



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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361

May 1, 2012

07-136739

DRB#24 LLC
PO Box 16595
St Paul MN 55116-0595

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:

435 THOMAS AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Smiths Sub Of Stinsns Div B 2 Lot 2 Blk 8

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 April 11, 2012 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.

The following Deficiency List is excerpted from the March 20, 2009 Code Compliance Report.

BUILDING

1. Remove or repair fence.
2. Remove rear first floor addition or jack up and install first frost footings and repair to code.
3. The basement door not to swing over stairs.
4. Replace second floor front porch windows.
5. Insure attic access 22"x30".
6. Repair rotted ends of first floor, floor joists.
7. Install new siding to code on entire house.
8. Rebuild east side entry to code with frost footings or removed.
9. Insure basement cellar floor is even, is cleanable, and all holes are filled.
10. Install handrails and guardrails at all stairways, including basement stairways, per attachment.
11. Install plinth blocks under posts in basement.
12. Tuck Point interior/exterior of foundation.
13. Install floor covering in the bathroom and kitchen that is impervious to water.
14. Maintain one-hour fire-separation between dwelling units and between units and common areas.
15. Relocate 2nd floor electrical panel to 2nd floor unit or to common area or protect panel with 1-hour fire-rated enclosure.
16. Install 20-minute fire-rated doors, with self-closing device, between common areas and individual units.
17. Install tempered or safety glass in window over stair landing to Code.
18. Provide thumb type dead bolts for all entry doors. Remove any surface bolts.
19. Repair or replace any deteriorated window sash, broken glass, sash holders, re-putty etc. as necessary.
20. Provide complete storms and screens, in good repair, for all door and window openings.
21. Repair walls, ceilings and floors throughout, as necessary.
22. Re-level structure as much as is practical.
23. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St. Paul Legislative Code, Chap. 34 for additional information).
24. Any framing members that 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 headered, etc.) are to be reconstructed as per code.

25. Provide general clean-up of premise.
26. Provide smoke detectors per the Minnesota Building Code and carbon monoxide detectors per State law.
27. Repair soffit, fascia, trim, etc. as necessary.
28. Provide weather-sealed, air-sealed, and vermin-sealed exterior.
29. Provide proper drainage around house to direct water away from foundation.
30. Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation.
31. Repair or replace damaged doors and frames as necessary, including storm doors.
32. Weather-seal exterior doors.
33. Dry out basement and eliminate source of moisture.
34. Remove mold, mildew and moldy or water-damaged materials.
35. Cover water meter pit with concrete or decay-resistant, screwed-down cover.

ELECTRICAL

36. Ground the electrical service to the water service with a copper conductor within 5' of the entrance point of the water service
37. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
38. Provide a complete circuit directory at service panel indicating location and use of all circuits
39. Verify/install separate 20 ampere kitchen appliance circuit
40. Verify that circuit breaker amperage matches wire size
41. Properly strap cables and conduits in basement
42. Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched from the top of the stairs
43. Ground bathroom light in first and second floor bathroom
44. Remove all cord wiring
45. Repair or replace all broken, missing or loose light fixtures, switches & outlets, covers and plates
46. Check all outlets for proper polarity and verify ground on 3-prong outlets.
47. Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
48. Throughout building, install outlets and light fixtures as specified in Bulletin 80-1
49. Install hard-wired, battery backup smoke detector as specified in Bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms.

50. Install exterior lights at front/side/back entry doors
51. Remove and/or rewire all illegal, improper or hazardous wiring in basement
52. Duplex: Check Building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panelboard to the second unit.
53. *All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.*
54. *All electrical work must be done by a Minnesota- licensed electrical contractor under an electrical permit.*
55. *Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.*
56. *All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).*
57. Rewire lean-to bedroom at rear of house.
58. Replace broken service entrances conduit fitting.

PLUMBING

All plumbing work requires permit(s) and must be done by a plumbing contractor licensed in Saint Paul.

Basement

Both Water Heaters

59. The water heaters temperature and pressure relief discharge piping is incorrect.
60. The water heaters gas shut off is incorrect.
61. The water heater water piping is incorrect.

Water meter

62. The water meter is missing.
63. Properly support water meter.

Gas Piping

64. The dryer gas shutoff, connector or gas piping is incorrect.

Soil and waste piping

65. The soil and waste piping has improper connection, transitions, fittings or pipe usage.

First Floor

66. The kitchen sink waste is incorrect.
67. The kitchen sink basket strainers are missing.
68. Reset toilet on solid surface.
69. The lavatory pop-up is missing.
70. Provide a stopper for tub.
71. The range gas shutoff is incorrect.

Second Floor

- 72. The kitchen sink waste is incorrect.
- 73. The lavatory waste is incorrect.
- 74. Reset toilet on solid surface.
- 75. Provide a stopper for the tub.
- 76. The range gas shutoff is incorrect.

Exterior

- 77. The lawn hydrant(s) requires backflow assembly or device.
- 78. Piping vents - Verify full size stack thru roof.

HEATING

- 79. Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
- 80. Install approved metal chimney liner.
- 81. Connect furnace and water heater venting into chimney liner.
- 82. Clean all supply and return ducts for warm air heating system.
- 83. Provide heat in every habitable room and bathrooms.
- 84. Repair supply and return heating ducts in basement.
- 85. A separate heating system is required for each dwelling unit if the furnace is replaced.
- 86. Gas and warm air 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 **June 1, 2012** 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