

# ORDINANCE

## CITY OF SAINT PAUL, MINNESOTA

Presented By: \_\_\_\_\_

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An Ordinance Creating a Fire Certificate of Occupancy Program Classification System

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

The new chapter of Title VI of the Saint Paul Legislative Code “Building and Housing” establishing the fire certificate of occupancy program is amended to include the following section:

**Section 5. Renewal of Fire Certificates of Occupancy.**

All fire certificates of occupancy shall be renewed according to the schedule in (b) 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 (a) below. The fire marshal 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 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 fire marshal to the city council.

(a) *Classification System.* There shall be three (3) 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.

- 1) Class A. Residential buildings with an average of fewer than five (5) points per dwelling unit shall be classified as Class A.
- 2) 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.
- 3) Class C. Residential buildings with an average of eleven (11) or more points per dwelling unit shall be classified as Class C.
- 4) Commercial or nonresidential shall not be rated in this classification system.

(b) *Renewal Cycle.* Renewal of the fire certificate of occupancy shall be scheduled by the fire marshal for all buildings according to the buildings’ classification.

- 1) Class A properties shall be renewed every five (5) years.
- 2) Class B properties shall be renewed every three (3) years.
- 3) Class C properties shall be renewed every year

- 44 4) Commercial or nonresidential buildings. The fire marshal shall establish written guidelines for the  
 45 renewal of nonresidential occupancies based on the hazard of the occupation. This cycle shall not  
 46 exceed three (3) years. The fire marshal shall provide an annual written report of nonresidential  
 47 inspections that includes group, property address, and inspection schedule to the city council.  
 48
- 49 5) Revocations of fire certificates of occupancy, condemnations and orders to vacate. Where the fire  
 50 certificate of occupancy has been revoked or suspended because of code violations associated with a  
 51 condemnation and order to vacate, the certificate shall be scheduled for renewal in one (1) year.  
 52
- 53 (a) *Complaint of Safety Code Deficiency or Violation.* All complaints of safety code violations and deficiencies  
 54 shall be investigated by the fire marshal. Such investigation may initiate an out-of-cycle fire certificate of  
 55 occupancy inspection at the discretion of the fire marshal. The point assigned at this out-of-cycle fire certificate  
 56 of occupancy inspection shall result in a new classification if the points assigned to safety code violations  
 57 warrant reassignment.  
 58
- 59 (b) *Enforcement Actions.* The classification system shall be used exclusively for the purpose of establishing a  
 60 renewal schedule. Classifications shall have no bearing on enforcement actions undertaken by the city, such as  
 61 notices and orders related to code deficiencies and violation, revocations of the fire certificate of occupancy,  
 62 condemnations and orders to vacate.  
 63

64 Section 3 2

65  
 66 This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.

	Yeas	Nays	Absent
Benanav	X		
Bostrom	X		
Harris	X		
Helgen	X		
Lantry	X		
Montgomery	X		
Thune	X		
	7	0	0

Approved by Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_

Requested by Department of:

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Form Approved by City Attorney

By: \_\_\_\_\_

Adopted by Council: Date January 24, 2006

Adoption Certified by Council Secretary

By: \_\_\_\_\_

Approved by Mayor for Submission to Council

By: \_\_\_\_\_