



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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321.0

March 6, 2015

09-224052

TCM Properties LLC
5858 Blackshire Path
Inver Grove Heights MN 55076-1620

Mark Kneer
923 Payne Ave
St 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:

1839 ST ANTHONY AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Union Park Subj To Hwy Lot 53

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 20, 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 deficiency list is excerpted from the July 29, 2013 Code Compliance Report.

BUILDING

- Dry out basement and eliminate source of moisture.
- 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.
- 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.
- 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 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 downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Rebuild front deck to code or remove.
- Replace steps on west side deck and install deck to house with proper flashing.
- Cover exposed foam around house foundation with approved materials.
- Repair west side yard fence or remove.

- Rebuild rear steps to 2nd floor deck to code with code approved materials and install frost footings.
- Replace east side entry steps to code.
- Repair or remove fireplace on first floor with called for inspections.
- Replace or remove water damaged drywall in basement
- All open walls need framing and insulation inspections before covering.
- Newly installed drywall was installed without inspections (remove)
- Replace or rebuild basement steps (risers not uniform)
- 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 that fuse/circuit breaker amperage matches wire size
- Close openings in service panel/junction boxes with knockout seals, breaker blanks, 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
- 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 (no power at time of inspection).
- 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
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Replace all painted-over receptacles.
- Repair garage feed conduit on exterior and install properly rated cable.
- Secure service conduits on interior of house.
- Properly install disposal circuit under kitchen sink on 1st floor.
- Properly wire all open and newly finished walls and ceilings to current NEC standards
- 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 - T and P relief discharge piping incorrect (MPC 2210 Subp. 4)
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)

- Basement - Water Heater - gas venting incorrect (MFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Meter - corroded piping; incorrect piping (MPC 0200 0.)
- Basement - Water Meter - service valves not functional or correct (MPC 1800 Subp 3,4)
- 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 - run dryer vent to code (MFGC 614.1 - 614.7)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- First Floor - Lavatory - faucet is missing, broken, or parts missing (MPC 0200.P.)
- First Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Lavatory - unvented (MPC 0200. E)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Sink - incorrectly vented (MPC 2500)
- First Floor - Sink - water piping incorrect (MPC 0200 P.)
- First Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- First Floor - Toilet Facilities - unvented (MPC 0200. E)
- First Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- First Floor - Tub and Shower - unvented (MPC 0200. E)
- Second Floor - Lavatory - faucet is missing, broken, or parts missing (MPC 0200.P.)
- Second Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- Second Floor - Tub and Shower - Provide access (MPC 0900)
- Second Floor - Tub and Shower - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Second Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- 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 lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
- 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.
- Vent clothes dryer to code
- Plug, cap and/or remove all disconnected gas lines
- 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.
- All supply and return ducts for warm air heating system must be clean before final approval for occupancy. 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
- A forced warm air heating system may only serve one dwelling unit - dwelling separation required.
- Verify that A/C system is operable, if not, repair, replace or remove and seal all openings.
- Mechanical gas permit is 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 **April 5, 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 **Joe Yannarely** between the hours of 8:00 and 9:30 a.m. at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

Joe Yannarely
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council