



September 18, 2023

Saigon Investment Group Llc
7330 157th St W
Saint Paul MN 55124-5101

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 353 UNIVERSITY AVE W dba LITTLE SAIGON MARKET
Ref. # 31715

Dear Property Representative:

The building permit history was reviewed and a discussion with the owner of the business, Si Nguyen, on September 15, 2023 resulted in the condemnation of the building for long-term, non-compliance. The building may not be occupied until such time as the deficiencies below are addressed. Since certificates are for the occupancy of buildings, it has become necessary to revoke the Certificate of Occupancy.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

DEFICIENCY LIST

1. Interior - 353-355 University Avenue West - SPLC 40. Grounds for Pending Revocation. The fire code official may 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 if it is found upon inspection by 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. The commercial building 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 occupancy, or portion thereof, is in compliance with applicable safety codes. The suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of this issuance.

Per the deficiencies cited in this report, an order for the revocation of the Fire Certificate of Occupancy is issued for the above-referenced property.

2. Exterior - Front Entry Obstruction to Exiting removed - MSFC 1031.2, 1031.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.

Remove the oriented strand board from the front exit permanently. The boarding of the exterior of the building is no longer allowed.

3. Interior - Automatic Door Operations at University Avenue Entry - MSFC 901.2 Construction documents. The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation.

MSFC 901.2.1 Statement of compliance. Before requesting final approval of the installation, where required by the fire code official, the installing contractor shall furnish a written statement to the fire code official that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.

Provide documentation on the operation of the automatic doors regarding their operation during fire alarm, Ansul system trigger. An electrical permit is required to tie the automatic doors into the fire alarm system and/or Ansul system.

4. Interior - Automatic Front Door System - MSFC 1104.1, 1010.1.9.7 - Remove all unapproved special egress control devices or comply with all requirements for the installation of special egress control devices.

Provide documentation on the operation of the lock system for the automatic doors at University Avenue entrance.

5. Interior - Back Double Doors - MSFC 1104.1, 1010.1.9.4 - Post a sign at interior side of door stating 'THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED' at main exits with interior key locks. The minimum stroke of the letter must be 1 inch high with a contrasting background.

6. Interior - Building Fire Alarm Work - MSFC Chap. 1, Section 107.2.1 Inspection Requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Permit #2021 301976 obtained by Sentry Systems for work on the building fire alarm system has not been inspected by the Fire Engineering Division for compliance. Direct the contractor to contact Fire Engineering for review of the work and finalizing of the permit.

MSBC Inspections. 1300.0210, Subp. 4. Inspection requests. The building official shall provide the applicant with policies, procedures, and a timeline for requesting inspections. The person doing the work authorized by a permit shall notify the building official that the work is ready for inspection. The person requesting an inspection required by the code shall provide access to and means for inspection of the work.

Permit # 2021 301974 Electrical Permit obtained by Sentry Systems for work that has not been inspected. Direct Sentry Systems to contact the electrical inspector to schedule a review of the work and finalizing of the permit.

7. Interior - Building and Trades Permits - MSBC Chapter 1300.0120 Permits. Subpart 1. Required. An 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 gas, mechanical, electrical, plumbing system, or other equipment, the installation of which is regulated by the code; or cause any such work to be done, shall first make application to the building official and obtain the required permit.

SPLC Chapter 33. Electrical. No person shall perform any new electrical installation in any construction, remodeling, replacement or repair, except minor repair work as defined by the state board of electricity, without first obtaining a permit to do such work from the building official. A separate permit shall be obtained for each building or structure.

No building plans or permit on door installation, no electrical permit for installation of doors or tie to fire alarm system.

8. Interior - Cardboard and Trash - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.

9. Interior - Egress Doors/Locks - MSFC 1010.1.9 Door operations. Except as specifically permitted by this section, egress doors shall be readily openable from the egress side without the use of a key, or special knowledge or effort.

MSFC 1010.1.9.4 Locks and latches. Locks and latches shall be permitted to prevent the operation of doors where any of the following exists: (3). Where egress doors are used in pairs, approved automatic (not manual) flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no door knob or surface-mounted hardware.

MSFC 1010.1.9.5 Bolt locks. Manually operated flush bolts or surface bolts are not permitted.

1. Provide documentation on the locking system used for locking the front doors.

2. Remove the sliding bolt lock from the back door.

10. Interior - Fire Alarm Testing Report - MSFC 907.8, NFPA 72 14.3.1 - Provide required annual maintenance of the fire alarm system by a qualified person and provide written documentation to this office as proof of compliance.

Provide a copy of the fire alarm testing report for the building.

11. Interior - New Construction at Store Front - 1300.0130 CONSTRUCTION DOCUMENTS Subpart 1. Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. Exception: The building official may waive the submission of construction documents and other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with the code. The building officer may require plans or other data be prepared according to the rules of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, Chapter 1800, and Minnesota Statutes, Sections 326.02 to 326.15, and other state laws relating to plan and specification preparation by occupational licenses. If special conditions exist, the building official may require additional construction documents to be prepared by a licensed design professional.

Subp. 2. Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the code and relevant laws, ordinances, rules, and regulations, as determined by the building official.

Subp. 3. Manufacturer's installation instructions. When required by the building official, manufacturer's installation instructions for construction equipment and components regulated by the code, shall be available on the job site at the time of inspection.

Submit plans to the St. Paul Building Plan Review division detailing the demolition and re-construction of the front of the building and entrances. Additional details regarding the manufacturer's instructions on the operation of the automatic door operation, proposed locking operations, exit lighting and licensed engineer's evaluation of the header/supporting structural elements above the doors will also be required at plan review.

12. Interior - Rear Exit - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.

Gas-powered pressure washer stored in the rear exit.

13. Interior/Exterior - Door Operations - [BE] 1010.1.9.10 Door hardware release of electrically locked egress doors. Door hardware release of electric locking systems shall be permitted on doors in the means of egress in any occupancy except Group H where installed and operated in accordance with all of the following:

1. The door hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.
2. The door hardware is capable of being operated with one hand and shall comply with Section 1010.1.9.6.
3. Operation of the door hardware directly interrupts the power to the electric lock and unlocks the door immediately (continued on next page).

4. Loss of power to the electric locking system automatically unlocks the door.
5. Where panic or fire exit hardware is required by Section 1010.1.10, operation of the panic or fire exit hardware also releases the electric lock.
6. The locking system units shall be listed in accordance with UL 294.

Cannot verify doors have been linked to the fire alarm system or that the lock system is compliant with UL 294.

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: Laura.Huseby@ci.stpaul.mn.us or call me at 651-266-8998 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Laura Huseby
Fire Safety Inspector

Ref. # 31715