



# 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

DEC 04 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 950464)
  - 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, Dec. 17, 2019

Time 11:30 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1818 5<sup>th</sup> St City: St Paul State: MN Zip: 55119

Appellant/Applicant: Anthony Alina Cruz Email \_\_\_\_\_

Phone Numbers: Business 612-978-4014 Residence \_\_\_\_\_ Cell 651-29-9665

Signature: Anthony Cruz Date: 12-4-19

Name of Owner (if other than Appellant): Alina Cruz

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.)

UPPER WAS ASSES, LOWER UNIT IN PROGRESS  
Complete Egress, Landscaping  
New walls Replaced Damaged  
Electrical, MUD Toilet Back.  
sketch, NW New additions except  
in room.

Revised 8/11/2014

All points met - New issues met properly pointed out.  
House built 1917 -

# Legislative Hearing Fact Sheet

Legislative Hearings provide a forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer also have an opportunity to be heard before the City Council if they wish to appeal further. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

## Appeal Applications

Appeal application forms are available online at <http://www.stpaul.gov/index.aspx?NID=161> or they can be mailed to you calling 651-266-8585. Appeal applications may be submitted in person at or by mail at Legislative Hearings, 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

## Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council.

*If you are appealing a special assessment or wish to be heard on a proposed order to abate a nuisance building, the appeal dates and times are automatically listed in the orders themselves.*

## Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair, Repurchase of Application
- 11:00 Summary & Vehicle Abatement Orders, Correction Notice/Orders by Code Enforcement
- 11:30 Condemnations, Revocations & Vacate Order
- 1:30 Fire Certificate of Occupancy Letters & Fire Inspection Correction Order, Inspection Appointment Letters
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases (Usually Code Compliance Inspection Report, Fence Variance) and Overflow Hearings

## What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants will be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally, a decision cannot be made at the hearing and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

Interpreter: If you need an interpreter for your hearing, please call 651-266-8585 for us to arrange one.

UNIT UNAUTHORIZED - by Former Tenant. Living Co Unit  
Completed Restored AREA, working on Lower  
SEPARATE SECURED AREA OF BUILDING. NO TAX ORIGINAL DUE





CITY OF SAINT PAUL

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

December 4, 2019

Duane Carlson  
2100 STILLWATER AVE E  
SAINT PAUL, MN 55119

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

RE: 1818 5TH ST E  
Ref. # 125021

Dear Property Representative:

Your building was inspected on December 3, 2019, 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 December 9, 2019 at 9:30 am 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. Basement - Shower - 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.-There is a standard electrical outlet inside of the shower in the basement.
2. Basement - Bottom of stairs - SPLC 34.33 (3) - Repair and maintain the door in good condition.-The door at the bottom of the basement stairs is split and is missing the latch and deadbolt throw.
3. Basement - Exterior wall framing - 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. -There is new framing along the exterior walls in the basement. There is no permit for this work.

4. Basement - Furnace condensate line - MPC 4715.0580 All condensate must discharge through an air break. Flue vent or corrosive condensate must drain to the sanitary system. All clear water condensate must drain to a point of discharged approved by the Senior Mechanical Inspector prior to installation. If clear water condensate is to be discharged to the storm sewer, the point of discharge/connection must also be approved by the Senior Plumbing Inspector prior to installation with connections kept to a minimum. It is preferred that any point of discharge/connection be through a vertical section of the Storm Drain located on the lowest floor possible through a proper air gap in an area where if a blockage occurs, damage to the structure or belongings will not occur. The connection to the Storm Drain shall be through a p-trap and Back Water Valve approved for drainage piping and a sanitary tee in the vertical position. -The condensate line for the furnace leads into a wall, and does not exit from the other side. Per conversation with responsible party on site, he buried the condensate line to a drain under cement.
5. Basement - Multiple areas - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light globes.
6. Basement - Multiple locations - SPLC 34.11 (4), 34.35 (1), MPC 708.1- Connect or cap the sewer piping in accordance with the plumbing code.-There were multiple uncapped sewer lines in the basement.
7. Basement - Plumbing - 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. -The bathroom in the basement has been moved from its original location. There is no permit for the plumbing work in the basement.
8. Basement - Smoke alarm - 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.- Missing hard wired smoke alarm in the basement.
9. Basement - Throughout - MSFC 605.6 - Provide all openings in junction boxes to be sealed.-Multiple uncovered junction boxes throughout the basement.
10. Basement - Throughout - NEC 300.11 - Provide for all raceways, boxes, cabinets, and fittings to be securely fastened in place.-There are electrical wires, junction boxes, conduit, and fixtures hanging throughout the basement.
11. EXTERIOR - DRIVEWAY - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-8989.-Driveway is cracked and has ruts.

12. INTERIOR - BASEMENT - MSFC 1030.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-Permit needs to be finalized.

13. SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: [www.stpaul.gov/cofo](http://www.stpaul.gov/cofo) Or, contact Fire Safety Inspector David Smith by email: [david.smith@ci.stpaul.mn.us](mailto:david.smith@ci.stpaul.mn.us) or phone: (651)266-8995-

14. SPLC 34.19 - Provide access to the inspector to all areas 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.

If you have any questions, email me at: [george.niemeyer@ci.stpaul.mn.us](mailto:george.niemeyer@ci.stpaul.mn.us) or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

George Niemeyer  
Fire Safety Inspector

Ref. # 125021