SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
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March 15, 2023

JEFFERY W GUERTIN
824 COMO AVE
ST PAUL MN 55103-1461

Revocation of Fire Certificate of Occupancy and Order to Vacate Immediately

RE: 826 COMO AVE
Ref. # 100315

Dear Property Representative:

Your building was determined to be unoccupied on March 15, 2023. 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 - Entire Building - SPLC 40. Grounds for 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.**
3/10/23: review of the Fire Certificate of Occupancy folder finds (next page):

1.) the property owner is in long-term non-compliance with the deficiencies in the notices regarding building plans and permit;
2.) property owner failed to comply with directive from Legislative Hearing Officer regarding plans and permit(s) per appeal and City Council Resolution;
3.) property owner has not complied with requirements for responsible party contact information for the building. Fire Certificate of Occupancy to be revoked 3/15/2023.

2. Interior - Main Floor - SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.
Building Plans and Permit History:
3/10/23: review of the Fire Certificate of Occupancy folder finds the property owner has not complied with the deficiencies in the notices, Fire Certificate of Occupancy to be revoked 3/15/2023.
8/28/2019: building permit and plans submitted; withdrawn by Building Plan Review S. Grandstand on 12/29/21.
7/18/17: Property owner to submit parking access covenant with neighbor (1094 Como Place). Plans have not been reviewed by building plan review until finished with zoning/parking lot review.
6/23/17: building permit and plan submitted; cancelled by J. Bloom, Building Plan Review on 11/8/2018.
4/3/17: Submit building plans to plan review for review and approval prior to any additional work being done. Main floor of building is under construction, no plans or permits for the proposed work has been submitted for review and approval. Any work not in compliance with current codes will need to be corrected during the permit and inspection by city inspection staff process.
9/26/16: building demo permit, inspected once, not finalized.

3. Interior - Throughout Building - SPLC 34.19 - Provide access to the inspector to all areas of the building. Contact Fire Inspections at 651-266-8989 for inspection.

4. Interior - 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.
No building permits issued due to insufficient plans submitted for the renovation of the building. Applications and plans submitted were not approved by Building Plan Review and efforts to contact the property owner to correct the submittal were not successful. Plans were rejected and permits were not issued for any building construction.

5. Interior - Main Floor and Basement Areas - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
The main floor office space may not be used until review and approval from the required trades personnel. Have your licensed contractor obtain the necessary permits for the work.

6. Exterior - Check All - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.
10/3/16 Comment: discussed the need for licensed contractor to perform work, under permit for windows.

7. Exterior - Window Framing - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
Window sills (frame) are rotted on some windows, missing on one. Repair or replace these.

8. Interior - Main Floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.

9. Interior - Main Floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.

10. Interior - Main Floor and Basement - MSFC 605.6 - Provide all electrical splices within junction boxes.
4/3/17: still open electrical box.
10/3/16 Comment: Rear office area, ceiling.

11. Interior - Main Floor of Building - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work requires a permit(s). Call DSI at (651) 266-8989.
4/3/17: Provide construction copy of plans for review by city building inspections department. Multiple openings in the ceiling of main floor of building will need to be closed with approved materials. Submit plans for this space and the space below and above the main floor with specifications for corrections to the openings and utility chases.
10/3/16 Comment: property owner is closing these areas up, these areas will need to be inspected prior to covering up. Only demolition permit obtained, no plans submitted. Property owner to update on status of project or have permits and plan approvals in place by November 20, 2016. Submit this information in writing, again, with permits and plan approval.

12. Interior - Door to Stairway to Basement - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be 20 minutes.
Frame of door to basement is fire-rated framing, steel door is not listed/labeled.
10/3/16 Comment: only the frame has the label, steel door is not labeled.

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. # 100315