



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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361.0

April 16, 2015

06-267577

Michele Miller/Patrick Keeler  
1248 12th Ave NW  
St Paul MN 55112-6402

## 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:**

**1059 VAN SLYKE AVE**

With the following Historic Preservation information: NONE

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

Warrendale Lot 26 Blk 5

**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 March 23, 2015 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 two-stall garage.

The following is excerpted from the March 8, 2013 Code Compliance Inspection Report:

### **BUILDING**

- Tuck Point interior/exterior of foundation as necessary.
- 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).
- Maintain one hour fire separation between dwelling units and between units and common areas.
- 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.
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary.
- 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.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
- 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 rain leaders to direct drainage away from foundation.
- Remove trees which are against foundation of home and garage.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Install safety glass in window on basement stair landing.
- Install handrails to code on basement stairs.
- Install safety glass in window on rear stair landing to 2nd floor.
- Replace rear header over 2nd floor porch windows and have inspected before covering.
- Install safety glass in window over 2nd floor bathtub.
- Repair front porch, needs new decay resistant framing for post to foundation and re-leveling for 1st. and 2nd floor.
- Insure 3rd. floor is insulated to code over front porch.
- Install handrails and guardrails to code in attic or 3rd. floor.
- Install handrail at front steps (at house and at street )

- Provide major repair to garage on north side , foundation requires repairs and plans for reconstruction.
- 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
- Verify/install a separate 20 ampere laundry circuit and a separate 20 ampere kitchen appliance circuit
- Properly strap cables and conduits in basement/ service conduit on the exterior of the house.
- Ground bathroom light in basement/first bathroom/second bathroom and disconnect receptacle on fixture
- Remove all cord wiring
- 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 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Install exterior lights at front/side/back entry doors
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit
- Install box extensions on paneled walls.
- Verify for correct electrical installations above ACT ceilings and correct if necessary.
- Properly wire boiler circulation pump.
- Install main bonding jumpers.
- Correctly install wiring on rear porch.
- Provide disconnect for water heater.
- Attach service knob.
- Ensure installation of common area circuits from each service panel
- Based on repair list, purchase permit for a minimum of 12 circuits
- 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 current NEC.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

### **PLUMBING**

- Basement - Water Heater - No gas shut off or gas piping incorrect (MFGC 402.1)
- Basement - Water Heater - Vent must be in chimney liner (MFGC 501.12)
- Basement - Water Heater - gas venting incorrect (MFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Meter - raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Meter - service valves not functional or correct (MPC 1800 Subp 3,4)
- Basement - Water Meter - support meter properly (MPC 2280)
- Basement - Water Piping - add appropriate hangers (MPC 1430 Subp. 4)

- Basement - Water Piping - boiler fill water line requires backflow assembly or device (MPC 2100)
- Basement - Water Piping - provide water piping to all fixtures and appliances (MPC 1700)
- 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 (MFGC 411)
- Basement - Gas Piping - run dryer vent to code (MFGC 614.1 - 614.7)
- Basement - Soil and Waste Piping - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Laundry Tub - incorrectly vented (MPC 2500)
- Basement - Laundry Tub - provide a vacuum breaker for the spout (MPC 2000 B)
- Basement - Laundry Tub - waste incorrect (MPC 2300)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- First Floor - Tub and Shower - Provide a vacuum breaker for the handheld shower (MPC 2000 B)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- Second Floor - Sink - incorrectly vented (MPC 2500)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- 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 - waste incorrect (MPC 2300)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- 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**

- Install approved level handle manual gas shutoff valve on furnace/boiler and remove unapproved valve
- Clean and Orsat test both boiler burners. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating units are safe.
- Install approved metal chimney liner
- Connect boiler and water heaters venting into chimney liner.
- 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 and unapproved valves.

- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- Provide heat in every habitable room and bathrooms
- Support supply and return piping from heating system according to code
- Conduct witnessed pressure test on gas piping systems and check for leaks
- Pipe boiler pressure relief valve discharge full outlet size to within 18 inches of the floor.
- Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
- Repair or replace fin tube radiation and covers as needed
- Repair or replace radiator valves as needed
- Place cast iron and copper fin tube radiation on separate heating zones.
- Mark each boiler to which dwelling unit it serves.
- Install isolation valves on boiler supply and return pipes.
- 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 **May 16, 2015** 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