



September 10, 2021

Dennis K Olson and Rose K Olson
439 Herschel Street
St Paul MN 55104-3604

Order to Abate Nuisance Building(s)

Dear Responsible or Interested Party:

The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:

439 HERSCHEL ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Howard Park Lot 101

to comprise a nuisance condition in violation of the Saint Paul Legislative Code, Chapter 45.02, and subject to demolition under authority of Chapter 45.11.

On September 2, 2021 a Building Deficiency Inspection Report was compiled and the following conditions were observed.

This list of deficiencies is not necessarily all the deficiencies present at this time. This building(s) is subject to the restrictions of Saint Paul Ordinance Chapter 33.03 and shall not again be used for occupancy until such time as a Certificate of Compliance or a Certificate of Occupancy has been issued. All repairs must be in accordance with appropriate codes. Changes or additions to the electrical system, mechanical system, or the plumbing system may necessitate updating or upgrading the systems involved.

This is a two-story, wood frame, single-family dwelling with a detached one-stall garage.

The following is excerpted from the April 22, 2021 Code Compliance Report:

BUILDING

- Tuck Point interior/exterior of foundation as necessary.

- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36-inch minimum) at all stairways, and return handrail ends into a newel post or wall per attachment.
- Strap or support top of stair stringers for structural stability.
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
- Provide complete storms and screens, in good repair for all door and window openings.
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold, and weather-stripping.
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Openings in stair risers must be less than 4 inches.
- Grade must drain away from foundation of dwelling. Maintain 6-inch clearance between wood and soil.
- This property was inspected as a single-family dwelling.
- Replace overhead garage door with a wind loaded door.
- Remove wall and ceiling covering in basement.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- Properly strap and support cables and/or conduits (support exterior service conduit).
- Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
- Check all receptacles for proper polarity (including 2-prong) and verify ground on 3-prong receptacles. Ensure all GFCI receptacles are functioning properly. Rewire and/or replace receptacles that are improperly wired or not functioning properly.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the current NEC.
- All electrical work must be done by a Minnesota and St Paul licensed electrical contractor under an electrical permit.

PLUMBING

- Attic - Laundry Tub - Install a proper fixture vent to code.
- Basement - Gas Piping - Install an approved shut off connector and gas piping for the dryer.
- Basement - Gas Piping - Vent clothes dryer to code.

- Basement - Laundry Tub - Install the waste piping to code.
- Basement - Water Heater - Install the water heater gas venting to code.
- Basement - Water Heater - Provide adequate combustion air for the gas burning appliance.
- Basement - Water Heater - The water heater must be fired and in service.
- First Floor - Gas Piping - Install an approved shut off; connector and gas piping for the range.
- Second Floor - Tub and Shower - Replace the waste and overflow.
- All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

HEATING

- Clean and Orsat test furnace/boiler burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.
- Vent clothes dryer to code (shut off valves on gas line are required for dryer).
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Clean all supply and return ducts for warm air heating system.
- Repair and/or replace heating registers as necessary.
- Provide heat in every habitable room and bathrooms.
- Mechanical permits are required for the above work.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **October 10, 2021** the Department of Safety and Inspections, Division of Code Enforcement, will begin a substantial abatement process to demolish and remove the building(s). The costs of this action, including administrative costs and demolition costs will be assessed against the property taxes as a special assessment in accordance with law.

As first remedial action, a Code Compliance Inspection Report must be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989. This inspection will identify specific defects, necessary repairs and legal requirements to correct this nuisance condition. You may also be required to post a five thousand dollars (\$5,000.00) performance deposit with the Department of Safety and Inspections before any permits are issued, except for a demolition permit. Call the Department of Safety and Inspections for more information at 651-266-8989.

If this building is located in a historic district or site (noted on page 1, above, just below the property address) then you must contact Heritage Preservation (HPC) staff to discuss your proposal for the repairs required by this order and compliance with preservation guidelines. Copies of the guidelines and design review application and forms are available from the Department of Safety and Inspections web site (see letterhead) and from the HPC staff. No

permits will be issued without HPC review and approval. HPC staff also can be reached by calling 651-266-9078.

As an owner or responsible party, you are required by law to provide full and complete disclosure of this "Order to Abate" to all interested parties, all present or subsequent renters and any subsequent owners. The property shall not be sold, transferred or conveyed in any manner until the Nuisance Conditions have been abated and the Certificate of Code Compliance or Certificate of Occupancy has been issued.

The Enforcement Officer is required by law to post a placard on this property which declares it to be a "nuisance condition", subject to demolition and removal by the City. This placard shall not be removed without the written authority of the Department of Safety and Inspections, Division of Code Enforcement. The department is further required to file a copy of this "Order to Abate" with the City Clerk's Office.

If corrective action is not taken within the time specified in this order, the Enforcement Officer will notify the City Council that abatement action is necessary. The City Clerk will then schedule dates for Public Hearings before the City Council at which time testimony will be heard from interested parties. After this hearing the City Council will adopt a resolution stating what action if any, it deems appropriate.

If the resolution calls for abatement action the Council may either order the City to take the abatement action or fix a time within which this nuisance must be abated in accordance with the provisions of Chapter 33 of the Saint Paul Legislative Code and provide that if corrective action is not taken within the specified time, the City shall abate this nuisance. The costs of this action, including administrative costs will be assessed against the property as a special assessment in accordance with law.

If you have any questions or request additional information please contact **Joe Yannarelly** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

Joe Yannarelly

Vacant Buildings Enforcement Inspector