



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

331

November 16, 2010

09-025394

Tatyanna Detomaso/Alice J Garcia
1045 Hudson Rd
Saint Paul MN 55106-6106

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:

1070 MCLEAN AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Drakes Re Of B28 1011 11b11 W 1/2 Of Lot 12 & All Of Lot 13 Blk 9

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 August 26, 2010, 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 single story, wood frame, single family house and its single stall, wood frame, detached garage.

The following is the list of deficiencies to be corrected as stated in the March 1, 2010 Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, 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
- Permanently secure top and bottom of support posts in an approved manner
- Cover water meter pit with concrete or decay resistant, screw down cover
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Strap or support top of stair stringers
- 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 operable hardware at all doors and windows
- Provide thumb type deadbolts for all entry doors. Remove any surface bolts
- Repair or replace damaged doors and frames as necessary, including storm doors
- Weather seal exterior doors
- 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 procedure if lead base paint is present (See St Paul Legislative Code, Chap. 34 for additional information).
- Any framing members that do not meet code (where wall and ceiling covering is removed, members that are over-spanned, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner
- Install attic insulation according to applicable code
- Air-seal and insulate attic access door in an approved manner
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Provide general clean-up of premise
- Provide weather sealed, air sealed and vermin sealed exterior
- Repair siding, soffit, fascia, trim, etc. as necessary
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of dwelling.
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of garage.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around garage to direct water away from foundation of garage.

- Install downspouts and a complete gutter system where needed.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and alley.
- Close in open stair risers to maintain an opening no greater than 4 inches
- A building permit is required to correct the above deficiencies
- Remove all water damaged materials - sheet rock and insulation and sub-floor and have inspected before covering.
- Many areas of roof leaking into structure. Call for framing inspection when all decayed materials removed and framing repaired.

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 box with knock out seals, breaker blanks and/or junction boxes
- 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
- Install globe-type enclosed light fixture on all closet lights
- 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
- 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 in basement/garage
- Throughout building, install outlets and light fixtures as specified in Bulletin 80-1.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.
- 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).

PLUMBING

- Basement - Water Heater - Vent must be in chimney liner
- Basement - Water Heater - not fired or in service
- Basement - Water Meter - raise meter to a minimum 12 inches above floor
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping
- Basement - Water Piping - run 1 inch water line from meter to first major take off
- Basement - Soil and Waste Piping - no soil stack base clean out
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Lavatory - faucet is missing, broken, or parts missing
- First Floor - Lavatory - waste incorrect
- First Floor - Sink - waste incorrect
- First Floor - Toilet Facilities - waste incorrect
- First Floor - Tub and Shower - provide anti-scald valve
- First Floor - Tub and Shower - waste incorrect
- Exterior - Lawn Hydrants - Requires backflow assembly or device

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 leaks; provide documentation from a licensed contractor that the heating unit is safe.
- Provide thirty (30) inches of clearance in front of furnace/boiler for service.
- Install approved metal 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.
- Provide appropriate size operable window in bathrooms or provide exhaust system vented to outside. A mechanical ventilation permit required is required if an exhaust system is installed.
- Install furnace air filter access cover.
- 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.
- Submit documentation from a licensed contractor that the wood burning fireplace is clean and safe for use or permanently seal openings.
- Extend condensate drain from pump to an approved location and secure as needed.
- A gas mechanical 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 **December 17, 2010**, 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

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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: Mary Erickson - Council Research
Cindy Carlson - PED Housing
Amy Spong – Heritage Preservation

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