



April 23, 2019

Henry Le
10104 Welcome Ave N
Brooklyn Park MN 55443-2079

Order to Abate Nuisance Building(s)

Dear Henry Le:

The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:

871 JESSAMINE AVENUE EAST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

EASTVILLE HEIGHTS EX E 20 FT LOT 29 AND ALL OF LOT 28 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 April 1, 2019 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, single-family dwelling with a detached two-stall garage.

The following is excerpted from the November 8, 2017 expired Code Compliance Report:

BUILDING

1. Dry out basement and eliminate source of moisture.
2. Repair walls, ceiling and floors throughout, as necessary.
3. 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.
4. Where wall and ceiling covering is removed install full thickness or code specified insulation.
5. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
6. Provide major clean-up of premises.
7. Provide weather sealed, air sealed and vermin sealed exterior.
8. Repair siding, soffit, fascia, trim, etc. as necessary.
9. Provide proper drainage around house to direct water away from foundation of house.
10. Provide proper drainage around house to direct water away from foundation of garage.
11. Install rain leaders to direct drainage away from foundation.
12. 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.
13. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
14. Repair area under front door, water and rodents getting in basement.
15. Remove north east corner bedroom ceiling new drywall and have inspected.
16. Repair kitchen cabinets.
17. Repair or replace bottom panel on overhead garage door.
18. Replace damaged garage siding and trim.
19. Pull garage together, sidewalls spreading and ridge on roof is dropping in center.
20. Repair damaged fence and gates.
21. Install flashing to code for second floor deck.
22. Provide proper clearance and head height to code for second floor bathroom.
23. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary.
24. Provide complete storms and screens, in good repair for all door and window openings.
25. Provide functional hardware at all doors and windows.
26. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
27. Repair or replace damaged doors and frames as necessary, including storm doors.
28. Weather seal exterior doors, threshold and weather-stripping.
29. Install floor covering in bathroom and kitchen that is impervious to water.
30. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

ELECTRICAL

1. Repair the electrical service grounding conductor to the metallic water piping system. Install a conductor sized to Table 250.66 (NEC) from the electrical service to within 5' of the entrance point of the water service, and bond around the water meter.
2. Install hard-wired, battery backup, Carbon Monoxide smoke detector as specified in Chapter 58 of the Saint Paul Legislative Code, and other smoke detectors and carbon monoxide detectors as required by the Minnesota State Building Code.
3. Properly support/wire exterior luminaire (light fixture) at entry door.
4. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
5. Replace conduit/fittings due to excessive corrosion.
6. Repair damaged electrical to current NEC.
7. Install listed boxes for all light fixtures inside and outside.
8. Install GFCI receptacles in bathrooms per NEC.
9. Provide proper clearance for overhead service entrance conductors per the NEC.
10. No access to garage at time of inspection. Insure garage is wired to NEC.
11. Provide a complete circuit directory at service panel indicating location and use of all circuits.
12. Replace circuit breakers in electrical panel that are not listed for that panelboard with proper breakers.
13. Verify that fuse/circuit breaker amperage matches wire size in panel. Replace improperly sized overcurrent devices.
14. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
15. Properly strap and support cables and/or conduits.
16. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
17. Check all receptacles for proper polarity (including 2-prong) and verify ground on 3-prong receptacles. Ensure all GFCI receptacles are functioning properly. Rewire and/or replace receptacles that are improperly wired or not functioning properly.
18. Install box extensions on devices mounted in wood paneling.
19. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement -Gas Piping - Vent clothes dryer to code.
2. Basement -Plumbing - General - Remove all unused waste, vent, water and gas piping to the main and cap or plug to code.
3. Basement -Soil and Waste Piping - Plug all open piping and properly pitch all piping.
4. Basement -Soil and Waste Piping - Replace all improper connections, transitions, fittings or pipe usage.
5. Basement -Soil and Waste Piping - Replace all corroded cast iron, steel waste or vent piping.
6. Basement -Sump Pump/Basket - Provide a properly secured cover.
7. Basement -Sump Pump/Basket - Run the subsoil drain sump water to the outside of the building.
8. Basement -Sump Pump/Basket - Install a code compliant subsoil sump, pump, and piping.
9. Basement -Water Heater - Correct the pressure and temperature relief valve discharge.

