



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
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362

September 13, 2013

12-213792

Ryan P McGovern  
4001 N Wedgewood Dr  
Appleton WI 54913-7129

JP Morgan Chase Bank  
780 Kansas Lane Suite A  
Monroe LA 71203

Associated Bank  
PO Box 208  
Stevens Point WI 54481

Shapiro & Zielke  
12550 W Frontage Road #200  
Burnsville MN 55337

## Order to Abate Nuisance Building(s)

Dear Sir or Madam:

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

**444 BEACON AVE**

With the following Historic Preservation information: NONE  
**and legally described as follows, to wit:**

Howard Park Lot 75

**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 11, 2013 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 three-stall detached garage. The following Deficiency List is excerpted from the September 18, 2012 Fire Certificate of Occupancy Revocation and Order to Vacate letter.

1. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition  
-Repair both storm doors front and rear of home, or frame so doors close and latches.
2. Exterior - SPLC 34.11 (8), 34.34 (4) - Provide approved garbage containers impervious to weather.
3. Exterior South side. - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points. -Repair crumbling foundation on South side of home.
4. Exterior front of home - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen. -Repair window screen on front storm door and on window to left of storm door in an approved manner.
5. Exterior front porch North side. - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. -Replace missing window glass on North side of porch in front of home.
6. Exterior garage - SPLC 34.09 (1) b, c, 34.32 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. -Paint and repair garage walls in an approved manner.
7. Exterior garage - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.  
-Repair frames of all three overhead garage doors in an acceptable manner.
8. Exterior garage throughout - SPLC 34.09 (1) b, c, 34.32 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. -Repair walls of garage in an acceptable manner.
9. Exterior rear deck. - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. -Handrail needed on deck in rear of home.
10. Exterior throughout - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
11. Exterior throughout. - SPLC 34.09 (1) b, c, 34.32 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner

- free from chipped or peeling paint. -Repair damaged or missing siding on exterior home.
12. Garage - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects. -Replace roof of garage.
  13. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building. - Allow access to the home for the inspector.
  14. Interior - SPLC 34.23 7 (e) Lack of Basic Facilities (ELECTRIC). Contact Xcel at 1-800-331-5262 to immediately restore electrical service to the building/unit, or the building/unit must be vacated by the inspection date. Failure to immediately restore basic facilities may result in condemnation of the building/unit. Condemnation revokes the Fire Certificate of Occupancy and failure to comply may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.
  15. Interior - SPLC 34.23 7 (e) Lack of Basic Facilities (GAS). Contact Xcel at 1-800-331-5262 to immediately restore gas service to the building/unit, or the building/unit must be vacated by the inspection date. Condemnation revokes the Fire Certificate of Occupancy and failure to comply may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.
  16. Interior - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -Remove extension cord in kitchen that is attached to TV and coming from next door.
  17. Interior basement - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989. -Replace accordion dryer duct with an approved material.
  18. Interior basement - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. -Provide handrail for basement steps and also balustrades.
  19. Interior garage - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -Discontinue use of all extension cords in garage.
  20. Interior garage - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair or replace electrical box in garage on South side.

21. Interior garage throughout - MSFC 605.6 - Provide all openings in junction boxes to be sealed. -Put cover over junction box in garage next to garage door opener.
22. Interior kitchen and back entry. - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. -Repair/patch walls in kitchen behind stove and by the rear entrance door to the home.
23. Interior living room - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner. -Repair ceiling in living room.
24. Interior second floor - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -Light on second floor landing needs globe.
25. Interior third floor. - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -Put cover plates on electrical outlets and switches in the third floor of the home.
26. Interior third floor. - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Re-attach electrical box to ceiling in an appropriate manner.
27. Interior third floor. - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-Provide guardrail around third floor stairway and also provide handrails to stairway leading to third floor.
28. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
29. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **October 13, 2013** 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 dollar (\$5,000.00) performance bond 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 **Matt Dornfeld** between the hours of 8:00 and 9:30 a.m. at **651-266-1902**, or you may leave a voice mail message.

Sincerely,

Matt Dornfeld  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council