Western, 79 N. Squash Courts

Cert of Occ

CITY OF SAINT PAUL A 7815 DIVISION OF HOUSING AND BUILDING CODE ENFORCEMENT Certificate of Occupancy

This is to certify that the st	ructure located on Lot No Rt. 17.all 18 8 19
·	Addition Woodland Park
Property Zoned RM-3	is classified as Legal — Legal non-conforming
as to zoning and the following occup October 21Racquet Ball (oancy is hereby authorized:
October 21 19 gg	Ву
October 21 19 82	BUILDING OFFICIAL & ZONING ADMINISTRATOR

THIS CERTIFICATE MUST BE POSTED AND PERMANENTLY MAINTAINED AND IN A CONSPICUOUS PLACE AT OR CLOSE TO THE ENTRANCE OF THE BUILDING REFERRED TO ABOVE.





City of Saint Paul Division of Fire Prevention CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at **00079 WESTERN AVE**N is hereby authorized for the following occupancy:

REC. CENTER

This Certificate is issued to COMMODORE SQEASH CLUB, 79 WESTERN AVE N,, shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

Date of Renewal: 04/13/88 Next Renewal Due: 04/13/89

INSPECTOR



City of Saint Paul Division of Fire Prevention CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at **00079 WESTERN AVE**N is hereby authorized for the following occupancy:

51 DWELLING UNITS

This Certificate is issued to COMMADORE CONDO-JGALBARITH, 79 WESTERN AVE N, 612-227-1400, shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

Next Renewal Due: 04/12/90

INSPECTOR

Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N, is hereby authorized for the following occupancy:

AMUSEMENT/RECREATION CENTER

This Certificate is issued to TO'BRIEN/COMMODORE SQUASH CLB, 79 WESTERN AVE N, 612-224-0043, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

Renewed: 07/21/94

INSPECTOR pike Richeland No. 76432



Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N , is hereby authorized for the following occupancy:

48 DWELLING UNITS, OFFICE

This Certificate is issued to COMMODORE CONDOS/TYCON CO, INC, 321 UNIVERISTY AVE SE, 612-379-7000, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

Renewed: 08/31/94

INSPECTOR Tuke Ruhelan No. 15384



Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at $00079\ WESTERN\ AVE\ N$, is hereby authorized for the following occupancy:

48 DWELLING UNITS, OFFICE

This Certificate is issued to COMMODORE CONDOS/TYCON CO, INC, 321 UNIVERISTY AVE SE, 612-379-7000, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

VALID FROM: 04/10/96

INSPECTOR Mke Richelian No. 15384



Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N , is hereby authorized for the following occupancy:

AMUSEMENT/RECREATION CENTER

This Certificate is issued to TO'BRIEN/COMMODORE SQUASH CLB, 79 WESTERN AVE N, 612-228-0501, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

VALID FROM: 05/03/96

INSPECTOR



Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N , is hereby authorized for the following occupancy:

48 DWELLING UNITS, OFFICE

This Certificate is issued to COMMODORE CONDOS/% NEW CONCEPTS, 4915 35TH STREET W, 612-922-2500, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

VALID FROM: 05/01/1998 INSPECTOR

M. Ricketson



Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N $\,\,$, is hereby authorized for the following occupancy:

AMUSEMENT/RECREATION CENTER

This Certificate is issued to TO'BRIEN/COMMODORE SQUASH CLB, 79 WESTERN AVE N, 612-228-0501, and shall remain in force and effect until otherwise retoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code

VALID FROM: 05/05/1998

INSPECTOR



tabbles' EXHIBIT

City of Saint Paul

Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N $\,\,$, is hereby authorized for the following occupancy:

48 DWELLING UNITS, OFFICE

This Certificate is issued to COMMODORE CONDOS % NEW CONCEPTS % DONNA, 4915 35TH STREET W, 612-922-2500, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

VALID FROM: 04/26/2000

INSPECTOR

m. Richte

Division of Fire Prevention

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building or premises located at 00079 WESTERN AVE N , is hereby authorized for the following occupancy:

AMUSEMENT/RECREATION CENTER

This Certificate is issued to *T O'BRIEN/COMMODORE SQUASH CLB*, 79 WESTERN AVE N, 612-228-0501, and shall remain in force and effect until otherwise revoked by the Division of Fire Prevention in accordance with the Saint Paul Legislative Code.

VALID FROM: 04/28/2000

INSPECTOR



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

This building is certified for the following occupancy: TYPE: Amusement / Recreation Center

This certificate is issued to:

JOHN

DEBWIEST/HROMANUELDORE

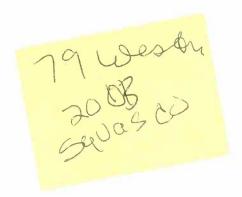
SQUASSPACIJBMN 55102

Reference Number:

INSPECTOR NAME:

76432

Comparoni, Carl





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

This building is certified for the following occupancy: TYPE: Amusement / Recreation Center

This certificate is issued to:

Geovanna M Perrino 79 Western Ave N St Paul MN 55102-4601

Reference Number:

INSPECTOR NAME:

76432

Comparoni, Carl



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 52

This certificate is issued to:

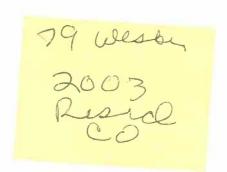
COMMODORE CONDOS % NEW @MEISHOR % LYINE
ST LOUIS PARK MN
55416

Reference Number:

INSPECTOR NAME:

15384

Ricketson, Mike





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 52

This certificate is issued to:

COMMODORE CONDO **ASSO**ENIVERSITY AVE SE MPLS MN 55406-1713

Reference Number:

INSPECTOR NAME:

15384

Ricketson, Mike



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 52

This certificate is issued to:

COMMODORE CONDO **ASSOC**5TH ST W ST LOUIS PARK MN 55416-2643

Reference Number:

INSPECTOR NAME:

15384

Ricketson, Mike



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

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This certificate is issued to:

JOHN

©BRIESTÆROMMÆDORE

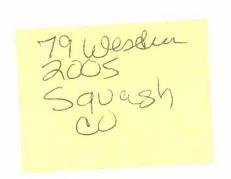
SQIMSPIACUBMN 55102

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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This certificate is issued to:

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Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

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UNITS: 49

This certificate is issued to:

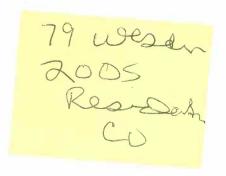
COMMODORE CONDOS % NEW CONCINE ST LOUIS PARK MN 55416

Reference Number:

INSPECTOR NAME: Chapdelaine, Kevin

15384





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

COMMODORE CONDO **ASSO**INIVERSITY AVE SE MPLS MN 55406-1713

Reference Number:

