



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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361

February 15, 2013

11-312710

Mark D Shirley  
6810 Sand Ridge Rd  
Eden Prairie MN 55346-2940

## 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:**

**437 GOODHUE ST**

With the following Historic Preservation information: NONE

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

Winslows Addition Ex N 40 Ft The Fol Lot 9 And W 1/2 Of Lot 10 Blk 21

**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 13, 2013 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. The following Deficiency List is excerpted from the November 23, 2011 Fire Certificate of Occupancy Revocation and Order to Vacate letter.

1. Basement - MFGC 501.2 - Provide, repair or replace the fuel equipment vent to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-9090. -Properly install all three water heater vents.
2. Basement - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.
3. Basement - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair will require a building permit; call DSI at (651) 266-9090. The main beam is not properly supported.-Provide an approved support for all structural members. Obtain approval under permit.
4. Basement - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989.- Properly install dryer vent under permit or remove and cap in an approved manner.
5. Basement - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair the leaking water pipes and/or fixtures near the water meter.
6. Basement - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.
7. Exterior - Rear - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.
8. Exterior - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair damaged siding.
9. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Also repair damaged soffit and fascia.
10. Exterior - SPLC 34.11 (8), 34.34 (4) - Provide approved garbage containers impervious to weather.
11. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

12. Exterior - NFPA 211,9-2 - Have the chimneys, fireplaces, and vents inspected for soundness, freedom from deposits, and correct clearances. Cleaning, maintenance, and repairs shall be done if indicated by the inspection.-Repair damaged chimney.
13. Exterior - MSFC 506.2 - Call Fire Department communication center at (651) 224-7371 to make arrangements to have the keybox opened when you have the correct keys on site.
14. Interior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Paint windows where paint is chipped or peeling.
15. Interior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Repair broken windows.
16. Interior - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
17. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
18. Interior - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
19. Rear Porch - 1st Floor - MSFC 315.2 - Provide and maintain orderly storage of materials.
20. Rear Porch - 1st Floor - MSFC 3404.3.4, SPLC 34.15 (1) - Reduce and maintain the flammable or combustible liquids storage quantity in accordance with MSFC 2703.1.1(1) or other approved storage methods.-Remove gas can from the building.
21. Rear Porch - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.
22. Rear Porch - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
23. Unit 1 - Bathroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.
24. Unit 1 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
25. Unit 1 - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair leaking sink drain.

26. Unit 1 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
27. Unit 1 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair non-working outlet. -Repair outlet that has an open neutral.
28. Unit 1 - Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.
29. Unit 1 - Kitchen - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
30. Unit 1 - Living Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair loose outlet.
31. Unit 1 - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair broken closet door.
32. Unit 1 - North Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair or replace damaged window and frame in an approved manner.
33. Unit 1 - North Bedroom - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove air conditioner from egress window.
34. Unit 1 - North Bedroom - NEC 440.13 - For cord-connected equipment such as room air dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-Air conditioner is plugged into a non-grounded extension cord. -Relocate the air conditioner to an approved location with an approved outlet.
35. Unit 1 - North Bedroom - NEC 410-8 (b) (1) - Provide for the incandescent fixtures in closets to have a completely enclosed lamp.
36. Unit 1 - North Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
37. Unit 1 - North Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair non-working outlet.
38. Unit 1 - South Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
39. Unit 1 - MSFC 703 - Provide, repair or replace the fire rated door and assembly.-Repair and maintain the door closer.

40. Unit 1 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair three prong outlets that have no ground.
41. Unit 2 - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. -Repair improperly working GFI outlet.
42. Unit 2 - Kitchen - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-Microwave is plugged into an extension cord. The microwave must plug directly into an approved outlet.
43. Unit 2 - Porch - MSFC 3404.3.4, SPLC 34.15 (1) - Reduce and maintain the flammable or combustible liquids storage quantity in accordance with MSFC 2703.1.1(1) or other approved storage methods.-Remove all gas cans from the building.
44. Unit 2 - Porch - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.
45. Unit 2 - Porch - MSFC 1011.2 - Remove the materials that cause an exit obstruction or remove the non-required exit stairs under permit. This work may require a permit. Contact DSI at 651-266-9090.
46. Unit 2 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
47. Unit 2 - MSFC 315.2 - Provide and maintain orderly storage of materials.
48. Unit 3 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
49. Unit 3 - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.
50. Unit 3 - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-The unit cannot be occupied without gas service.
51. Unit 3 - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-The unit cannot be occupied without electrical service.

52. Unit 3 - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F.-There is no hot water.
53. Unit 3 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
54. Unit 3 - MN Rules 1300.0180 - Discontinue use of unsafe heating appliance until repaired or replaced or removed by a licensed contractor. This work will require a permit(s). Call DSI at (651) 266-9090. -Contact a licensed contractor to remove the unused heating appliance and remove and cap the gas lines in an approved manner. Obtain approval under permit.
55. Unit 3 - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition. -Repair damaged windows and frames in Unit 3 and where needed throughout the building.
56. Unit 3 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair or replace the damaged or deteriorated ceiling.
57. Unit 3 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
58. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit an approved completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
59. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **March 17, 2013** 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