



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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352

June 21, 2012

11-014890

Ernesto Benitez and Benito Benitez
728 A 143rd Ave
Amery WI 54001-2534

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:

767 WATERLOO ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Paul Martins 1st Addition to S 27 5/10 Ft Of N 67 5/10 Ft Of Lot 1 Blk 4

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 June 12, 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 one and one-half story, wood frame, single-family dwelling with a detached wood frame shed.

Interior

Water on basement floor
Unapproved post and beam assembly in the basement; in contact with soil, water damaged
Uncapped gas line
Open plumbing
Missing electrical cover plates
Missing hand rails for steps to the basement and to the 2nd floor
Missing trim
Uneven floors
Missing heating vent covers
Open electrical box

Exterior

Unapproved hand rail on front steps
Rot damaged rim joist
Deteriorated foundation
Damaged storm doors; missing pieces
Damaged siding
Missing metal eave wrap
Damaged and missing storm and screen windows; boarded windows

Deficiencies from the Code Compliance Inspection Report:

BUILDING

- Dry out basement and eliminate source of moisture.
- Remove mold, mildew and moldy or water damaged materials.
- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- 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.
- Provide functional hardware at all doors and windows
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Provide fire block construction as necessary and seal chases in basement ceiling.
- Air-seal and insulate attic/access door.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Install downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Install all guardrails to code.
- Install 1 hour fire wall at rear and back of storage shed.
- Repair roofing to code on storage shed. Trim off overhanging shingles.
- Remove dirt from against siding and provide 6 inch clearance from grade for house and storage shed.

- Properly support first floor, floor joist at south side of basement stairs.
- Install landing at bottom of basement stairs and handrail and guardrail to code.

ELECTRICAL

Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC

- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Verify/install a separate 20 ampere laundry circuit and a separate 20 ampere kitchen appliance circuit
- Verify that circuit breaker amperage matches wire size
- Close openings in service panel/junction boxes with knockout seals and/or junction box covers
- Properly strap cables and conduits in basement/ service conduit on the exterior of the house.
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Properly wire exterior lights at side door.
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Replace all painted-over receptacles.

PLUMBING

- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Piping - improper fittings or usage (MPC 0420)
- Basement - Water Piping - provide water piping to all fixtures and appliances (MPC 1700)
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping (MPC 4715.1720)
- Basement - Water Piping - run 1 inch water line from meter to first major take off (SPRWS Water Code)
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Basement - Gas Piping - replace improper piping or fittings (IFGC 406.1.2)
- Basement - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Basement - Soil and Waste Piping - add appropriate hangers (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - improper pipe supports (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - replace the floor drain cover or clean out plug (MPC 1300)
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Laundry Stand Pipe - unvented (MPC 0200 E)
- Basement - Laundry Stand Pipe - waste incorrect (MPC 2300)
- Basement - Laundry Stand Pipe - water piping incorrect (MPC 0200 P.)

- First Floor - Lavatory - verify the proper venting of the lavatory.
- First Floor - Sink - verify the proper venting of the kitchen sink
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Lavatory - water piping incorrect (MPC 0200 P.)
- First Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - water piping incorrect (MPC 0200 P.)
- First Floor - Shower - incorrectly vented (MPC 2500)
- First Floor - Shower - waste incorrect (MPC 2300)

HEATING

- Install approved level handle manual gas shutoff valve on all gas appliances and remove unapproved valves.
- Clean and Orsat test furnace 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
- Replace furnace flue venting to code. Install Class B venting from outlet of furnace to chimney.
- Vent clothes dryer to code
- 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.
- Repair and/or replace heating registers as necessary.
- Provide heat in every habitable room and bathrooms
- Plug/cap open ducts in basement according to code.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **July 21, 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 **Dennis Senty** between the hours of 8:00 and 9:30 a.m. at **651-266-1930**, or you may leave a voice mail message.

Sincerely,

Dennis Senty
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council