INSPECTOR NAME:

15384

Chapdelaine, Kevin



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

COMMODORE CONDO **4S\$0**C5TH ST W ST LOUIS PARK MN 55416- 2643

Reference Number:

15384

INSPECTOR NAME:

Chapdelaine, Kevin



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 49

This certificate is issued to:

Commodore Condo Assoc 5707 Excelsior Blvd Minneapolis MN 55416-2827

Reference Number:

INSPECTOR NAME:

15384

Chapdelaine, Kevin



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

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This certificate is issued to:

JOHN

©BWIEST/KROMM/©DORE

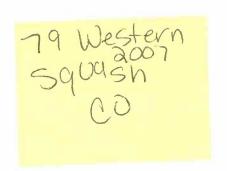
SQUASPACUBMN 55102

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N APT 608

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center

This certificate is issued to:

Geovanna M Perrino 79 Western Ave N St Paul MN 55102-4601

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

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This certificate is issued to:

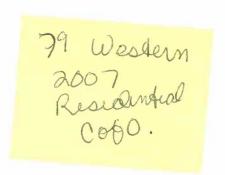
Commodore Condo Assoc 5707 Excelsior Blvd Minneapolis MN 55416-2827

Reference Number:

15384

INSPECTOR NAME:

Shaff, Leanna





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

COMMODORE CONDO **ASSO**INIVERSITY AVE SE MPLS MN 55406-1713

Reference Number:

INSPECTOR NAME:

15384

Shaff, Leanna



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 49

This certificate is issued to:

COMMODORE CONDOS % NEW @MNEISHOR % LYENE
ST LOUIS PARK MN
55416

Reference Number:

INSPECTOR NAME:

15384

Shaff, Leanna



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

COMMODORE CONDO **ASSO**65TH ST W ST LOUIS PARK MN 55416-2643

Reference Number:

INSPECTOR NAME:

15384

Shaff, Leanna



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center
UNITS: 0

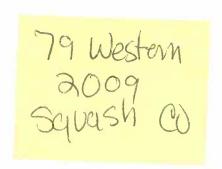
This certificate is issued to:

Geovanna M Perrino 79 Western Ave N St Paul MN 55102-4601

Reference Number:

INSPECTOR NAME:

76432 McCabe, Diane





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

Geovanna M Perrino Po Box 14423 St Paul MN 55114- 0423

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N APT 608

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

Christopher E Engelmann 367 Cretin Ave S St Paul MN 55105-1311

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N APT 608

This building is certified for the following occupancy: TYPE: Amusement / Recreation Center UNITS: 0

This certificate is issued to:

JOHN

ØBWIEST/AROMANODORE

SQUASPIACIBMN 55102

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 49

This certificate is issued to:

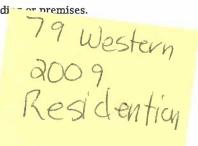
COMMODORE CONDOS % NEW @XXELSHOR % LVENE
ST LOUIS PARK MN
55416

Reference Number:

INSPECTOR NAME:

15384

Neis, Adrian





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 49

This certificate is issued to:

Commodore Condo Assoc 1801 American Blvd # 21 Bloomington MN 55425-1230

Reference Number:

INSPECTOR NAME:

15384

Neis, Adrian



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Dwelling Units
UNITS: 49

This certificate is issued to:

COMMONWEALTH BRITTERTIESUNIT 900 ST PAUL MN 55102

Reference Number:

INSPECTOR NAME:

15384

Neis, Adrian



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

Commodore Condo Assoc 5707 Excelsior Blvd Minneapolis MN 55416-2827

Reference Number:

INSPECTOR NAME:

15384

Neis, Adrian



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy: TYPE: Dwelling Units UNITS: 49

This certificate is issued to:

Commodore Condo Assoc 1801 American Blvd #21 Bloomington MN 55425-1230

Reference Number:

INSPECTOR NAME:

15384

Neis, Adrian



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

Your building appears to be in compliance with the applicable provisions of the Saint Paul Legislative Code

79 WESTERN AVE N

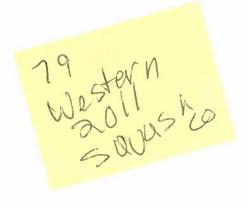
This building is certified for the following occupancy: TYPE: Amusement / Recreation Center UNITS: 0

This certificate is issued to:

Christopher E Engelmann 367 Cretin Ave S St Paul MN 55105-1311

Reference Number: 76432

INSPECTOR NAME: McCabe, Diane





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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This certificate is issued to:

Geovanna M Perrino Po Box 14423 St Paul MN 55114- 0423

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

JOHN

OBWIEST/HROMM/OTDORE

SQUASPACUBMN 55102

Reference Number:

INSPECTOR NAME:

76432

McCabe, Diane



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

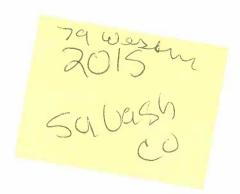
Christopher E Engelmann Po Box 4332 Saint Paul MN 55104-0332

Reference Number:

INSPECTOR NAME:

76432

Perucca, James





DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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79 WESTERN AVE N

This building is certified for the following occupancy:
TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

Christopher E Engelmann P O Box 4332 Saint Paul MN 55104-0332

Reference Number:

INSPECTOR NAME:

76432

Perucca, James



DEPARTMENT OF SAFETY AND INSPECTIONS DIVISION OF FIRE INSPECTION FIRE CERTIFICATE OF OCCUPANCY

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Reference Number:

INSPECTOR NAME:

76432

Perucca, James



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TYPE: Amusement / Recreation Center
UNITS: 0

This certificate is issued to:

JOHN

ØBWIEST/AROMANOEDORE

SQUASPIACUBMN 55102

Reference Number:

INSPECTOR NAME:

76432

Perucca, James





FIRE CERTIFICATE OF OCCUPANCY

City of Saint Paul

Department of Safety and Inspections Division of Fire Inspection



This certificate is issued in accordance with SPLC Chapter 40, and other applicable provisions of the Saint Paul Legislative Code.

79 WESTERN AVE N

This building is certified for the following occupancy or use:

Residential 3+ Units

49 Dwelling Units

Reference Number:

Certificate is issued to:

15384

COMMODORE CONDO ASSOC C/O MARGARET CART

1801 AMERICAN BLVD # 21

BLOOMINGTON, MN 55425-1230





FIRE CERTIFICATE OF OCCUPANCY

City of Saint Paul

Department of Safety and Inspections Division of Fire Inspection



This certificate is issued in accordance with SPLC Chapter 40, and other applicable provisions of the Saint Paul Legislative Code.

