



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUL 11 2018

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

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 CHECK 5261)
- ☒ 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, JULY 24, 2018

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 408 St. Peter Street City: St. Paul State: MIN Zip: 55102
Suite 425

Appellant/Applicant: The Markham Co. Email: Kristel@MarkhamStPaul.com

Phone Numbers: Business 651 222-2812 Residence _____ Cell _____

Signature: Kristel Hansen Date: 7/11/18

Name of Owner (if other than Appellant): The Markham Co.

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 Ref #14469 #77
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)



CITY OF SAINT PAUL

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

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

July 10, 2018

MARKHAM COMPANY OF ST PAUL
408 ST. PETER ST
SAINT PAUL MN 55102

**UPDATED
FIRE INSPECTION CORRECTION NOTICE**

RE: 408 ST PETER ST
Ref. #14469

Dear Property Representative:

Your building was inspected on June 29, 2018 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 August 9, 2018 at 9:00 a.m.**

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. 1st Floor - Anthony Scornavacco Antiques - MSFC 901.4.5 - Appearance of Equipment - Any device that has the physical appearance of life safety or fire protection equipment but that does not perform that life safety or fire protection function shall be prohibited. - *Remove the old smoke detector if non-working, doesn't appear to be operational.*

2. 1st Floor - Anthony Scornavacco Antiques - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. - *Repair non-working batteries in emergency light fixtures.*

- Scorn { 3. 1st Floor - Anthony Scornavacco Antiques - MSFC 315.3.1 - Provide and maintain a minimum of 18 inches clearance between the top of the storage and the sprinkler heads throughout the space. - *Relocate the poster-board where obstructing the sprinkler heads.*

4. 1st Floor - Anthony Scornavacco Antiques - Mezzanine - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Remove unapproved 3-way cords on the mezzanine.*

5. 1st Floor - Anthony Scornavacco Antiques - Mezzanine - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

6. 1st Floor - Former Post Office - 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. - *Remove or cap the exposed wiring on wall.*

7. 1st Floor - Former Post Office - 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. 1st Floor - Former Post Office - 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.*

9. 1st Floor - Former Post Office - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. - *Replace missing ceiling tiles to maintain proper fire sprinkler coverage.*

- G-w BC 10. 1st Floor - Great Waters - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. - *Remove extension cord behind the bar.*

11. 1st Floor - Great Waters - MSFC 1011.6.3 - Provide and maintain at least 60 minutes of illumination to the exit signs in case of primary power loss. - *Repair non-working backup batteries in exit signs.*

12. 1st Floor - Great Waters - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. - *Repair non-working emergency light fixtures.*
13. 1st Floor - Heime's - 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. - *Repair the exposed wiring on cords for the ironing board.*
14. 1st Floor - Heime's - NFPA 13 (2010) 4.1 - Provide sprinkler coverage in the missing room or area. - *No sprinkler head present in the barber shop closet.*
15. 1st Floor - Heime's - Break Room - MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords. - *Remove the power strip in break area that has the grounding prong snapped off on plug.*
16. 1st Floor - Heime's - By Fitting Rooms - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Remove the 3-way plug at the TV near desk, outside the fitting rooms.*
17. 1st Floor - Heime's - Mezzanine - Electrical Room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
18. 1st Floor - Heime's - Mezzanine - Electrical Room - NEC 110.26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
19. 1st Floor - Landmark Jewelers - 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. - *Verify that the exposed electrical wiring on the counter display near desk is not live or connected.*
20. 1st Floor - Landmark Jewelers - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Remove the unfused 6-way power blocks.*
21. 1st Floor - Landmark Jewelers - 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.*

Meritage

22. 1st Floor - Meritage - MSFC 1004.3 - Post the occupant load on an approved sign in a conspicuous location near the main exit of the room. - *Post maximum occupancy number or confirm where it is posted, wasn't able to locate signage at time of inspection.*
Maximum Occupancy: 129
23. 1st Floor - Meritage - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. - *Test all emergency lighting fixtures as necessary through the suite. Repair where batteries are non-working.*
24. 1st Floor - Meritage - NFPA 13 (2010) 9.1.1.7 - Remove all objects, equipment or storage hanging from the fire sprinkler piping and/or fire sprinkler heads. - *Remove the air freshener from sprinkler pipe by door to the lobby. Remove the cords and camera wrapped around the sprinkler piping in kitchen.*
25. 1st Floor - Meritage - Kitchen - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - *ABC fire extinguisher must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.*
26. 1st Floor - Meritage - Kitchen - MSFC 901.6 - Have fire extinguisher recharged and tagged. - *K-class fire extinguisher had low pressure.*
27. 1st Floor - Meritage - Kitchen Hood - MSFC 609.3.3 - Contact a qualified hood and duct cleaning service company to clean and service grease duct vent for commercial cooking equipment. Provide documentation as proof of compliance. Maintain venting system in a clean and sanitary condition. - *Provide reports/documentation for cleaning of two hoods. Only one of the two hoods had current tags from contractor.*
28. 1st Floor - Meritage - Kitchen Hood - MSFC 904.11.6.2 - Provide required six month service of the hood and duct fire suppression system. Provide documentation from qualified contractor. - *Replace missing ansul nozzle caps. Provide copy of report from Gerry's service in Feb. 2018.*
29. 1st Floor - Meritage - Patio - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. - *Remove the extension cord run through the door out to the patio lighting.*

