



APPLICATION FOR APPEAL

RECEIVED Saint Paul City Council – Legislative Hearings

APR 17 2024

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

legislativehearings@ci.stpaul.mn.us

We need the following to process your appeal:

☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number _____)

☐ Copy of the City-issued orders/letter being appealed & any attachments you may wish to include

☒ Walk In ☐ Mail ☐ Email
Appeal taken by:

HEARING DATE & TIME

(provided by Legislative Hearing staff)

Tuesday, April 23, 2024

Location of Hearing:

☐ Telephone: you will be called between _____ & _____

☒ In person (Room 330 City Hall) at: 1:30pm
(required for all condemnation orders and Fire C of O revocations and orders to vacate)

Address Being Appealed:

Number & Street: 901 W Snelling Ave City: St Paul State: MN Zip: 55104

Appellant/Applicant: Midway Motel Email: Northernwire@hotmail.com

Phone Numbers: Business 651-646-4584 Residence _____ Cell 651-983-2063

Signature: [Signature] Date: 4/17/2024

Name of Owner (if other than Appellant): Dharmendra Bhargava

Mailing Address if Not Appellant's: 2441 Maplewood Drive

Phone Numbers: Business _____ Residence _____ Cell 651-983-2063

What is being appealed and why? Attachments Are Acceptable

☒ Vacate Order/Condemnation/
Revocation of Fire C of O

☐ Summary/Vehicle Abatement

☐ Fire C of O Deficiency List/Correction

☐ Code Enforcement Correction Notice

☐ Vacant Building Registration

☐ Other (Fence Variance, Code Compliance, etc.)



March 19, 2024

MIDWAY HOSPITALITY INC/SURESH BHAKTA
901 SNELLING AVE N
ST PAUL MN 55104

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 901 SNELLING AVE N
Ref. # 14437

Dear Property Representative:

Your building was inspected on March 19, 2024, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code. **A reinspection will be made on April 17, 2024 at 12:00 PM or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. #11 - Smoke alarm - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area.-Smoke alarm found down on 3/19/24 inspection. Unit is not to be occupied until the smoke alarm has been installed.
2. #14 - Bathroom - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The light in the bathroom was hanging by the wires and would not turn on.
3. #14 - Bathroom - NEC 406.4(D)(3) - GFCI outlets shall be provided where replacements are made at outlets that are required to be so protected elsewhere in this Code.-The GFI in the bathroom did not have power at inspection. Update 9/19/24 the outlet has been removed and covered over with tape and joint compound.
4. #16 - By air conditioner - MSFC 604.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Missing outlet cover.

5. #16 - Smoke alarm - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area.-Unit smoke alarm was missing at 3/19/24 inspection. Unit is not to be occupied until the smoke alarm is restored to service.
6. #17 - Missing baseboard trim - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.
7. #19 - Bathroom - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The outlet is loose in the wall.
8. #20 - Bathroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-There is a hole in the wall under the bathroom sink.
9. #20 - Smoke alarm - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area.-The smoke alarm was found covered with a bag at 3/19/24 inspection. Bag was removed during inspection.
10. #22 - Bathroom - MPC 4714.0100, MPC 1401.1 - Provide approved plumbing materials for water, waste, and vent.-Flex pipe under bathroom sink.
11. #23 - Bathroom - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The outlet is loose in the wall.
12. #31 - Bathroom - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The outlet is loose in the wall.
13. #31 - Bathroom - NEC 406.4(D)(3) - GFCI outlets shall be provided where replacements are made at outlets that are required to be so protected elsewhere in this Code.-GFI had no power at inspection.
14. #33 - Bathroom - MSFC 604.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The light switch was loose and partially hanging out of the wall.
15. #35 - Bathroom - MSFC 604.6 - Provide all openings in junction boxes to be sealed.-Missing junction box cover.
16. #35 - Bathroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.
17. #35 - Missing baseboard trim - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.

18. Allow access - Required - SPLC 34.19 - Provide access to the inspector to all areas of the building.-On the 11/6/23 inspection several units denied access for the inspection. Cleaning person also stated that they did not have keys to the basement area. All occupants shall be made aware of inspection, and keys to all areas of the building shall be available for next inspection.

19. Basement - Boiler room - MSFC 704.1, 1105.1 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989.-Holes in ceiling.