79 WESTERN AVE N

This building is certified for the following occupancy or use: Amusement / Recreation Center Assembly

Reference Number:

Certificate is issued to:

76432

JOHN O'BRIEN/COMMODORE SQUASH CLB

79 WESTERN AVE N SAINT PAUL MN 55102





FIRE CERTIFICATE OF OCCUPANCY

City of Saint Paul

Department of Safety and Inspections Division of Fire Inspection



79 leksly 2018 Residente

This certificate is issued in accordance with SPLC Chapter 40, and other applicable provisions of the Saint Paul Legislative Code.

79 WESTERN AVE N

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Residential 3+ Units

49 Dwelling Units

Reference Number:

Certificate is issued to:

15384

COMMODORE CONDO ASSOC C/O MARGARET CART

1801 AMERICAN BLVD # 21

BLOOMINGTON, MN 55425-1230



Excerpt from 2015 Minnesota State Fire Code – Occupancy Groups and Uses

Group A – Assembly (50 or more persons):

- A-1 Theaters (performing arts, fixed seats)
- A-2 Dining and drinking (bars, restaurants, clubs)
- A-3 Auditoriums, gymnasiums, museums, worship, libraries, recreation, amusement, etc.
- A-4 Arenas, swimming pools, tennis courts (indoor spectator seating)
- A-5 Stadiums, grandstands (outdoor seating)

Group B - Business:

- · Professional services
- · College/university classrooms
- Offices
- Clinics (including outpatient)
- · Motor vehicle showrooms
- · Electronic data processing
- Assembly less than 50 persons

Group E - Educational (through 12th grade):

- Pre-school
- K-12
- Adult Day Care (occupants capable of escape)
- Day Care older children (see I-4 for younger)

Group F - Factory/Industrial:

- Group F-1 Moderate Hazard (combustible materials):
 - Aircraft
 - Automobiles
 - Boats
 - Metals
 - Rugs
 - Woodworking
- Group F-2 Low Hazard Not a significant fire risk (mostly non-combustible materials):
 - Non-alcoholic beverages
 - Brick & Masonry
 - Ceramic products
 - Glass



- Gypsum
- lce
- Metal Products (fabrication & assembly)

Group H - Hazardous Occupancies:

- Group H-1: detonation hazard (explosive materials)
- Group H-2: deflagration/accelerated burning (flammable/combustible liquids in use, dusts)
- Group H-3: readily support combustion or pose physical hazard (flammable/combustible liquids in storage, flammable solids, Class 2 or 3 oxidizers)
- Group H-4: health hazards (corrosives, toxic and highly toxic materials)
- Group H-5: semiconductor fabrication

Group I – Institutional:

- Group I-1 (more than 16 persons):
 - Supervised custodial care (assisted living, group homes, congregate care, half-way houses, board & care, Supervised living facilities – Class A-2)
- Group I-2:
 - Hospitals
 - Nursing homes
 - Detox centers
 - Supervised living facilities Class B-3
- Group I-3: jails, prisons, detention centers
- Group I-4: Adult and Child day care facilities for 6 or more persons receiving custodial care

Group M - Mercantile:

- Stores
- Retail/wholesale stores
- Sales rooms
- Motor vehicle fuel dispensing (no repairs)

Group R - Residential:

- Group R-1 (transient in nature < 30 days):
 - Hotels/Motels
 - Boarding houses Congregate living (>10)
 - Bed & breakfast with 6 or more guest rooms
- Group R-2 (Nontransient > 30 days):
 - Apartments Condominiums
 - Dormitories



- Boarding houses Congregate living (> 16)
- Hotels/Motels (nontransient)
- Fraternities and sororities
- Convents/Monasteries
- Group R-3:
 - One- & two-family homes
 - Bed & breakfast with 5 or fewer rooms
 - Boarding houses/Congregate living (< 6)
 - Day care (family & group family) (< 6)
 - Housing w/services/Assisted Living (< 6)
 - Supervised living facilities (A-1 & B-1)
- Group R-4: Supervised residential care (6-16 people):
 - Housing w/services/Assisted living
 - Treatment facilities
 - Supervised living facilities (A-2 and B-2)

Group S - Storage:

- Group S-1: moderate hazard (combustible):
 - Combustible materials
 - Vehicle repair garages
- Group S-2: low hazard (non-combustible):
 - Metal items
 - Glass, ceramic, food products
 - Parking garages

Group U – Miscellaneous:

- Private garages/Carports
- Fences/Retaining Walls
- Towers/Tanks
- Sheds
- Agricultural buildings/Barns/Greenhouse

EXHIBIT 56-50

SAINT PAUL AAAA

FIRE CERTIFICATE OF OCCUPANCY

City of Saint Paul

Department of Safety and Inspections Division of Fire Inspection



This certificate is issued in accordance with SPLC Chapter 40, and other applicable provisions of the Saint Paul Legislative Code.

995 7TH ST W

This building is certified for the following occupancy or use : Bar / Restaurant > 50

Assembly

Reference Number:

Certificate is issued to:

12215

SHAMROCKS BAR C/O TED CASPER

995 SEVENTH ST W SAINT PAUL MN 55102





CITY OF SAINT PAUL Christopher B. Coleman, Mayor

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

 Telephone:
 651-266-8989

 Facsimile:
 651-266-8951

 Web:
 www.stpaul.gov/dsi

October 26, 2015

JOHN RUPP COMMON WEALTH PROPERTIES 6 5TH ST W SUITE 900 ST PAUL MN 55101 USA

RE: VACANT BUILDING DEFICIENCIES

79 WESTERN AVE N

Ref. # 122510

Dear Property Representative:

Your building was inspected on October 26, 2015 for the renewal of your Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on or after

November 30, 2015.

Failure to comply may result in additional reinspection fees and a criminal citation.

DEFICIENCY LIST

- 1. NONCONFORMING USE OF BUILDING-OBTAIN ZONING APPROVAL-SPLC 62.102 Legal Nonconforming Uses and Structures. A legal nonconforming structure is one that lawfully existed when created, but does not now comply with the regulations, location, off-street parking, loading requirements, or other regulations. The Planning Commission may approve permits granting legal nonconforming status as set forth in Section 62.109 (a) and (b).-Obtain Zoning approval for any Expansion of Nonconforming Use of structure, and/or Parking Requirements.
- 2. NORTH EXIT-REMOVE DOUBLE KEY-LOCKS/PROVIDE PANIC HARDWARE-MSFC 1010.1, 1003.3.1.9 Provide and maintain approved panic release hardware on all exit doors.-There are three sets of exit doors off of the North Lounge that require panic hardware. Replace the most interior standard door knob with approve panic hardware. The two inner lobby doors must have the double key-locking hardware removed. These doors may remain unlocked or have panic hardware installed on them.