30. 1st Floor - Meritage - Patio - 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. - *Remove the extension cord going through the door out to the patio.*
31. 1st Floor - Meritage - Server Station - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Remove the 3-way plug.*
32. 1st Floor - Old Artist's Mercantile - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. - *Replace missing ceiling tiles to maintain proper fire sprinkler coverage.*
33. 1st Floor - Park Square Theatre - MSFC 1104.5, 1011.3 - Provide and maintain approved external or internal lighting of the exit sign. - *Repair non-working AC bulbs in the exit sign(s) at stage side emergency exit.*
34. 1st Floor - Park Square Theatre - MSFC 1011.6.3 - Provide and maintain at least 60 minutes of illumination to the exit signs in case of primary power loss. - *Replace batteries in theater exit signs as necessary or confirm they are lit from generator power.*
35. 1st Floor - Park Square Theatre - MSFC 315.3.1 - Provide and maintain a minimum of 18 inches clearance between the top of the storage and the sprinkler heads throughout the space. - *Reduce storage height in concessions storage below sprinkler heads.*
36. 1st Floor - Park Square Theatre - Exit 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. - *Repair or remove non-working emergency light fixture in exit hallway. If removed, confirm area has lighting from other fixtures or generator power.*
37. 1st Floor - Park Square Theatre - Scene - MSFC 605.6 - Provide all openings in junction boxes to be sealed. - *Seal open knock-out holes in junction box near air compressor.*
38. 1st Floor - Park Square Theatre - Scene Shop - MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords. - *Repair frayed plug on air compressor.*
39. 1st Floor - Park Square Theatre - Stage - MSFC 605.6 - Provide all electrical splices within junction boxes. - *Repair or remove the open spliced 120V wiring to the stage perimeter lights.*

40. 1st Floor - Sonnen's - 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.*
41. 1st Floor - Sophist-a-gifts - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Power strips must be plugged directly into outlets and not chained together in sequence.*
42. 1st Floor - Sophist-a-gifts - NEC 400.10 - Provide strain relief for the cords so that tension will not be transmitted to joints or terminals. - *Mount or relocate the power strips where hanging by the cords.*
43. 1st Floor - St Paul Riverfront - 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.
44. 2nd Floor - Hallway near Main Stairway - MSFC 901.6 - The fire sprinkler system 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. - *Securely mount the loose sprinkler escutcheon ring above the door off of main stairway.*
- SPCO 45. 2nd Floor - SPCO - MSFC 1104.3, 1011.1 - Remove exit signs that do not lead to an approved exit. - *Remove the exit sign on the locked door going to the vacant space at northwest corner of suite.*
46. 3rd Floor - Mechanical Room - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. - *Fire-stop the openings and penetrations in the walls to maintain fire rating.*
47. 4th Floor - 408 - MSFC 605.4 - Discontinue use of all multi-plug adapters. - *Remove 3-way plug.*
48. 4th Floor - 408 - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - *Fire extinguisher must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.*

49. 4th Floor - 409 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989. - *Replace cracked electrical outlet.*

- Schava*
50. 4th Floor - 412 - Dentist - MMC 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. - *Remove the screws in the dryer vent provide approved metallic tape to fasten the connections.*

51. 4th Floor - 412 - Dentist - Gas Closet - MSFC 5003.5.1 - Rooms or cabinets containing compressed gases shall be conspicuously labeled: COMPRESSED GAS. - *Provide label on the door to the compressed gas closet.*

52. 4th Floor - 432 - Closet - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

53. 4th Floor - Stairway F Storage Room - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. - *Seal opening to the void space above the stairway door.*

54. 6th Floor - Southwest Kitchenette - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - *Fire extinguisher must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.*

