

RLH VO 19.22



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 07 2019

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 # 820675)
 - 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, <u>JUNE 11, 2019</u> Time <u>11:00</u> Location of Hearing: Room 330 City Hall/Courthouse
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Address Being Appealed:

Number & Street: 1699 Clear Avenue City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Philip Allen Email allstor7@aol.com

Phone Numbers: Business 651-707-4469 Residence _____ Cell _____

Signature: Philip Allen Date: 6-7-2019

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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

One tenant is taking care of cats, which will go, and I need more time to make all of the adjustments.

345.0

June 05, 2019

**NOTICE OF CONDEMNATION AS
UNFIT FOR HUMAN HABITATION &
ORDER TO VACATE**

Philip Wade Allen
1699 Clear Ave
St Paul MN 55106-2221

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1699 CLEAR AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **June 5, 2019** and ordered vacated no later than **June 10, 2019**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

“Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned.”

THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **SPLC 34.23(2) ILLEGAL OCCUPANCY. MORE THAN FOUR UNRELATED OCCUPANTS:** The use of this building for more than four unrelated adults would require approval and a Certificate of Occupancy. Use of this property does not conform to zoning ordinance. Immediately discontinue unapproved use and convert to legal use. Discontinue use as a rooming and boarding occupancy without approval and the required Certificate of Occupancy. **THERE ARE FOUR PEOPLE NAMED GEROME, STEVE, ANDREW AND CASEY WHO RESIDE IN THIS HOUSE WHO ARE NOT RELATED TO THE PROPERTY OWNER PHILIP WADE ALLEN. AT LEAST ONE OCCUPANT MUST BE EVICTED FROM THIS HOME IN ORDER TO COMPLY WITH THIS CODE.**
2. **SPCL 34.23 FIRE HAZARD: THE INTERIOR OF THE HOUSE CONSTITUTES MATERIAL ENDANGERMENT.** Whenever the dwelling unit, structure, or any portion thereof, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits or access to exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the enforcement officer to be a fire hazard.
 - A. **SPLC 45.03 COMBUSTIBLE MATERIALS:** Immediately remove and discontinue excessive accumulation of combustible materials. **REMOVE ALL EXCESSIVE STORAGE IN THE BASEMENT, BEDROOMS, HALLWAYS AND TOP FLOOR.**
 - B. **NEC 110.26 ELECTRICAL PANEL CLEARANCE:** Provide and maintain a minimum of 36 inches clearance in front of all electrical panels. **REMOVE ALL ITEMS IN FRONT OF THE ELECTRICAL PANEL TO PROVIDE A MINIMUM OF AT LEAST 3 FEET OF CLEARANCE AROUND THE ELECTRICAL PANEL.**
 - C. **MMC 504.6 DRYER VENTING:** 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. **INSTALL SMOOTH METAL VENT WITH OUT SCREWS ALL THE WAY TO THE EXTERIOR.**
 - D. **SPLC 34.14 BASEMENT: ILLEGAL DWELLING.** Remove the illegal dwelling unit from the basement. **REMOVE ALL BEDDING MATERIAL, MATTRESSES, PILLOWS, BLANKETS, CLOTHING, CABINETS, REFRIGERATORS, ETC AND ALL ITEMS THAT INDICATE A PERSON IS SLEEPING/LIVING IN THE BASEMENT.**
 - E. **SPLC 45.03 EXPOSED WIRES:** Remove unapproved exposed wiring and repair or replace damaged electrical fixtures. Install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.

- F. **SPLC 45.03 EXTENSION CORDS:** Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-9090.
- G. **SPLC 45.03 MECHANICAL CLEARANCE:** Provide 30 inches clearance around all mechanical equipment including the furnace and water heater. **REMOVE ALL ITEMS IN FRONT OF THE FURNACE AND WATER HEATER TO PROVIDE A MINIMUM OF AT LEAST 3 FEET OF CLEARANCE AROUND THE FURNACE AND WATER HEATER.**
- H. **SPLC 34.15 SMOKE DETECTOR:** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. **INSTALL A FUNCTIONING SMOKE DETECTOR IN A CENTRALIZED LOCATION ON EVERY FLOOR.**
- I. **SPLC 34.15 CARBON MONOXIDE ALARM:** 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.
- J. **SPLC 34.09 LOCKS: UNAPPROVED LOCKS.** Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. **REMOVE THE UNAPPROVED LOCK ON THE BASEMENT DOOR.**

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

3. **SPLC 34.10 CABINETS:** All cabinets must be maintained in a sound condition and in a professional state of maintenance and repair.
4. **SPLC 34.08 EXTERIOR SANITATION:** All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. Remove the accumulation of exterior storage that creates a nuisance or harbors rodents. **REMOVE TIRES, FULL TRASH BAGS, GARBAGE, RUBBISH, DEBRIS, STYROFOAM, PLASTIC CONTAINERS AND REFUSE ON PROPERTY ALONG THE DRIVEWAY.**
5. **SPLC 45.03 INTERIOR SANITATION/STORAGE:** The interior shall be maintained in a clean and sanitary condition, free from any accumulation of refuse or garbage. Provide and maintain orderly storage of materials.
6. **All vehicles must be correctly licensed, operable, secure from unauthorized entry, and parked on an improved surface. Correct violations; store in a garage or remove.**

7. REPAIR THE WATER LEAKAGE IN THE BASEMENT UNDER PERMIT.

All vehicles must be correctly licensed, operable, secure from unauthorized entry, and parked on an improved surface. Correct violations; store in a garage or remove.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Stephan Suon, at 651-331-8273. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Stephan Suon
Enforcement Officer

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cc: Posted to ENS