EXHIBIT

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- 3. OCCUPANCY PROHIBITED BEFORE APPROVAL-OBTAIN
 INSPECTIONS/CLOSE PERMITS-MSFC 205.3.3 Occupancy Prohibited Before
 Approval. The building or structure shall not be occupied prior to the Fire Code Official
 issuing a Certificate of Occupancy that indicates that all applicable provisions of all
 codes have been met.-The current Certificate of Occupancy is in Revoked status. A
 Certificate of Occupancy inspection has been done for the bar, lounges, and previous
 dining area. The Certificate of Occupancy does not include the use of the future West
 Dining Room. Have the Construction Contractors arrange for Building, Electrical,
 Elevator, HVAC, and Plumbing Inspectors to final all open permits. A building or space
 cannot be occupied or used if the Certificate of Occupancy has been revoked.
- 4. THROUGHOUT BUILDING-PROVIDE & MOUNT FIRE EXTINGUISHERS-MSFC 906.1, MN Stat. 299F.361 Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Ensure a minimum 2A10BC fire extinguishers are appropriately spaced so the travel distance in no more than 75 feet to access an extinguisher. Extinguishers must be mounted 3-5 feet high and in an easily accessible location.

For an explanation or information on some of the violations contained in this report, please visit our web page at: http://www.ci.stpaul.mn.us/index.aspx?NID=211

If you have any questions, email me at james.perucca@ci.stpaul.mn.us or call me at 651-266-8996 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,

James Perucca Fire Inspector

Ref. # 122510

Excerpts from 2015 Minnesota State Fire Code – Fire Code Official, Fire Code and Authority

FIRE CODE OFFICIAL. The state fire marshal, the state fire marshal's authorized representative, fire chief, fire department representatives authorized by the fire chief, or other authority specifically designated by ordinance or regulation that is charged with the administration and enforcement of the code. The appointing authority shall ensure that the fire code official is competent by virtue of certification as a fire inspector, training, or experience in fire prevention inspections and enforcement.

PART 2—ADMINISTRATIVE PROVISIONS

SECTION 103 DEPARTMENT OF FIRE PREVENTION

[A] 103.1 General.

The department of fire prevention is established within the jurisdiction under the direction of the *fire code official*. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment.

The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction; and the *fire code official* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

[A] 103.3 Deputies.

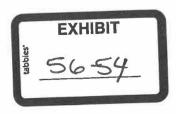
In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *fire code official* shall have the authority to appoint a deputy *fire code official*, other related technical officers, inspectors and other employees.

[A] 103.4 Liability.

The fire code official, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] 103.4.1 Legal defense.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *fire code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.



Chapter 40. - Fire Certificate of Occupancy

Sec. 40.01. - Fire certificate of occupancy requirement.

- (a) All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building's occupants and the general public.
- (b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 09-122, § 1, 2-25-09; Ord 13-52, § 1, 12-4-13; Ord 14-50, § 1, 1-7-15)

Sec. 40.02. - Exception, certain residential dwelling units.

An owner-occupied single-family house, duplex, or condominium unit shall be exempted from the requirement to have and maintain a fire certificate of occupancy. "Owner-occupied" means the house, duplex or condominium dwelling unit for which the exemption is claimed is the owner's principle residence. For the purposes of this exception, "owner" means a natural person and does not include a corporation, partnership, or other entity.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 09-122, § 2, 2-25-09; Ord 13-52, § 1, 12-4-13)

Sec. 40.03. - Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

Authorized agent. An individual(s) with legal authority capable of executing documents for the sale of the building(s) and authority over the proceeds of such sale.



Building. Any structure intended for supporting or sheltering any use or occupancy, including the land surrounding the structure. If the building is a multi-unit residential dwelling, a hotel or motel, or a commercial or office building, the term "building" for purposes of this ordinance means only the portion of the building within or outside the structure in which a nuisance is maintained or permitted; such as a dwelling unit, room, suite of rooms, office, common area, storage area, garage, or parking area.

Certificate of code compliance. A document or emblem issued by the department of safety and inspections indicating that the rehabilitation of an existing structure complies with all state and local safety codes. A valid certificate of code compliance allows for the issuance of a fire certificate of occupancy for use as a commercial building or a residential occupancy.

Certificate of occupancy. A document issued by the city building official under the authority of both state and city building codes indicating a newly constructed or substantially rehabilitated structure is, at the time of inspection, code compliant, habitable and otherwise meets all requirements for its intended use.

Code compliance inspection. An inspection of a registered vacant building by one or more inspectors including fire, code enforcement and construction trades to determine necessary repairs and permits required for the rehabilitation of the existing structure.

Commercial building. Any nonresidential structure, the surrounding land and accessory use structures.

Condemned. A fire certificate of occupancy status indicating that the building or dwelling is not in compliance with safety codes and that the entire structure or a portion thereof is deemed unsafe, unfit for habitation or other occupancy or use. Additional inspections are required to gain compliance and to re-instate the fire certificate of occupancy prior to any occupancy or use of the building or dwelling. The structure or portion thereof cannot be occupied while under condemnation.

Department of safety and inspections. The city department and its divisions charged with the inspection of buildings, housing, and the enforcement of safety codes including building, fire, housing, health safety, and zoning and other similar codes, laws and ordinances. The fire certificate of occupancy program is also administered by the department of safety and inspections.

Dwelling. A building that contains one-, two- or multiple dwelling units, intended or designed



to be used, rented, leased, let or hired out to be occupied for living purposes.

Dwelling unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Family. One (1) or two (2) persons or parents, with their direct lineal descendants and adopted or legally cared for children together with not more than two (2) persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit.

Fire certificate of occupancy. A document or emblem issued by the department of safety and inspections indicating the existing structure complies with all state and local safety codes allowing its use as a commercial building or for residential occupancy. Buildings and dwellings cannot be occupied or used without a fire certificate of occupancy.

Fire code official. The authority specifically designated by ordinance or regulation which is charged with the administration and enforcement of the fire code. For the purposes of this chapter the fire code official is the DSI fire safety manager and his or her designees. The fire code official shall include any enforcement officer under his or her supervision or direction. The director of DSI shall ensure that any designees under this provision are competent by virtue of certification as a fire inspector, training or experience in fire prevention inspections and enforcement.

Fire code. The current edition of the Minnesota State Fire Code, pursuant to Minnesota Statutes, § 299F.011, and Minnesota Rule 7510.3510; over which the city fire marshal will have policy oversight.

Fire marshal. The city fire marshal and his or her designee or designees, and shall include any enforcement officer under his or her supervision or direction, or other duly authorized representative.

Interested party. Any known lessee or tenant of a building or affected portion of a building; or any known agent of an owner, lessee, or tenant; or any other known person who maintains or permits a nuisance.

