



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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361.0

May 12, 2015

05-121328

Dale G. Mays  
Sylvia M. Wilhelmi  
33188 361st Ave  
Le Sueur MN 56058-3314

## 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:**

**1004 GROTTO ST N**

With the following Historic Preservation information: NONE  
**and legally described as follows, to wit:**

Ware And Hospes Additionto St All Of Vac Hatch St Accruing & Fol; The S 42 Ft Of  
Lots 20 21 & Lot 22 Blk 5

**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 May 6, 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.

The following deficiency list is excerpted from the June 8, 2010 Code Compliance Report:

**BUILDING**

- Insure basement cellar floor is even, is cleanable, and all holes are filled.
- Dry out basement and eliminate source of moisture.
- Permanently secure top and bottom of support posts in an approved manner.
- Install 20 minute fire rated doors, with self-closing device, between common areas and individual units. All penetrations required to have property in tumescent 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.
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- 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.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- Provide major clean-up of premises.
- Verify proper venting of bath exhaust fan to 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.
- Provide proper drainage around house to direct water away from foundation of house.
- Install rain leaders to direct drainage away from foundation.
- Provide durable, dustless parking surface as specified in the zoning code.
- Close in open stair risers to maintain an opening no greater than 4 inches
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Replace front steps to code top riser to high.
- Install footings to code for rear deck and stairs.
- Repair stucco at rear deck and rim joist. This require stucco permit.
- Install permanent post to code in basement.
- A building permit is required to correct the above deficiencies.

## **ELECTRICAL**

- Prior remodel not complete and permits are expired. Obtain proper permit for services and circuits for completion of remodel
- 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 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

## **PLUMBING**

- Basement - Water Heater - not fired or in service
- Basement - Water Meter - meter is removed or not in service
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping
- Basement - Soil and Waste Piping - add appropriate hangers
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping
- Basement - Laundry Tub - provide a vacuum breaker for the spout
- First Floor - The sink, lavatory and toilet are not set.
- First Floor - Tub and Shower - faucet is missing, broken or parts missing
- First Floor - Tub and Shower - replace waste and overflow
- Second Floor - The sink and lavatory are missing and the toilet is not set
- Second Floor - Tub and Shower - Provide access
- Exterior - Lawn Hydrants - Requires backflow assembly or device
- Obtain plumbing permits prior to commencement of work.

## **HEATING**

- 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.
- Vent clothes dryer to code.
- Provide appropriate size operable window in bathrooms 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 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.
- Gas and warm air mechanical permits are required for the above work and for the new furnace installed since initial code compliance inspection.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **June 11, 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.

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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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