55. Anthony Scornavacco Antiques - Anthony Scornavacco Antiques - 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.

56. Basement - Electrical Room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. - *Replace missing panel cover screws to secure the electrical panel face where loose.*

- GWBC*
57. Basement - Great Waters - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651)

266-8989. - *Repair the damaged fluorescent light fixture above the brew tanks.*

58. Basement - Great Waters - MSFC 1011.6.3 - Provide and maintain at least 60 minutes of illumination to the exit signs in case of primary power loss. - *Repair non-working backup battery to exit sign at front door.*
59. Basement - Great Waters - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. - *Repair non-working emergency light fixture by door.*
60. Basement - Meritage Prep Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. - *Replace missing ceiling tiles above cooler in Meritage prep kitchen.*
61. Basement - Park Square Theatre - Gas Room - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. - *Fire-stop the penetrations through the walls and ceiling in gas room to maintain fire rating.*
62. Basement - Park Square Theatre - Tech Office - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
63. Basement - Park Square Theatre - Thrust Stage - MSFC 1011.5, 1104.5, 1011.3 - Provide and maintain approved external or internal lighting of the exit sign. - *Remove the film that has been applied to darken the exit signs. Exit signs are not properly visible.*
64. Basement - Vieux Carre - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. - *Replace missing cover plate in hallway outside rear exit from seating area.*
65. Basement - Vieux Carre - MSFC 1104.5, 1011.3 - Provide and maintain approved external or internal lighting of the exit sign. - *Repair non-working bulbs in front exit sign.*
66. Basement - Vieux Carre - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. - *Remove storage from rear exit hallway from the Vieux Carre seating area.*
67. Basement - Vieux Carre - Hall outside Storage Room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

vieux { 68. Basement - Vieux Carre - Hall outside Storage Room - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. - *Remove storage obstructing exit access in basement area outside Vieux Carre storage area and Meritage prep kitchen.*

69. Basement - Vieux Carre Bev Room - MSFC 5303.5.3- Secure the pressurized cylinders to prevent falling caused by contact. - *Chain the loose CO2 cylinders.*

70. Fire Alarm - MSFC 901.6 - The fire alarm system must be maintained in an operative condition at all times, replace or repair where defective. - *Duct detectors for air handlers serving the Park Square Theatre are incorrectly reporting to panel as a fire alarm and should be supervisory only.*

71. Fire Alarm - MSFC 907.8 - Provide required annual maintenance of the fire alarm system by a qualified person and provide written documentation to this office as proof of compliance.

72. Fire Sprinkler - 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. - *Provide copy of most recent annual sprinkler test report.*

73. Mezzanine - Heime's Alterations - 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.*

wing { 74. Mezzanine - Meritage Beverage Dispensing - MSFC 5303.5.3- Secure the pressurized cylinders to prevent falling caused by contact. - *Chain the loose CO2 cylinders.*

75. Mezzanine - SK20 - University of MN - 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.

76. Penthouse - Door to Attic - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. - *Provide a blank or seal the open lock hole in the fire door to maintain separation from the penthouse to the attic space.*
77. Subbasement - Exit near Fitness Center - MSFC 1008.1.9.3 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. - *Remove the mag-lock on exit door or provide approved emergency exit hardware. Door must either be openable at all times with a single motion or meet access-control egress required. This is a required exit door and currently requires key code to open. Door releases upon fire alarm but does not meet other access control requirements.*
78. Subbasement - Lower Level - Old Boiler 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. Provide one or more extinguishers for coverage of the lower old boiler room.*
79. Subbasement - SB 110 - Office - 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. - *Repair or remove the loose conduit, open electrical box, and exposed wiring on the ceiling.*
80. Subbasement - SB 35 - 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. - *Repair or remove the damaged flex conduit above the door.*
81. Subbasement - SB 41 - Fire Pump Room - 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: 1 hour. - *Fire-stop the penetrations through fire wall as necessary to maintain rating. Seal*

opening or provide rated damper where the vent opening is cut through the fire wall.

82. Subbasement - SB 41 - Outside of Door - 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. - *Connect or remove the exposed electrical wiring.*
83. Subbasement - SB 62 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989. - *Replaced cracked electrical outlet near door.*
84. Throughout - Electrical Rooms - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. - *Fire-stop the openings around wires and conduit as necessary in the floors of all the stacked electrical rooms. Use approved fire-stopping materials to maintain 1 hour fire separation between levels of the building.*

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.

Request Form

If you have any questions, email me at: mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mitchell Imbertson
Fire Inspection

Reference Number 14469