20. Basement - Electrical work - 2020 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. -There have been new electrical panels and conduit run in the basement. There is no permit for this work. Hire a licensed electrician to pull a permit and have the new electrical work inspected and approved.

21. Basement - Storage room - 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.-20 pound propane cylinder was found in the basement. Propane cylinder was removed during inspection.

22. Boiler - Not operational - MMC 1346.0103 - Mechanical systems, both existing and new, and parts of those systems, shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed.-Per conversation with manager on site, the boiler system is no longer operational. Have the non operational boiler removed, or properly abandoned in place by a qualified contractor.

23. Bollards - By stairs to second floor - MSFC 312.2 Vehicle impact protection posts. Guard posts shall comply with the following: 1. Constructed of steel not less than 4 inches in diameter and concrete filled; 2. Spaced not more than 4 feet between posts on center; 3. Set not less than 3 feet deep in a concrete footing of not less than a 15-inch diameter; 4. Set with the top of the posts not less than 3 feet above ground; 5. Located not less than 3 feet from protected object.-The bollards protecting the stairs to the second floor are loose, and only secured to the sidewalk by 2 bolts.

24. By ice machine - Missing junction box cover - MSFC 604.6 - Provide all openings in junction boxes to be sealed.

25. Exterior - Caretaker Residence - MSFC 603.6 - Have the chimneys, fireplaces, and vents inspected for soundness, freedom from deposits, and correct clearances. Cleaning, maintenance, and repairs shall be done if indicated by the inspection.-Both chimneys on the residence are deteriorating and in need of repair.

26. Exterior - Screens as needed - SPLC 34.09 (4), 34.33 (3) -All screens shall be maintained in a professional state of maintenance and repair.-Multiple missing, torn, and damaged screens throughout the property.

27. Interior - Multiple units of Motel - 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.-New heat/air conditioning units installed in each of the units when boiler failed. Contact contractor and inform them of the requirement to install the heating units under mechanical permit and electrical permit. No permits with the city were obtained by contractor for this work. If the original contractor cannot be contacted, then a new contractor must be contacted/contracted for the installation, must obtain permits for the work and contact city inspectors to review the work and finalize the permits. Inspection of the work to be done by city mechanical and electrical trades inspectors for compliance and permits finalized.

28. Midway Motel - Emergency Plans and Employee Training - MSFC Employee Training and Response Procedures 406.2 Frequency. Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and not less than annually thereafter. Records of training shall be maintained. 406.3 Employee training program. Employees shall be trained in fire prevention, evacuation and fire safety in accordance with Sections 406.3.1 through 406.3.4. 406.3.1 Fire prevention training. Employees shall be apprised of the fire hazards of the materials and processes to which they are exposed. Each employee shall be instructed in the proper procedures for preventing fires in the conduct of their assigned duties. 406.3.2 Evacuation training. Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, areas of refuge, exterior assembly areas and procedures for evacuation.

29. Multiple units - Bathroom - NEC 406.3(b) - A nongrounding -type receptacle(s) shall be permitted to be replaced with a ground-fault circuit interrupter-type of receptacle(s). These receptacles shall be marked 'No Equipment Ground.' An equipment grounding conductor shall not be connected from the ground-fault circuit interrupter-type receptacle to any outlet supplied from the ground-fault circuit-interrupter receptacle. -Provide no equipment ground label on the outlets in the following units: 12, 15, 16, 19, 20, 24, 23, 25, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41.

30. Multiple units - GFI outlets missing - NEC 406.4(D)(3) - GFCI outlets shall be provided where replacements are made at outlets that are required to be so protected elsewhere in this Code.-During the 3/19/24 partial inspection multiple GFI outlets in the bathrooms have been removed and covered over with tape and joint compound.

31. Office - Missing switch cover - MSFC 604.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

32. Owner information - Required - SPLC Chapter 40.04 (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: (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.- Included in this report is the change of responsible party information and contacts for the property. Please fill this out with the appropriate contact information for the person in charge and return to the fire inspector for entry into the city database as contact for the property.

33. SPLC 39.02(c) - Complete and sign the smoke alarm affidavit and return it to this office.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

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

Sincerely,

George Niemeyer
Fire Safety Inspector

Ref. # 14437