Nuisance activity. Acts constituting a nuisance under Minnesota Statutes § 617.81, subdivision 2, or two (2) or more violations within a period of twelve (12) months of nuisance provisions of the Saint Paul Legislative Code.



Owner. The person, firm, corporation or other entity listed in the records on file in the recorder's office as holding fee title to the building. For purposes of notice only, "owner" includes the owner's authorized agent or other person in control of the premises.

Owner-occupied. Dwellings which are the principal residence of the owner of record of the building and in which the owner resides. "Owner," for the purposes of this definition, means a natural person and does not include a corporation, partnership, or other entity.

Partial fire certificate of occupancy. A document issued by the department of safety and inspections indicating that a portion of an existing structure complies with all state and local safety codes allowing its use as a commercial building or for residential occupancy. The partial fire certificate of occupancy shall describe specifically which portion of the building is approved for occupancy.

Property manager or responsible party. An individual(s) with the legal authority to make and act on decisions of tenancy, building maintenance and repairs relating to applicable safety codes.

Provisional fire certificate of occupancy. A document or emblem issued by the department of safety and inspections to temporarily permit continued occupancy pending a fire certificate of occupancy inspection of the existing structure. Buildings with a provisional fire certificate of occupancy will be granted a fire certificate of occupancy upon the successful completion of fire certificate of occupancy inspection.

Recorder's office. The county department of property records and taxation, or its division which maintains title and property records, and any successor agency or department thereof.

Rental dwelling unit. Any room or rooms, or space, in any dwelling designed or used for residential occupancy by one (1) or more persons who are not the owner.

Residential occupancy. Occupancy in a building or portion thereof, for residential purposes, used or intended to be used for living, sleeping, and/or cooking or eating purposes.

Revoked fire certificate of occupancy. A status indicating that the building or dwelling is not in compliance with relevant safety codes or that the structure is vacant. Additional inspections are required to gain compliance and to re-instate the fire certificate of occupancy prior to any occupancy or use of the building or dwelling. The structure or portion thereof cannot be occupied while under revocation.

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Safety code or safety codes. Any building, fire, housing, health, safety, zoning or other similar code, law and ordinance, promulgated or enacted by the United States, the State of Minnesota, the County of Ramsey and the City of Saint Paul, or any lawful agency or department thereof, which are applicable to a building in such city. Safety code includes, without any limitation of the foregoing sentence as a result of this specification, the provisions of Chapters 33, 34, 43, 45, 49, 55, 56 and 58 of the Legislative Code.

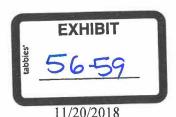
Suspended fire certificate of occupancy. A status indicating that the building or dwelling is not in compliance with safety codes and that an enforcement action has been taken. A notice of intent to take additional action is also given at this time. A final period for compliance has been established. Failure to comply may result in additional enforcement action including, but not limited to, revocation or condemnation. The structure or portion thereof may continue to be occupied while under suspension pending compliance.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 09-122, § 3, 2-25-09; Ord 13-52, § 1, 12-4-13; Ord 16-34, § 1, 9-28-16)

Sec. 40.04. - Certification process.

- (a) Buildings and occupancies requiring a fire certificate of occupancy.
 - (1) A building or portion thereof which receives a certificate of occupancy from the city's building official upon completion of construction or major rehabilitation shall simultaneously receive a fire certificate of occupancy if their use or occupancy so requires.
 - (2) Buildings which have a change in use or occupancy and become subject to the fire certificate of occupancy requirement.
 - (3) One- and two-family dwellings which have a change in status from owner occupied to non-owner occupied or rental.
 - (4) Commercial buildings and residential occupancies which have current fire certificates of occupancy on or after January 1, 2007 shall be subject to the ongoing requirement to maintain a fire certificate of occupancy. These buildings shall be issued fire certificates of occupancy and shall be subject to periodic inspection based on the date of the building's last complete fire certificate of occupancy inspection, subject to the terms of this chapter.

(5)



One- and two-unit rental dwellings which are currently registered and rental properties under the requirements of this code on January 1, 2007 shall receive provisional fire certificates of occupancy. These properties shall be issued fire certificates of occupancy upon the successful completion of a fire certificate of occupancy inspection.

- (6) A building which has been registered as a vacant building under chapter 43 of the Legislative Code that subsequently received a certificate of code compliance under section 33.06 of the Legislative Code shall be issued a fire certificate of occupancy concurrently with the certificate of code compliance, if their use or occupancy so requires.
- (b) Information and application. Owners of all buildings subject to the fire certificate occupancy requirement shall apply for a fire certificate of occupancy. The application shall include, at a minimum, the following information:
 - (1) A description of the building;
 - (2) The name, address and twenty-four (24) hour telephone numbers of the owner(s);
 - (3) The name, address and telephone numbers of the property manager(s) or responsible party;
 - (4) An owner of a building used for residential occupancy who is applying for their first fire certificate of occupancy must complete the DSI landlord 101 course or have completed a similar program approved by the department of safety and inspections within the last two (2) years. The owner must submit with the application a certificate of attendance or a letter showing proof of attendance at the program or verification of enrollment at the next scheduled class. This requirement shall not apply to an owner who has a fire certificate of occupancy on another building used for residential occupancy; and
 - (5) Additional property and property management-related information as will promote effective enforcement of this chapter.
- (c) Inspection. Prior to obtaining a fire certificate of occupancy, all buildings shall obtain a safety code inspection to determine whether the building is in compliance with all safety codes. Dwelling units occupied by an owner shall be exempted from this requirement if the residence contains three (3) or more dwelling units.
 Properties occupied by an owner shall be exempted from this requirement if the



residence contains one (1) or two (2) dwelling units. For the purposes of this section, the word "owner" means a natural person, and does not include a corporation, partnership or other entity.

- (d) Issuance. Upon a finding of no violations of the provisions of state and local safety codes, the department of safety and inspections shall issue a fire certificate of occupancy that shall contains the following:
 - (1) The type of occupancy, including number of dwelling, rooming or guest units;
 - (2) The address of the building;
 - (3) The name and address of the owner(s) and property manager(s) or responsible party;
 - (4) A description of that portion of the building for which the certificate is issued; and
 - (5) A statement that the described portion of the building has been inspected for compliance with the requirements of state and local safety codes for the group and division of occupancy, the classification score for the property and the use for which the proposed occupancy is classified.
- (e) Posting. The fire certificate of occupancy provided by the fire code official shall be posted in a conspicuous place on the building and shall not be removed except by authorized persons. Single family and duplex occupancies need not post the fire certificate of occupancy but it shall be available on the premises.
- (f) Other violations. Issuance of a fire certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 07-214, § 1, 3-28-07; C.F. No. 09-77, § 1, 2-11-09; C.F. No. 09-122, § 4, 2-25-09; Ord 13-52, § 1, 12-4-13; Ord 14-50, § 1, 1-7-15; Ord 16-34, § 2, 9-28-16)

Sec. 40.05. - Renewal of fire certificates of occupancy.

