



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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February 14, 2012

06-268951

Kevin L Menard
617 NE Taylor St
Minneapolis MN 55413-2423

Minnesota Housing Finance Agency
400 Sibley Street Suite 300
Saint Paul MN 55101

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:

1186 7TH ST E

With the following Historic Preservation information:

District: 4 Building Name: Eschbach Meat Market Inventory #: RA –SPC-5393

and legally described as follows, to wit:

Messerli Eschbachs Addition Lot 11 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 February 8, 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.

Description of Building: two-story brick structure with attached wood frame, one and one-half story addition, and attached two stall, wood-frame garage.

The following Deficiency List is excerpted from the November 10, 2010 Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, is cleanable, and all holes are filled.
- Tuck Point interior/exterior of foundation as necessary.
- Dry out basement and eliminate source of moisture.
- Remove mold, mildew and moldy or water damaged materials.
- Install 20 minute smoke and draft door assembly between the attached garage and dwelling.
- 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.
- Strap or support top of stair stringers for structural stability.
- 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
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary to meet code.
- 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.
- 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.
- Where wall and ceiling covering is removed install full thickness or code-specified insulation.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around house to direct water away from foundation of garage.
- Install flashing in an approved manner at the intersection of the roof with walls, chimneys, and other conjoined surfaces.
- Repair chimney in an approved manner.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and on the alley side of garage.

- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Openings in stair risers must be less than 4 inches.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Remove or replace fence (repair is not an option)
- Replace or properly sister floor joist that are decayed in first floor, floor system.
- Install all joist hangers on joists with spans over.
- Cover exposed foam with code approved materials.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- 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 fuse/circuit breaker amperage matches wire size
- Close openings in service panel/junction box with knock out seals, breaker blanks and/or junction boxes
- Properly strap cables, boxes and conduits in first floor and basement.
- install/replace GFCI receptacle in first bathroom adjacent to the sink
- Ground bathroom light in first and second bathroom and disconnect receptacle on fixture
- Install globe-type enclosed light fixture on all closet lights
- Remove all cord wiring, open splices and wire in shed to west.
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- 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
- Remove and or/ re-wire all illegal, improper or hazardous wiring throughout the building.
- Replace all painted-over receptacles.
- Throughout building, install outlets and light fixtures as specified in Bulletin 80-1.
- Move meter outside; install a new 100 amp service wire to code. Basement, wire furnace to code. First floor, add receptacles to every room per bulletin 80-1. Second floor center bedroom, add third receptacle, remove all open and disconnected wires.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.

- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

- Basement - Gas Piping - replace corroded piping (IFGC 406.1.2)
- 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 - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Soil and Waste Piping - replace corroded cast iron or steel waste piping (MPC 0200)
- Basement - Water Heater - No gas shut off or gas piping incorrect (IFGC 402.1)
- Basement - Water Heater - Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - gas venting incorrect (IFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Meter - support meter properly (MPC 2280)
- Basement - Water Piping - run 1 inch water line from meter to first major take off (SPRWS Water Code)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- First Floor - Lavatory - unvented (MPC 0200. E)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - incorrectly vented (MPC 2500)
- First Floor - Toilet Facilities - waste incorrect (MPC 2300)
- First Floor - Tub and Shower - incorrectly vented (MPC 2500)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - waste incorrect (MPC 2300)
- Second Floor - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- Second Floor - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Second Floor - Laundry Tub - unvented (MPC 0200 E)
- Second Floor - Laundry Tub - waste incorrect (MPC 2300)
- Second Floor - Laundry Tub - water piping incorrect (MPC 0200 P.)
- Second Floor - Lavatory - unvented (MPC 0200. E)
- Second Floor - Lavatory - waste incorrect (MPC 2300)
- Second Floor - Lavatory - water piping incorrect (MPC 0200 P.)
- Second Floor - Toilet Facilities - unvented (MPC 0200. E)
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)

- Second Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- Second Floor - Tub and Shower - unvented (MPC 0200. E)
- Obtain plumbing permits prior to commencement of work.

HEATING

- 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.
- 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.
- All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
- Repair and/or replace heating registers as necessary.
- Provide heat in every habitable room and bathrooms.
- Remove unapproved wood burning stove.
- Run condensate drain from furnace in basement to an approved location and secure as needed.
- Provide room-by-room heat loss calculations.
- Install ductwork to code.
- Gas and ventilation 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 **March 15, 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 **Rich Singerhouse** between the hours of 8:00 and 9:30 a.m. at **651-266-1945**, or you may leave a voice mail message.

Sincerely,

Rich Singerhouse
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council