



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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331.0

September 30, 2015

12-001912

Vicious Properties LLC
3153 Eagle Valley Drive
Woodbury MN 55129-4268

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:

373 RUTH ST N

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Hudson Road Gardens Subj To St And Ex W 100 Ft Lot 4 And Ex W 100 Ft The S 40 Ft Of Lot 3 Also Subj To Hwy And Ex W 100 Ft Lot 5 Blk 8

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 September 17, 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 one-story block masonry and steel girder commercial building

The following is excerpted from the April 3, 2015 Certificate of Occupancy Vacant Building Deficiency List:

DEFICIENCY LIST

1. Exterior - Address Numbers - SPLC 71.01 - The address posted is not visible from street. - Provide reflective numbers or background or illuminate at night.
2. Exterior - Electrical Service - MSFC 605.1 - All identified electrical hazards shall be abated. - Remove tree branches which are growing into the overhead electrical service cables.
3. Exterior - Lighting - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989. - Repair exposed and damaged wiring for exterior light pole at Southeast corner of property. Repair or remove light pole at Southwest corner of building where leaning significantly.
4. Exterior - North Side - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. - Repair broken window.
5. Exterior - Walls - SPLC 34.09 (1) b,c, 34.33 (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. - Scrape and paint where peeling. Repair damaged areas of wall material.
6. Exterior - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. - Provide approved weather-covers for outlets where damaged or missing.
7. Exterior - MSFC 304.1 - Remove excessive combustible storage and/or vegetation from exterior property areas.
8. Exterior - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-8989. - Repair damaged asphalt parking surface as necessary throughout. Re-stripe the lot and mark out parking spaces in an approved manner per zoning code.
9. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
10. Fire Extinguisher - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
11. Gas Service - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. - Restore gas service which is disconnected and locked by Xcel Energy.

12. LP Heater - MSFC 38.01, NFPA 58 - Immediately remove the two 20lb LP tanks from the interior of building and discontinue use of unvented LP 'torpedo' heater inside the building.

13. Occupancy - SPLC 40 - Uncertified portions of the building must not be occupied until inspected and approved by this office. - Building is currently a Registered Vacant Building with a revoked Certificate of Occupancy. No use of the building for storage or any other business operations is approved prior to obtaining Certificate of Occupancy.

14. Occupancy - SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy. - The entire building appears to be in process of converting to M-occupancy Mercantile occupancy. Approval for any mercantile use of the building will require building department approval under permit.

15. Occupancy - SPLC 34.19 - Provide access to the inspector to all areas of the building.- Access is needed to full interior of building for inspection prior to re-certification of property.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **October 30, 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 **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: Legistar Approval list and City Council