



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

361.0

May 18, 2016

13-211483

129 Jessamine LLC  
8936 Springwood Cir  
Woodbury MN 55125-4913

US Bank NA  
400 City Center  
Oshkosh WI 54901

## 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:**

**129 JESSAMINE AVE E**

With the following Historic Preservation information: NONE

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

Ransoms Addition Tost Paul Lot 12 Blk 3

**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 11, 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 two-story, wood frame, duplex with a detached one-stall garage.

The following is excerpted from the November 4, 2015 Code Compliance Report:

### **BUILDING**

1. Tuck Point interior/exterior of foundation as necessary.
2. Provide functional hardware at all doors and windows.

3. Repair or replace damaged doors and frames as necessary, including storm doors.
4. Weather seal exterior doors, threshold and weather-stripping.
5. Install floor covering in bathroom and kitchen that is impervious to water.
6. Repair walls, ceiling and floors throughout, as necessary.
7. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures if lead base paint is present.
8. 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.
9. Provide fire block construction as necessary and seal chases in basement ceiling.
10. Where wall and ceiling covering is removed install full thickness or code specified insulation.
11. Air-seal and insulate attic/access door.
12. Permanently secure top and bottom of support posts in an approved manner.
13. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
14. Provide major clean-up of premises.
15. Install water-proof enclosure in shower area.
16. Provide weather sealed, air sealed and vermin sealed exterior.
17. Repair siding, soffit, fascia, trim, etc. as necessary.
18. Provide proper drainage around house to direct water away from foundation of house.
19. Provide proper drainage around house to direct water away from foundation of garage.
20. Install downspouts and a complete gutter system.
21. Install rain leaders to direct drainage away from foundation.
22. Provide general rehabilitation of garage.
23. Weather seal basement bulk head using approved materials.
24. Provide ground cover capable of controlling sediment and erosion.
25. Remove trees which are against foundation of home and garage.
26. Remove trees from northwest corner of garage.
27. Replace garage overhead door.
28. Install safety glass in front stair side wall window.
29. Replace garage window sash, frame and sill.
30. 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).
31. Maintain one hour fire separation between dwelling units and between units and common areas.
32. Install handrails (34 inches - 38 inches above each nosing) and guardrails (36inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
33. Strap or support top of stair stringers for structural stability.
34. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary.
35. Provide complete storms and screens, in good repair for all door and window openings.
36. 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. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
3. 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.
4. Provide a complete circuit directory at service panel indicating location and use of all circuits.
5. Verify that fuse/circuit breaker amperage matches wire size in panel. Replace improperly sized overcurrent devices.
6. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
7. Properly strap and support cables and/or conduits.
8. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
9. 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.
10. 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.
11. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

## **PLUMBING**

1. Lawn Hydrants - Repair or replace the lawn hydrants that are broken or have parts missing.
2. Lawn Hydrants - The lawn hydrant(s) require a backflow assembly or device.
3. Piping Vents - Install the correct size piping vents.
4. Plumbing - General - Caulk all the fixtures to code.
5. Plumbing - General - Plumbing installed without permits/inspections. Obtain proper permits and provide tests and inspections.
6. Basement -Gas Piping - Install an approved shut off; connector and gas piping for the dryer.
7. Basement -Gas Piping - Vent clothes dryer to code.
8. Basement -Gas Piping - Remove all disconnected gas lines and unapproved valves.
9. Basement -Laundry Tub - Install a proper fixture vent to code.
10. Basement -Laundry Tub - Install the waste piping to code.
11. Basement -Soil and Waste Piping - Install a front sewer clean out.
12. Basement -Soil and Waste Piping - Plug all open piping and properly pitch all piping.
13. Basement -Soil and Waste Piping - Replace all improper connections, transitions, fittings or pipe usage.
14. Basement -Soil and Waste Piping - Replace all corroded cast iron, steel waste or vent piping.
15. Basement -Soil and Waste Piping - Install a clean out at the base of all stacks.
16. Basement -Water Heater - A pressure and temperature relief valve is required.

17. Basement -Water Heater - Correct the pressure and temperature relief valve discharge.
18. Basement -Water Heater - Install the water piping for the water heater to code.
19. Basement -Water Meter - Support the water meter to code.
20. Basement -Water Meter - The service valves must be functional and installed to code.
21. Basement -Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
22. Basement -Water Piping - Provide water piping to all fixtures and appliances.
23. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
24. First Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
25. First Floor -Sink - Install a proper fixture vent to code.
26. First Floor -Sink - Install the waste piping to code.
27. Second Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
28. Second Floor -Lavatory - Install a proper fixture vent to code.
29. Second Floor -Lavatory - Install the waste piping to code.
30. Second Floor -Lavatory - Install the water piping to code.
31. Second Floor -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.
32. Second Floor -Lavatory - Repair/replace the faucet that is missing, broken or has parts missing.
33. Second Floor -Toilet Facilities - Install a proper fixture vent to code.
34. Second Floor -Toilet Facilities - Install the waste piping to code.
35. Second Floor -Toilet Facilities - Reset the toilet on a firm base.
36. Second Floor -Tub and Shower - Install a proper fixture vent to code.
37. Second Floor -Tub and Shower - Install the waste piping to code.
38. Second Floor -Tub and Shower - Install an anti-scald control device, ASSE Standard 1016.
39. Second Floor -Tub and Shower - Replace the waste and overflow.

All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

### **HEATING**

1. Install approved level handle manual gas shutoff valve on furnace/boiler and remove unapproved valve.
2. Install approved automatic gas valve for furnace/boiler.
3. 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.
4. Provide thirty (30) inches of clearance in front of furnace/boiler for service.
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. Install approved metal chimney liner.

7. Replace furnace/boiler flue venting to code.
8. Connect furnace/boiler and water heater venting into chimney liner.
9. Provide adequate clearance from flue vent pipe on furnace/boiler to combustible materials or provide approved shielding according to code.
10. Vent clothes dryer to code and provide approved gas piping and valve (plumbing or mechanical gas permit is required).
11. Provide adequate combustion air and support duct to code.
12. Provide support for gas lines to code.
13. Plug, cap and/or remove all disconnected gas lines.
14. 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.
15. 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.
16. Repair and/or replace heating registers as necessary.
17. Provide heat in every habitable room and bathrooms.
18. A forced warm air heating system may only serve one dwelling unit – dwelling separation required.
19. 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 **June 17, 2016** 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