



September 15, 2021

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## 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:**

**939 CHARLES AVE**

With the following Historic Preservation information: NONE

**and legally described as follows, to wit:**

UNIVERSITY AVE. ADD. LOT 7 BLK 2

**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 May 12, 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, duplex with a detached, one-stall garage.

The following is excerpted from the expired September 8, 2016 Code Compliance Report:

**BUILDING**

1. Ensure basement cellar floor is even, is cleanable, and all holes are filled.
2. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
3. Repair or replace damaged doors and frames as necessary, including storm doors.
4. Install floor covering in bathroom and kitchen that is impervious to water.
5. Repair walls, ceiling and floors throughout, as necessary.
6. 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.
7. Any framing members that required repair or do not meet code (where wall and ceiling covering is removed, members that are over-spanned, over-spaced, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner.
8. Provide fire block construction as necessary and seal chases in basement ceiling.
9. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
10. Air-seal and insulate attic/access door.
11. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
12. Dry out basement and eliminate source of moisture.
13. Provide major clean-up of premises.
14. Install water-proof enclosure in shower area.
15. Provide weather sealed, air sealed and vermin sealed exterior.
16. Repair siding, soffit, fascia, trim, etc. as necessary.
17. Provide proper drainage around house to direct water away from foundation of house.
18. Install downspouts and a complete gutter system.
19. Install rain leaders to direct drainage away from foundation.
20. Provide general rehabilitation of garage.
21. Grade must drain away from foundation of dwelling. Maintain 6-inch clearance between wood and soil.
22. Properly install flashing at rim joist area for siding and rear deck area.
23. Remove mold, mildew and moldy or water damaged materials.
24. Replace missing rear guardrail.
25. Repair garage siding at grade (need to have 6" clearance from framing to grade) insure flashing to code.
26. Install service door on garage.
27. Fire stop chases, walls and ceilings as required.
28. Sister joist in kitchen ceiling (over cut) on 1st. floor.
29. Second floor kitchen ceiling open and un-insulated, all to be inspected before covering. Also, drywall installed without inspections and needs to be removed.
30. Install basement floor and vapor barrier with inspection.
31. New roof covering without inspections and needs many corrections (replace roof covering)

32. Install gutters, downspouts and rain leaders on garage.
33. Install 20-minute fire rated doors, with self-closing device, between common areas and individual units. All penetrations required to have property intumescent device or caulk (per current building codes).
34. Maintain one-hour fire separation between dwelling units and between units and common areas.
35. 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.
36. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
37. Provide complete storms and screens, in good repair for all door and window openings.
38. Provide functional hardware at all doors and windows.
39. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

### **ELECTRICAL**

1. No power at time of inspection. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored.
2. All circuits modified.
3. Provide a complete circuit directory at service panel indicating location and use of all circuits.
4. Properly strap and support cables and/or conduits.
5. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
6. 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.
7. Install hard-wired, battery backup, Carbon Monoxide smoke detector as specified in Chapter 58 of the Saint Paul Legislative Code, and other smoke detectors and carbon monoxide detectors as required by the Minnesota State Building Code.
8. Install light fixture outlet boxes for all lighting on 1st and 2nd levels.
9. A rough in inspection is required for all levels.
10. Perform a service load calculation.
11. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

### **PLUMBING**

1. All waste, vent, and water pipe to be installed, air tested, and inspected per the Minnesota Plumbing Code.
2. Basement -Gas Piping - Install an approved shut off connector and gas piping for the dryer.
3. Basement -Gas Piping - Vent clothes dryer to code.
4. Basement -Gas Piping - Conduct a witnessed pressure test on gas piping system.
5. Basement -Soil and Waste Piping - Plug all open piping and properly pitch all piping.
6. Basement -Soil and Waste Piping - Install proper pipe supports.
7. Basement -Water Heater - Correct the pressure and temperature relief valve discharge.

8. Basement -Water Heater - Install the water piping for the water heater to code.
9. Basement -Water Heater - The water heater must be fired and in service.
10. Basement -Water Meter - Raise the water meter to a minimum of 12 inches above the floor.
11. Basement -Water Meter - Support the water meter to code.
12. Basement -Water Meter - The water meter must be installed and in service.
13. Basement -Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
14. Basement -Water Piping - Replace all the improper fittings and fittings that have improper usage.
15. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
16. First Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
17. All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4714, Minnesota Rules Chapter 326, 4716, 1300, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and Saint Paul Regional Water Services Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul by a plumber licensed in the State of Minnesota who also possess a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

### MECHANICAL

1. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
2. 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.
3. Provide thirty (30) inches of clearance in front of furnace/boiler for service.
4. Move furnace/boiler out of closet/alcove or provide documentation from the equipment manufacturer indicating that it is an approved installation.
5. Provide a means of returning air from every habitable room to the furnace. Return air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
6. Vent clothes dryer to code.
7. Provide adequate combustion air and support duct to code.
8. Provide support for gas lines to code.
9. Plug, cap and/or remove all disconnected gas lines.
10. Provide all supply and return ducts for warm air heating system must be clean before final approval for occupancy. Documentation is required from a licensed duct-cleaning contractor that the duct system has been cleaned.
11. Repair and/or replace heating registers as necessary.
12. Provide heat in every habitable room and bathrooms.
13. Mechanical gas 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 15, 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.

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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