



Legislation Text

File #: RLH FCO 15-75, **Version:** 3

Appeal of Will Anderson, for MFCA, to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE.

AMENDED 10/7/15

WHEREAS, in the matter of Appeal of Will Anderson for MFCA to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council ~~deny the appeal~~;

1. Allow the use of the mezzanine/balcony area for seating for up to 16 people if the following conditions are met, which are intended to provide an equivalent level of safety, as would be accomplished by allowing only a code compliant level of 5 occupants on the mezzanine level:
 - a. A curtain screening the front door of the restaurant may not be used;
 - b. The office space behind the fireplace on the mezzanine level must be vacated and returned to the exclusive use of mechanical and ventilation systems;
 - c. Emergency lighting will need to be installed in the mezzanine / balcony which can illuminate the entire area;
 - d. Signage indicating a maximum occupant load of 16 for the mezzanine / balcony shall be posted;
 - e. Signage indicating spiral staircase is for one-directional use must be posted;
 - f. The doorway 378 Maria Avenue must be available for emergency exit, unobstructed, lighted, signed appropriately and operate with an outwardly swinging door;
 - g. An alarm system shall be installed and approved by the Department of Safety and Inspections;
and
 - h. Additional fire extinguishers need to be installed at the top and bottom of the spiral staircase;
2. In order to use 374 Maria Avenue as the main entrance/exit (as has been proposed in some plans), the following conditions must be met:
 - a. the door at 378 Maria Avenue must be available for emergency exiting purposes, unobstructed, lighted, signed appropriately and operate with an outwardly swinging doors; and
 - b. There shall be permanent floor marking toward both the 374 and 378 Maria Avenue entrances indicating it is an exit access path.
3. Deny the appeal pertaining to the fuel burning equipment test and require code compliance by October 15, 2015;

Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.