

RLH FCO 19.91



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

SEP 05 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 #5300)
 - ☒ 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, SEPT. 10, 2019

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 218 7th Street E. City: St Paul State: Mn Zip: 55101

Appellant/Applicant: Melissa Dessart Email Melissa@CreatorsSpace.com

Phone Numbers: Business _____ Residence _____ Cell 651-238-0339

Signature: [Signature] Date: 8/29/19

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 10572 Alison Way, Inver Grove Heights Mn
55077

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.)

We are appealing Correction #12 see attached



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/dsi

August 28, 2019

MELISSA DESSART
CREATORS SPACE INC.
218 7TH ST E SUITE 100
ST PAUL MN 55101 USA

FIRE INSPECTION CORRECTION NOTICE

RE: 218 7TH ST E
Ref. #38500

Dear Property Representative:

Your building was inspected on August 21, 2019 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 or after September 30, 2019**.

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. BASEMENT LEVEL - BOILER / MECHANICAL 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.

2. BASEMENT LEVEL - DOOR LEADING TO THE ELEVATOR EQUIPMENT ROOM - MSFC 509.1.1
-Provide ELEVATOR EQUIPMENT ROOM sign on the door.-Sign must be easily visible and contrast with the background.
3. BASEMENT LEVEL - DOOR LEADING TO THE FIRE SPRINKLER RISER ROOM - MSFC 509.1.1
-Provide FIRE SPRINKLER RISER ROOM sign on the door.-Can read FIRE SPRINKLER if you choose. Letters must be easily visible and contrast with the background (preferably white letters on a red background).
4. BASEMENT LEVEL - ELECTRICAL 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.
5. BASEMENT LEVEL - HALLWAY NEAR THE ELEVATOR EQUIPMENT ROOM DIRECTING TO FIRE RIS - MSFC 509.1.1
- Provide FIRE SPRINKLER RISER ROOM sign on the door.-Can read FIRE SPRINKLER if you choose. Letters must be easily visible and contrast with the background (preferably white letters on a red background). Sign might also need and arrow to direct in the proper direction.
6. BASEMENT LEVEL - HALLWAY NEAR THE FIRE SPRINKLER RISER ROOM - MSFC 509.1.1 - Provide FIRE SPRINKLER RISER ROOM sign on the door.-Can read FIRE SPRINKLER if you choose. Letters must be easily visible and contrast with the background (preferably white letters on a red background). Sign might also need and arrow to direct in the proper direction.
7. BASMENT LEVEL - ROOM NEAR THE ELEVATOR EQUIPMENT ROOM - MSFC 315.3 - Provide and maintain orderly storage of materials.-Assure that a path of at least 36 inches is maintained leading to the elevator equipment room.
8. ELECTRIC FIRE PUMP - DOCUMENTATION - MSFC 901.6 - Provide required annual inspection and testing of the fire pump by a licensed fire protection contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the pump showing the latest date of inspection and testing.-Email inspector prior to the re-inspection deadline.

9. EXTERIOR - ADDRESS SIDE OF THE BUILDING - 218 7TH ST E - MSFC 506.2 - Install a fire department keybox near the main entry at 7 feet high-Please visit knoxbox.com for ordering information. Assure that the key box has a labeled key(s) for entry into the building, elevator equipment room, boiler/mechanical room, electrical room, fire sprinkler room, etc. Contact fire safety inspector if further clarification is needed.
10. EXTERIOR - FIRE DEPARTMENT CONNECTION - MSFC 509.1.1 - Provide sign on FDC.-Provide a sign above the FDC that reads: FDC feeds 218 7th St E, or similar wording.
11. EXTERIOR - REAR EXIT - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.-Assure that the dumpster on the exterior does not block the exit path for the rear exit. Additionally, the dumpster cannot block the neighboring residential exit, as that is a required exit for the residential building. Look into a permanent remedy that consists of installing a guardrail for proper dumpster placement or another code complaint way. Contact inspector if further clarification is needed.
12. EXTERIOR - REAR OF THE BUILDING - 304.3.3 Capacity exceeding 1.5 cubic yards. Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m3)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.-Relocate the two garbage containers to a code complaint location, or reduce the container size so that it does not exceed 1.5 cubic yards. Contact fire safety inspector if further clarification is needed.
13. FIRE ALARM SYSTEM - DOCUMENTATION - 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.-Email inspector prior to the re-inspection deadline.
14. FIRE SPRINKLER SYSTEM - DOCUMENTATION - 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.-Email inspector prior to the re-inspection deadline.
15. MAIN LEVEL - EXIT WITH MAG LOCK - 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.-The presently installed access control system (mag lock) is missing a push to exit button on the egress side of the door. Has a maglock and sensor, but no push to exit button. Remove the mag lock, or install a push to exit button near the door. Provide fire safety inspector documentation showing the push to exit button functions as intended after the installation. Contact inspector if further clarification is needed.

16. MAIN LEVEL - LOADING DOCK / GARAGE AREA - 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.
17. THROUGHOUT - 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.-Service all fire extinguishers in the building, discard/recycle old fire extinguishers that are not being used. All fire extinguishers must be hung on a bracket no more than 5 feet off the ground.

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: Sebastian.Migdal@ci.stpaul.mn.us or call me at 651-266-8985 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Safety Inspector

Reference Number 38500



218 7th Street E. St. Paul, MN 55101
www.CreatorsSpace.com

RE: Appeal item #12 of the fire inspection correction notice provided on August 28th, 2019 for property 218 7th street E. St. Paul, MN 55101

Appeal Reasoning:

After consultation with our refuse and recycling service provider, Walters, we cannot find an alternative placement for our dumpster and recycling container that will meet the criteria set forth by the inspector that will not cause additional financial constraints or potential risks to people or personal property. We are asking that an exception be granted for the correction rule that the placement of the dumpsters be 5 feet away from the building; for these reasons:

1. The size of dumpsters recommended by the inspector are no longer used for commercial properties per Walter's service representative due to the fact that it is not economical for the business and requires added wasteful fuel charges and usage that can be avoided by a larger dumpster.
2. There is not an approved place inside the building premises to keep the dumpsters that would not cause an odor problem or rodent concerns.
3. The other recommendation provided by the inspector would be to place the dumpsters in the loading and parking areas of the space. This would cause a disruption in the usable space needed for loading and unloading vehicles as part of the day to day needs of the business. We also have an issue with the dumpsters being moved during the middle of the night by the transient population that frequents the back alleys. If we were to move them further away from the building, we risk the dumpsters being relocated into the path of the emergency thoroughfare.
4. In reviewing the placement of dumpsters by our neighboring commercial properties, there seems to be inconsistent enforcement of this correction rule. All the dumpsters are located against the walls of the building and not 5 feet away as outlined in this rule.

Melissa Dessart
President of Creators Space
Owner of 218 7th Street E. St. Paul, MN 55101

Included are photos of property and the recommended placement of the dumpsters

Photos of dumpsters in adjacent businesses:



Photos of Creators Space dumpster location