All fire certificates of occupancy shall be renewed according to the schedule in (2) below. The renewal schedule applied to all buildings with a fire certificate of occupancy shall be based on the safety code compliance classification system outlined in (1) below. Department of safety and inspections shall develop and maintain a numerical system which will assign points to safety code violations. The numerical system shall assign the greatest number of points to the most severe

EXHIBIT

56-61

safety code violations. The numerical system shall be adopted by resolution of the city council and updated from time to time upon recommendation of the department of safety and inspections to the city council.

- (1) Classification system. There shall be four (4) categories of buildings for purposes of this code. Classification numbers shall be assigned at the first inspection. The total number of "points" from that inspection shall be adjusted to take into account the number of units in the building and shall determine the class assigned to each building. All buildings which contain only one (1) or two (2) dwelling units shall be treated as if they contain three (3) dwelling units for purposes of determining their building category under this classification system.
 - a. *Class A.* Residential buildings with an average of fewer than five (5) points per dwelling unit shall be classified as class A.
 - b. *Class B.* Residential buildings with an average of five (5) or more but less than eleven (11) points per dwelling unit shall be classified as class B
 - c. Class C. Residential buildings with an average of eleven (11) or more but less than forty (40) points per dwelling unit shall be classified as class C.
 - d. Class D Residential buildings with an average of forty (40) or more points per dwelling unit shall be classified as class D.
 - e. Commercial or nonresidential shall not be rated in this classification system.
- (2) Renewal cycle. Renewal of the fire certificate of occupancy shall be scheduled by the fire code official for all buildings according to the buildings' classification.
 - a. Class A properties shall be renewed every six (6) years.
 - b. Class B properties shall be renewed every four (4) years.
 - c. Class C properties shall be renewed every two (2) years.
 - d. Class D properties shall be renewed every year.
 - e. Commercial or nonresidential buildings. The department of safety and inspections shall establish written guidelines for the renewal of nonresidential occupancies based on the hazard of the occupation. This cycle shall not exceed three (3) years. Department of safety and



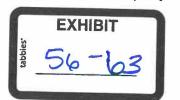
inspections shall provide an annual written report of nonresidential inspections that includes group, property address, and inspection schedule to the city council.

- (3) Complaint of safety code deficiency or violation. All complaints of safety code violations and deficiencies shall be investigated by the fire code official. Such investigation may initiate an out-of-cycle fire certificate of occupancy inspection at the discretion of the fire code official. The point assigned at this out-of-cycle fire certificate of occupancy inspection shall result in a new classification if the points assigned to safety code violations warrant reassignment.
- (4) Enforcement actions. The classification system shall be used exclusively for the purpose of establishing a renewal schedule. Classifications shall have no bearing on enforcement actions undertaken by the city, such as notices and orders related to code deficiencies and violation, revocations of the fire certificate of occupancy, condemnations and orders to vacate.

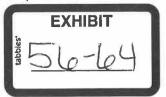
(C.F. No. 06-1130, § 1, 1-24-07; C.F. No. 08-383, § 1, 5-14-08; Ord 13-52, § 1, 12-4-13; Ord 14-50, § 1, 1-7-15)

Sec. 40.06. - Suspension, revocation and denial.

- (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor:
 - (1) Whenever the certificate was issued in error, or on the basis of incorrect information supplied;
 - (2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate;
 - (3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations;
 - (4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party;

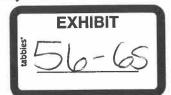


- (5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
- (6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
- (7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or
- (8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code <u>chapter 53</u> which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.
- (b) Notice of suspension, revocation or denial.
 - (1) When the fire code official revokes, suspends or denies a fire certificate of occupancy for safety code violations, the notice shall state:
 - The specific reason(s) for the city's suspension, revocation or denial of the fire certificate of occupancy;
 - b. The effective date of the revocation, suspension or denial of the fire certificate of occupancy;
 - c. A statement indicating that the commercial building or residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building or residential occupancy, or portion thereof, is in compliance with applicable safety codes; and
 - d. A statement indicating that the suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of issuance.
 - (2) When the fire code official determines in consultation with the city attorney that he or she has evidence of nuisance activity as described in Minnesota Statues § 617.81, subdivision 2, or other violations of nuisance provisions of the Saint Paul Legislative Code are maintained or permitted in the jurisdiction he or she serves, the fire code official shall provide the written notice as described in paragraph a), by personal service or certified mail, return receipt requested, to the owner and interested parties.



a. The notice must:

- State that a nuisance as defined in Minnesota Statute § 617.81
 Subdivision 2, or other violations of the nuisance provisions of the Saint Paul Legislative Code, is maintained or permitted in the building and must specify the kind or kinds of nuisance being maintained or permitted;
- Summarize the evidence that a nuisance is being maintained or permitted in the building, including the date or dates on which the nuisance-related activity or activities are alleged to have occurred;
- 3. Inform the recipient that failure to abate the conduct constituting the nuisance or to otherwise resolve the matter with the fire code official by entering into an agreed upon abatement plan within thirty (30) days of service of the notice will result in recommending the suspension or revocation of the fire certificate of occupancy to the city council, and/or referring the matter to the prosecuting attorney who serves in the jurisdiction for remedies in accordance with Minnesota Statute § 617.80 et seq., which could result in enjoining the use of the building for any purpose for one (1) year, or in the case of a tenant, could result in cancellation of the lease; and
- 4. Inform the owner of the options available under Minnesota Statute § 617.85, which provides that the owner of the building which is subject to a district court abatement proceeding may file a motion before the court that has jurisdiction over the abatement proceeding to cancel the lease or otherwise secure restitution of the premises from the tenant or lessee who has maintained or conducted the nuisance. The owner may assign to the prosecuting attorney the right to file this motion.
- b. If the recipient of a notice under this section either abates the conduct constituting a nuisance or enters into an agreed upon abatement plan within thirty (30) days of service of the notice and complies within the stipulated time period, the fire code official may not take action to suspend or revoke the fire certificate of occupancy on the specified property regarding the nuisance activity described in the notice.



