



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
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361

May 1, 2012

08-144213

DRB#24 LLC
PO Box 16595
St Paul MN 55116-0595

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:

461 SHERBURNE AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Smiths Sub Of Stinsns Div B9 1 Lot 40 Blk 15

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 April 11, 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 house.

The following Deficiency List is excerpted from the January 29, 2009 Code Compliance Report.

BUILDING

1. Repair chain link fence as necessary.
2. Re-level front entry landing and step.
3. Rehabilitate kitchen cabinets or replace.
4. Provide tempered glazing in upstairs bedroom at rear of house, east side.
5. Remove and replace carpet and vinyl throughout house.
6. Remove and replace suspended ceiling tile that is stained or damaged throughout house.
7. Provide exhaust fan at bathroom on main level.
8. Provide support or straps to stringers at rear entry steps going to upper level.
9. Install pickets where missing on main level deck.
10. Infill and completely seal opening in foundation wall at rear of house.
11. Insure basement cellar floor is even, is cleanable, and all holes are filled.
12. Install handrails and guardrails at all stairways, including basement stairways, per attachment.
13. Strap or support top of stair stringers.
14. Tuck Point interior/exterior of foundation.
15. Install floor covering in the bathroom and kitchen that is impervious to water.
16. Install tempered or safety glass in window over bathtub to Code.
17. Provide thumb type dead bolts for all entry doors. Remove any surface bolts.
18. Repair or replace any deteriorated window sash, broken glass, sash holders, re-putty etc. as necessary.
19. Provide complete storms and screens, in good repair, for all door and window openings.
20. Provide fire block construction as necessary.
21. Re-level structure as much as is practical.
22. Where wall and ceiling covering is removed install full-thickness or code-specified insulation.
23. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St. Paul Legislative Code, Chap. 34 for additional information).
24. Any framing members that 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 headered, etc.) are to be reconstructed as per code.
25. Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft., one-half of which shall operate; and all bedroom windows shall meet emergency egress requirements (20" minimum width, 24" minimum

height, but not less than 5.7 sq. ft. overall openable area; minimum 5.0 sq. ft. openable area if sill height is within 44 inches of grade).

26. Provide general clean-up of premise.
27. Provide smoke detectors per the Minnesota Building Code and carbon monoxide detectors per State law.
28. Repair siding, soffit, fascia, trim, etc. as necessary.
29. Provide weather-sealed, air-sealed, and vermin-sealed exterior.
30. Provide proper drainage around house to direct water away from foundation.
31. Replace or repair landing and stairway per code.
32. Repair or replace damaged doors and frames as necessary, including storm doors.
33. Weather-seal exterior doors.
34. Air-seal and insulate attic access door in an approved manner.
35. Dry out basement and eliminate source of moisture.
36. Remove mold, mildew and moldy or water-damaged materials.
37. Install water-proof enclosure in shower area.
38. Cover water meter pit with concrete or decay-resistant, screwed-down cover.

ELECTRICAL

1. Ground the electrical service to the water service with a copper conductor within 5' of the entrance point of the water service.
2. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC.
3. Provide a complete circuit directory at service panel indicating location and use of all circuits.
4. Verify/install a separate 20 ampere laundry circuit & a separate 20 ampere kitchen appliance circuit.
5. Verify that fuse/circuit breaker amperage matches wire size.
6. Close open knockouts in service panel/junction boxes with knockout seals.
7. Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched from the top of the stairs.
8. Ground bathroom light in first and second bathroom and disconnect receptacle on fixture.
9. Remove all cord wiring.
10. Repair or replace all broken, missing or loose light fixtures, switches & outlets, covers and plates.
11. Check all outlets for proper polarity and verify ground on 3-prong outlets.

12. Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code.
13. Throughout building, install outlets and light fixtures as specified in Bulletin 80-1.
14. Install hard-wired, battery backup smoke detector as specified in Bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms.
15. Install exterior lights at front/side/back entry doors.
16. *All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.*
17. *All electrical work must be done by a Minnesota- licensed electrical contractor under an electrical permit.*
18. *Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.*
19. *All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1)*
20. Verify wiring above suspended ceilings.
21. Properly wire and ground first and second floor bath lights.
22. Add one receptacle in southwest bedroom, southeast bedroom and northeast bedroom.

PLUMBING

All plumbing work requires permit(s) and must be done by a plumbing contractor licensed in Saint Paul.

Basement

1. The water heater has no gas shutoff or gas piping is incorrect and the gas venting and water piping are incorrect.
2. The water heater is not fired or in service. Verify vent is connected to proper chimney liner.
3. Raise water meter to minimum 12" above floor and properly support meter.
4. The water meter is removed and not in service and the service valves are not functional or correct.
5. The water meter has corroded and incorrect piping.
6. Remove water meter from pit.
7. Repair or replace all corroded, broken or leaking water piping.
8. Provide water piping to all fixtures and appliances. All water piping missing – replace per code.
9. Replace corroded gas piping.
10. The dryer gas shutoff, connector or gas piping is incorrect. Add appropriate hangers.
11. The soil and waste piping has no front sewer cleanout and no soil stack base cleanout.

12. The soil and waste has unplugged, open or back pitched piping and has improper pipe supports and improper connections, transitions, fittings or pipe usage. Add appropriate hangers.
13. The laundry tub waste and water piping are incorrect and incorrectly vented.
14. The laundry tub fixture and faucet is broken or parts missing. Replace per code remaining piping that is incorrect.

First Floor

15. The kitchen sink waste and water piping is incorrect and un-vented.
16. The kitchen sink faucet is missing, broken or parts missing.
17. The water closet is incorrectly vented.
18. The tub and shower waste is incorrect and incorrectly vented. The faucet is missing, broken or parts missing. Replace waste and overflow and provide a stopper.
19. The water closet is incorrectly vented.
20. The tub and shower waste is incorrect and incorrectly vented. The faucet is missing, broken or parts missing. Replace waste and overflow and provide stopper.
21. The range gas shutoff, connector or gas piping is incorrect.

Second Floor

22. The lavatory waste is incorrect and incorrectly vented and the faucet is missing, broken or parts missing.
23. The water closet fixture is broken or parts missing.
24. The tub water piping is incorrect and incorrectly vented. Replace waste and overflow.
25. The lawn hydrant(s) are broken or parts missing and requires backflow assembly or device.

HEATING

26. 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.
27. Vent clothes dryer to code.
28. Provide adequate combustion air and support duct to code.
29. Install flue venting to code.
30. Enclose flue vent on first level, maintain minimum one inch clearance to combustibles.
31. Clean all supply and return ducts for warm air heating system.
32. Repair and/or replace heating registers as necessary.
33. Install attached duct buried in wall to the appropriate register.
34. Gas and warm air 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 **June 1, 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.

May 1, 2012
461 SHERBURNE AVE
page 7

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

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