10. Basement -Water Heater - Install the water heater gas venting to code.
11. Basement -Water Heater - The water heater venting requires a chimney liner.
12. Basement -Water Heater - Install the water piping for the water heater to code.
13. Basement -Water Heater - The water heater must be fired and in service.
14. Basement -Water Meter - Raise the water meter to a minimum of 12 inches above the floor.
15. Basement -Water Meter - Support the water meter to code.
16. Basement -Water Meter - The water meter must be installed and in service.
17. Basement -Water Meter - The service valves must be functional and installed to code.
18. Basement -Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
19. Basement -Water Piping - Replace all the improperly sized water piping.
20. Basement -Water Piping - Replace all the improper fittings and fittings that have improper usage.
21. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
22. First Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
23. First Floor -Lavatory - Install a proper fixture vent to code.
24. First Floor -Lavatory - Install the waste piping to code.
25. First Floor -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.
26. First Floor -Lavatory - Repair/replace the faucet that is missing, broken or has parts missing.
27. First Floor -Plumbing - General - Provide a water tight joint between the fixture and the wall or floor.
28. First Floor -Sink - Install the water piping to code.
29. First Floor -Sink - Repair/replace the faucet that is missing, broken or has parts missing.
30. First Floor -Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
31. First Floor -Toilet Facilities - Install a proper flanged fixture connection on a firm base.
32. First Floor -Tub and Shower - Repair/replace the faucet that is missing, broken or has parts missing.
33. First Floor -Tub and Shower - Install a hot water temperature limiting device.
34. First Floor -Tub and Shower - Replace the waste and overflow.
35. First Floor -Tub and Shower - Provide an approved waste stopper.
36. Second Floor -Lavatory - Install the waste piping to code.
37. Second Floor -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.
38. Second Floor -Plumbing - General - Provide proper fixture spacing.
39. Second Floor -Toilet Facilities - Install a proper flanged fixture connection on a firm base.
40. Second Floor -Tub and Shower - Repair/replace the fixture that is missing, broken or has parts missing.
41. Second Floor -Tub and Shower - Install a hot water temperature limiting device.

42. All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4714, Minnesota Rules Chapter 326, 4716, 1300, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and Saint Paul Regional Water Services Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul by a plumber licensed in the State of Minnesota who also possess a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

MECHANICAL

1. Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.
2. Provide a means of returning air from every habitable room to the furnace. Return air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
3. Replace furnace flue venting to code.
4. Provide adequate clearance from flue vent pipe on furnace to combustible materials or provide approved shielding according to code.
5. Vent clothes dryer to code and provide approved gas piping and valve (plumbing or mechanical gas permit is required).
6. Provide adequate combustion air and support duct to code.
7. Provide support for gas lines to code.
8. Plug, cap and/or remove all disconnected gas lines, non-conforming gas lines and unapproved valves.
9. Bathrooms require a means to ventilate the space. Provide a window with an aggregate glazing area of not less than 3 square feet, one half of which must be operable. Alternative is a bath fan properly vented to the outside. All kitchen exhaust must be venting to exterior. A mechanical ventilation permit will be required for the bath fan and/or kitchen exhaust.
10. Provide all supply and return ducts for warm air heating system must be clean before final approval for occupancy. Documentation is required from a licensed duct-cleaning contractor that the duct system has been cleaned.
11. Repair and/or replace heating registers as necessary.
12. Provide heat in every habitable room and bathrooms.
13. Submit documentation verifying that A/C system is operable, if not, repair, replace or remove and seal all openings.
14. Run condensate drain from furnace and A/C unit coil in basement to an approved location according to manufacturers' installation requirements and secure as needed.
15. Unable to gain entry to garage during inspection, however chimney vent is visible through the roof. If there is any nonconforming heating equipment in the garage, remove it and all connecting piping and venting and permanently seal and plug all openings or install equipment to code.
16. Mechanical GAS, REF and WAV 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 **May 23, 2019** 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 **Tom Friel** at **651-266-1906**, or you may leave a voice mail message.

Sincerely,

Tom Friel

Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council