Near the drain line, the sidewalk has become cracked, damaged and uneven.  
The garage floor under the garage door has deteriorated and is missing.
4. Exterior - Throughout - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-8989.
5. Exterior/Interior - Light Fixtures - MSFC 605.1 - All light fixtures shall be maintained with protective globes if originally equipped. -There are light fixtures that is missing the covers.
6. Exterior/Interior - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Exterior - There are exterior light fixtures that are damaged and missing the covers.  
Interior - Throughout the entire basement and common areas, there are light fixtures that are damaged and have broken covers. Some of those fixtures are not properly secure to the floor joist. There is a light fixture that has a broken light bulb in it.  
In the owner's garage, there are electrical junction boxes with damaged outlets and fixtures.
7. Interior - Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. -Remove/Dispose of all the damaged items in Storage room #1.
8. Interior - Basement - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
9. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Repair or replace the unsafe stairway in an approved manner.  
Store 1315 - The new stairs is not constructed properly, is not wobbly, unsecure and there is a kick plate that has been installed improperly at the bottom that is a tripping hazard.  
Back Basement Stairs- The stairs leading to the mechanical room is very wobbly and unsecure. There are broken and cracked stair treads.
10. Interior - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There are large holes, cracks and water damage to the ceilings in the basement, garages and common areas. This also includes the garage the owner is using for personal storage.  
Repair the ceiling with large holes in the mechanical room.
11. Interior - Doors - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:-One hour. There are several doors in the common areas that have missing hardware and broken and damaged trims and frames.

12. Interior - Loading Dock Area - MSFC 703.1, 1106.1 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be:-One hour. In the loading dock area, there is a hole on the ceiling and in the other unused room there is a hole in the ceiling and a repaired section that has failed and is sagging. There is an apartment above this area.
13. Interior - Throughout - 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) 266-8989.-Throughout the basement and common areas, there are light fixtures and junction boxes with exposed wirings.
14. Interior - Unmarked Doors - MSFC 1030.5 Non-Exit identification. Where a door is adjacent to, constructed similar to and can be confused with a means of egress door, that door shall be identified with an approved sign that identifies the room name or use of the room. -There are several doors throughout the entire building that are not properly identified and can be confused for an exit door. -There are several doors throughout the entire building that are not properly identified and can be confused for an exit door.
15. Interior - Wall - MSFC 703.1 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be:-One hour. Properly finish the repair to the wall behind the fire door.
16. Interior - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are large holes, cracks and water damage and sections that is spalling on the walls in the basement, garages and common areas. This also includes the garage the owner is using for personal storage.
17. Store 1315 - Throughout - 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. -Store 1315 - There is a vent that is missing the cover. Also place a cover over the opening in the basement floor to avoid people falling into the opening.
18. Store 1315 & 1319 - Emergency Lights - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. -Store 1315 & 1319 - The emergency lights did not work when tested and the cover is coming off.
19. Store 1315 & 1319 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
20. Store 1315 & 1319 - Throughout - 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. -Store 1315 - The refrigerators/freezers are plugged into an extension cord. Store 1319 - The freezer near the door and one of the refrigerator is plugged into a power strip.

21. Store 1315 & Basement - Fire Extinguisher - MSFC 906.5 Conspicuous location. Portable fire extinguishers shall be in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.
22. Store 1315 & Basement - Fire Extinguishers - MSFC 906.7 Hangers and Brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers and brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions. -Store 1315 - The fire extinguisher is not installed according to code.
23. Store 1319 - Throughout - MSFC 315.3.1 - Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling.
24. Unit 3 - Bathroom - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom impervious to water. -There are bathroom walls tiles that are coming loose and have openings around them. The shower wall is coming loose and there are openings along the edges.
25. Unit 3 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The entry door does not self-close and latch and it rubs against the rug.
26. Unit 4 - Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-One of the new outlets has a broken piece inside and the outlets in the living room are painted over.
27. Unit 5 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The entry door does not self-close and it rubs against the rug.
28. Unit 5 - Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters. -There are three (3) multi-plug adapters in the apartment.
29. Unit 6 - Outlets - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are outlets missing the cover.
30. Unit 6 - Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There are outlets that are cracked and damaged.
31. Unit 6 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarm in the bedrooms have poor sound quality and have failed. Replace the alarms.

32. Unit 8 - Bedroom - 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 air conditioner is plugged into an unapproved extension cord.
33. Unit 8 - CO Alarm - 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. -Relocate the carbon monoxide alarm to be closer to the bedroom. The alarm is currently 12 feet away.
34. Unit 8 - GFCI Outlets - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlets in the apartment do work when tested.
35. Unit 8 - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarm outside the bedroom is missing.
36. Unit 9 - Ceiling - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There is chipping and peeling paint on the bedroom ceiling. Also seal the opening around the smoke alarm.
37. Unit 9 - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The bedroom door's top hinge is coming loose and the door does not close properly.
38. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
39. 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. Permits - Electrical, Plumbing, Building, Warm-Air and Mechanical permits are required for the installation and construction of the new furnace, the two new bathrooms and new electrical wiring.  
Store 1315 - A permit is needed for the construction of the new basement stairs.  
Store 1317 - A permit is required for the installation of the counter with sink (new plumbing).  
Permits may be required for the electrical repairs needed for the residential portion. You must contact DSI at 651-266-8989 for more information on permit(s).

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 - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz  
Fire Inspector

Ref. # 82077