



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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355.0

December 2, 2016

11-141007

BP Homes 1 LLC  
29 W 17th St Floor 2  
New York NY 10011-5508

## 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:**

**672 RIVOLI ST**

With the following Historic Preservation information: NONE

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

Warren Winslows Addition Subj To & With Esmt; S 1/3 Of Lot 24 & N 1/3 Of Lot 25  
Blk 9

**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 November 22, 2016 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 one-story, wood frame, single-family dwelling with a detached, two-stall garage.

The following is excerpted from the October 26, 2016 Code Compliance Report:

**BUILDING**

1. Tuck Point interior/exterior of foundation as necessary.
2. Air-seal and insulate attic/access door.
3. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
4. Provide major clean-up of premises.
5. Repair siding, soffit, fascia, trim, etc. as necessary.
6. Provide proper drainage around house to direct water away from foundation of house.
7. Provide proper drainage around house to direct water away from foundation of garage.
8. Install downspouts and a complete gutter system.
9. Install rain leaders to direct drainage away from foundation.
10. Provide general rehabilitation of garage.
11. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
12. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
13. Install flashing at top of foundation to keep water from getting behind concrete.
14. Replace all missing siding, soffits and trim on garage.
15. Replace missing roofing on house and garage, newer roof and many shingles missing. Roofing will require an inspection when complete, work done without permit.
16. Replace trim on front windows, to wide and warping also requires drip cap on top.
17. Clean out crawl space and install vapor barrier.
18. Install downspouts and gutters on garage.
19. Provide complete storms and screens, in good repair for all door and window openings.
20. Provide functional hardware at all doors and windows.
21. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
22. 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.
23. 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.
24. Provide fire block construction as necessary and seal chases in basement ceiling.
25. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
26. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

## **ELECTRICAL**

1. Repair the electrical service grounding conductor to the metallic water piping system. Install a conductor sized to Table 250.66 (NEC) from the electrical service to within 5' of the entrance point of the water service, and bond around the water meter.
2. Properly support/wire exterior luminaire (light fixture) at entry door.
3. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
4. Replace electrical service panel due to excessive corrosion.
5. Replace conduit/fittings due to excessive corrosion.
6. Provide a complete circuit directory at service panel indicating location and use of all circuits.
7. Replace circuit breakers in electrical panel that are not listed for that panelboard with proper breakers.
8. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
9. Properly strap and support cables and/or conduits.
10. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
11. 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.
12. Install box extensions on devices mounted in wood paneling.
13. 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.
14. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

## **PLUMBING**

1. Plumbing installed without permits. Expose all piping in walls and make corrections as needed. Provide 5# air test and manometer final air test.
2. Lawn Hydrants - Repair or replace the lawn hydrants that are broken or have parts missing.
3. Lawn Hydrants -The lawn hydrant(s) require a backflow preventer.
4. Plumbing – General - Obtain permits and provide tests/inspections for any plumbing performed without permits.
5. Basement – Gas Piping - Vent clothes dryer to code.
6. Basement – Soil and Waste Piping - Install proper pipe supports.
7. Basement – Soil and Waste Piping - Replace all improper connections, transitions, fittings or pipe usage.
8. Basement -Water Heater - Install the gas shut off and the gas piping to code.
9. Basement -Water Heater -The water heater must be fired and in service.
10. Basement -Water Heater - Provide adequate combustion air for the gas burning appliance.
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 Meter -The service valves must be functional and installed to code.
14. Basement -Water Piping - Install a proper backflow assembly or device for the boiler fill water line.

15. Basement -Water Piping - Provide water piping to all fixtures and appliances.
16. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
17. Basement -Water Piping - Add the appropriate water pipe hangers.
18. Basement -Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
19. Basement -Water Piping - Replace all the improperly sized water piping.
20. Basement -Water Piping - Replace all the improper fittings and fittings that have improper usage.
21. Basement -Water Piping - Replace all improper water piping and piping with improper usage.
22. First Floor -Sink - Install a proper fixture vent to code.
23. First Floor -Sink - Install the waste piping to code.

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 possesses a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

### **HEATING**

1. Install approved level handle manual gas shutoff valve on boiler and remove unapproved valve.
2. Clean and Orsat test boiler burner. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe.
3. Install approved metal chimney liner.
4. Connect boiler and water heater venting into chimney liner.
5. Provide adequate clearance from flue vent pipe on boiler to combustible materials or provide approved shielding according to code.
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 and unapproved valves.
10. Bathrooms require a means to ventilate the space. Provide a window with an aggregate glazing area of not less than 3 square feet, one half of which must be operable. Alternative is a bath fan properly vented to the outside. All kitchen exhaust must be venting to exterior. A mechanical ventilation permit will be required for the bath fan and/or kitchen exhaust.
11. Provide heat in every habitable room and bathrooms.
12. Install airtrol tank according to manufacturer's installation instructions on the supply side of the boiler with required air scoop.
13. Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
14. Repair or replace fin tube radiation and covers as needed.
15. Mechanical Gas and Hydronic 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 **January 1, 2017** 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.

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If you have any questions or request additional information please contact **Tom Friel** between the hours of 8:00 and 9:30 a.m. at **651-266-1906**, or you may leave a voice mail message.

Sincerely,

Tom Friel  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council

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