- c. If the recipient fails to abate the nuisance within 30 days of service of the notice, or fails to comply with the agreed upon abatement plan, the fire code official will refer the matter to the city council recommending suspension or revocation of the fire certificate of occupancy or refer the matter to the prosecuting attorney in accordance with Minnesota Statute § 617.80 et seq.
- (3) The notice of intent to suspend or revoke the fire certificate of occupancy for nuisance activity shall be served by personal service or by certified mail, return receipt requested. The notice shall state:
 - a. The specific reason(s) the fire code official recommends suspension or revocation of the fire certificate of occupancy; and
 - b. The date, time and place of the legislative hearing and public hearing.
- (c) Appeals and stays of enforcement for revocations, suspensions and denials of fire certificates of occupancy.
 - (1) Stay pending appeal. Enforcement proceedings on the suspension, revocation or denial of the fire certificate of occupancy, or orders to correct violations, shall be held in abeyance if the owner shall file an appeal to the legislative hearing officer within ten (10) days of receiving the written order issued by the enforcement officer, except in the case of an order to vacate a structure which is deemed to be in an unsafe condition and dangerous to life or limb, the enforcement officer shall proceed to order the building vacated until it is made safe or a final determination is made by the legislative hearing officer allowing re-occupancy of the building. This decision shall be presented to the city council for ratification at its next available public hearing. Abeyance of enforcement proceedings shall continue until such time as the hearing officer shall have issued a final determination or in the event the owner should not prosecute the appeal in a timely fashion.
- (d) Reinstatement following suspension or revocation. If a fire certificate of occupancy is suspended or revoked for a building, or portion thereof, that building or portion thereof, shall not be occupied until such time as the fire certificate of occupancy is reinstated.

(e)



Reinstatement following second suspension or revocation. If a fire certificate of occupancy is suspended or revoked for a second time within a two-year time period under the same ownership, the building for which it was issued shall not again be occupied until such time as the following has occurred:

- (1) The fire code official has determined that the building is in compliance with applicable safety codes; and
- (2) A five thousand dollar (\$5,000.00) performance deposit or bond has been posted with the city; the purpose of said bond shall be to off-set potential city expenses associated with abating nuisance conditions at this property and shall be returned to owner upon completion of two (2) years with no legislative code violations requiring city abatement.
- (f) Reinstatement following third suspension or revocation. If a fire certificate of occupancy is suspended or revoked for a third time within a three-year time period under the same ownership, the building for which it was issued shall not again be occupied until a nuisance abatement plan is developed by the owner, reviewed by the legislative hearing officer and approved by the city council. If a nuisance abatement plan is not developed and approved, the premise for which the fire certificate of occupancy was issued shall not again be used or occupied for a period of six (6) months.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 07-214, § 2, 3-28-07; C.F. No. 97-853, 10-10-07; C.F. No. 08-1277, § 1, 12-23-08; C.F. No. 09-122, § 5, 2-25-09; Ord 13-52, § 1, 12-4-13)

Sec. 40.07. - Inspections.

- (a) Scope of inspection. The fire code official is authorized, in conformity with this chapter, to inspect all buildings, whether having a fire certificate of occupancy hereunder or not. The inspection may include the building, the land upon which it is located and accessory uses or structures. All inspections authorized by this chapter shall be limited to those which are done for the purpose of seeking compliance with applicable safety codes, and shall take place only at reasonable hours or as may otherwise be agreed upon by the owner and the fire code official.
- (b) *Notice of violations.* The fire code official shall give written notice to the owner and any known interested parties of any violations of the applicable safety codes which are discovered during any inspection.



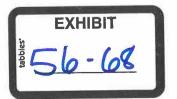
(c) Administrative search warrant. Access during reasonable times shall not be denied by any owner, occupant or other person in charge of the premises. The fire code official may obtain a search warrant where probable cause exists to believe that the premises are in violation of this chapter. Provided, however, that no search warrant is needed for entry where an emergency condition exists and sufficient time to obtain a warrant is unavailable.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 97-853, 10-10-07; C.F. No. 09-122, § 6, 2-25-09; Ord 13-52, § 1, 12-4-13)

Sec. 40.08. - Reserved.

Sec. 40.09. - Regulations.

- (a) Notice by owner.
 - (1) The owner of a building for which a fire certificate of occupancy has been issued is under a continuing obligation to give written notice to the department of safety and inspections of any changes in the information supplied as part of the application for the certificate. This includes any changes or modifications of ownership of the building, property manager or responsible party.
 - (2) The owner of a residential building for which a fire certificate of occupancy has been issued who is required to give notice to tenants of potential mortgage foreclosure or cancellation of contract for deed involving the property pursuant to chapter 53 of the Saint Paul Legislative Code must file proof of such notice being given with the fire code official within thirty (30) days.
- (b) New owner. A new owner of a building with a fire certificate of occupancy shall file with the department of safety and inspections a written application for a modification of the certificate if such premise is still being used or occupied under an existing certificate. Such application shall be filed within thirty (30) days after such new owner obtains new ownership in the building, whether or not such interest has been recorded.
- (c) Change of use. Changes in the use of a building shall not be made without the approval of the department of safety and inspections. If the use or occupancy of a fire certificate of occupancy premise changes, it shall immediately be required to



meet all requirements of law, including the requirement for a certificate of occupancy before being used for such new or changed use. No change in the existing occupancy classification of a building or portion thereof shall be made, until the fire code official has issued a fire certificate of occupancy as provided herein.

(d) Posting. The fire certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by authorized persons. Singlefamily and duplex occupancies need not post the fire certificate of occupancy but it shall be available on the premises.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 08-1277, § 2, 12-23-08; Ord 13-52, § 1, 12-4-13)

Sec. 40.10. - Fees.

- (a) Original issue, new building or substantially rehabilitated buildings. There shall be no fee charged for an issuance of the fire certificate of occupancy for new buildings at the completion of their construction or following substantial rehabilitation if the city's building official issues a certificate of occupancy or certificate of code compliance.
- (b) Fees.

Residential rate, one unit	\$206.00
2 units	\$242.00
3 units	\$252.00
4 units	\$264.00
5 units	\$274.00
6 units	\$285.00
7 units	\$296.00
8 units	\$307.00



9 units	\$318.00
10 through 15 units	\$329.00
16 through 20 units	\$362.00
21 through 25 units	\$453.00
26 through 30 units	\$538.00
31 units through 35 units	\$622.00
36 units through 40 units	\$707.00
41 through 100 units	\$773.00
100+ units	\$913.00
A (Assembly), E (Education, I (Institutional), H (Hazardous), F (Factory), M (Mercantile, S (Storage), and B (Business)	
Base fee: up through 13,999 sq. ft.	\$189.00
14,000 through 48,999 sq. ft., per 1,000 sq. ft.	\$15.00
49,000 through 117,999 sq. ft.	\$735.00
118,000 and over sq. ft. maximum fee	\$870.00

(c)



Reinspection fee. The renewal fee established in subsections (a) and (b) above allows for one (1) inspection and one (1) reinspection for the renewal of the fire certificate of occupancy. A reinspection fee of fifty (50) percent of the renewal fee shall be levied for each additional reinspection required to demonstrate compliance with applicable safety codes.

- (d) Referral (or complaint-based) reinspection fee. Whenever a written correction order is issued to the owner for a violation of this code and after a reasonable time for compliance has elapsed, a reinspection shall be made. If the violation has not been corrected at the time of the reinspection, a referral reinspection fee of seventy-four dollars (\$74.00) shall be collected for every subsequent reinspection until the violation is corrected.
- (e) *Provisional fire certificate of occupancy.* A fee of one hundred five dollars (\$105.00) will be charged for each provisional certificate of occupancy. This is an annual fee until the building is granted a fire certificate of occupancy upon the successful completion of fire certificate of occupancy inspection per this chapter.
- (f) No entry fee. The fire code official shall give notice of all inspections to the owner. If any reason exists that the inspection cannot be conducted at the identified time, the owner, shall make personal contact with the fire code official in an acceptable manner, no later than 8:00 a.m. on the date of the scheduled inspection. If the fire code official does not receive such notice and is unable to conduct the inspection because the owner fails to cooperate, the owner shall be assessed a seventy-four dollar (\$74.00) no-entry fee.
- (g) Exceptions. The fees for the fire certificate of occupancy and inspection are provided in chapter 33 of this code shall be required on buildings owned and occupied by any governmental agency, including county and state governmental agencies. The city, and any other agencies specifically exempted from such fees under state law, shall be exempt from payment of such fees.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 09-122, § 7, 2-25-09; C.F. No. 09-959, § 1, 9-23-09; C.F. No. 09-985, § 1, 10-28-09; C.F. No. 10-778, § 1, 8-11-10; Ord 13-52, § 1, 12-4-13; Ord 14-50, § 1, 1-7-15; Ord 15-63, § 1, 12-2-15; Ord 16-61, § 1, 1-4-17)

Sec. 40.11. - Collection of unpaid fees.



It is the intent of the city council, by the adoption of this section, to impose and collect the costs associated with the inspections and reinspections conducted by the city, under this chapter, to maintain the health and safety of the users of city's built environment. If the charges for these services are not paid by the owner of the property in a timely fashion, the city shall collect such costs by assessment against the real property receiving these inspection and reinspection services, pursuant to Minnesota Statutes § 429.101, and chapter 14 of the Saint Paul City Charter.

(1) Written notice.

- a. Written notice of violations. When the fire code official conducts an initial inspection of a building and determines that violations of safety codes exist, the fire code official shall, in addition to any other action the fire marshal fire code official may undertake, serve written notice of the violation in conformance with the requirements set forth in this chapter.
- b. Notice for collection of inspection and reinspection costs shall include the following information:
 - Fee for the fire certificate of occupancy inspection and associated reinspections are the responsibility of the owner and shall be paid within the time period(s) identified in the notice; and
 - 2. The fire code official may require an inspection following a complaint or referral. If the fire code official finds a violation of safety codes during a referral or complaint-related inspection, the fire code official will issue correction orders. If the violation is not corrected by the compliance date provided in the notice of violation, the building owner (s) shall be assessed fees for any necessary reinspections.
- (2) Fee and liability. The city shall be entitled to collect its costs of fire certificate of occupancy inspections and reinspection. The fees associated with the fire certificate of occupancy program shall be a debt owed to the city and unpaid costs shall be collected by special assessment under the authority in Minnesota Statutes § 429.101 and the charter by the procedure outlined in Chapter 60 of the Saint Paul Administrative Code. Action under this section does not preclude any other civil or criminal enforcement procedure.

(C.F. No. 06-1129, § 1, 1-24-07; C.F. No. 09-679, § 1, 7-22-09; Ord 13-52, § 1, 12-4-13)



Sec. 40.12. - Illegal occupancy.

No person shall occupy any building which does not have a fire certificate of occupancy. Any unit or structure which is so occupied shall be subject to the provisions of <u>section 34.23(2)</u> of the legislative code relating to illegal occupancy. Such illegal occupancy also constitutes a hazard to the health, safety or welfare of the occupants and the public, and may be condemned by the fire code official under <u>section 34.23</u> of the legislative code.

(C.F. No. 06-1129, § 1, 1-24-07; Ord 13-52, § 1, 12-4-13)

Sec. 40.13. - Penalty.

A violation of, or failure to comply with, any section, provision or requirement in this chapter shall be a misdemeanor and shall be subject to the legislative code, and to applicable state statutes. This chapter is a part of the city health, safety, housing, building, fire prevention and housing maintenance codes, and a violation shall be deemed to be a violation for purposes of state statutes allowing escrow of rent to remedy violations.

(C.F. No. 06-1129, § 1, 1-24-07; Ord 13-52, § 1, 12-4-13)

Sec. 40.14. - Appeal to legislative hearing officer.

Orders of the fire code official are subject to the Legislative Code. Orders of the fire code official pertaining to revocation, suspension or denial of application are also governed by section 40.07 of this chapter.

(C.F. No. 06-1129, § 1, 1-24-07; Ord 13-52, § 1, 12-4-13)

Sec. 40.15. - Applicability of other laws.

Nothing in this chapter is intended to waive, replace or amend the applicability or enforcement of any other law, ordinance or regulation applicable to commercial buildings and dwellings, including but not limited to, zoning, nuisance abatement, or licensing ordinances.

(C.F. No. 06-1129, § 1, 1-24-07; Ord 13-52, § 1, 12-4-13)



Excerpt from 2015 Minnesota State Fire Code – Occupancy Groups and Uses

Group A – Assembly (50 or more persons):

- A-1 Theaters (performing arts, fixed seats)
- A-2 Dining and drinking (bars, restaurants, clubs)
- A-3 Auditoriums, gymnasiums, museums, worship, libraries, recreation, amusement, etc.
- A-4 Arenas, swimming pools, tennis courts (indoor spectator seating)
- A-5 Stadiums, grandstands (outdoor seating)

Group B - Business:

- Professional services
- · College/university classrooms
- Offices
- Clinics (including outpatient)
- Motor vehicle showrooms
- · Electronic data processing
- Assembly less than 50 persons

Group E – Educational (through 12th grade):

- Pre-school
- K-12
- Adult Day Care (occupants capable of escape)
- Day Care older children (see I-4 for younger)

Group F - Factory/Industrial:

- Group F-1 Moderate Hazard (combustible materials):
 - Aircraft
 - Automobiles
 - Boats
 - Metals
 - Rugs
 - Woodworking
- Group F-2 Low Hazard Not a significant fire risk (mostly non-combustible materials):
 - Non-alcoholic beverages
 - Brick & Masonry
 - Ceramic products
 - Glass

