



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

JAN 31 2022

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number \_\_\_\_\_)
- Copy of the City-issued orders/letter being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR  Mail-In
- for abatement orders only:  Email OR  Fax

**HEARING DATE & TIME**

(provided by Legislative Hearing Office)  
Tuesday, February 8, 2022

Time:

1:00 p.m.

Location of Hearing:

Teleconference due to Covid-19 Pandemic

## Address Being Appealed:

Number & Street: 1340 Searle Street City: Saint Paul State: MN Zip: 55130

Appellant/Applicant: Matthew Wergin Email mwergin@gmail.com

son of Scott Wergin

Phone Numbers: Business na Residence na Cell +43 650 674 1145

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Owner (if other than Appellant): Scott Wergin

Daughter Emily Fabel lives at

Mailing Address if Not Appellant's: 251 Bridge Road, Florence MA, 01062

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell +43 650 674 1145

## What Is Being Appealed and Why? *Attachments Are Acceptable*

- Vacate Order/Condemnation/Revocation of Fire C of O \_\_\_\_\_
- Summary/Vehicle Abatement \_\_\_\_\_
- Fire C of O Deficiency List/Correction \_\_\_\_\_
- Code Enforcement Correction Notice \_\_\_\_\_
- Vacant Building Registration \_\_\_\_\_
- Other (Fence Variance, Code Compliance, etc.) \_\_\_\_\_



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806Telephone: 651-266-8989  
Facsimile: 651-266-1919  
www.stpaul.gov/dsi

January 26, 2022

Scott Evans Wergin  
1340 Searle St  
St Paul MN 55130-3426

Customer #:1636418

Bill #: 1628765

**VACANT BUILDING REGISTRATION NOTICE**

The premises at **1340 SEARLE ST** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,127.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

**Payment must be received by February 26, 2022.**

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
**Do Not Mail Cash**

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

**If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

**Category 2:** Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

**Category 3:** All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer , James Hoffman, at 651-266-1947 to find out what must be done before this building can be legally reoccupied.**

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, James Hoffman, at 651-266-1947.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: jh  
vb\_registration\_notice 11/14



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

324.0

January 12, 2022

## NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION & ORDER TO VACATE

Scott Evans Wergin  
1340 Searle St  
St Paul MN 55130-3426

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1340 SEARLE ST** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **January 12 2022** and ordered vacated no later than **January 19 2022**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

**"Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned."**

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.**

**Principle Violations:** These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. SPLC 34.23 **CONDEMNATION:** This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. Inspector found inside of the house on the first floor all the windows have been screwed or nailed completely shut with wood boards, [egress windows blocked ] a bed in the living room with no smoke or carbon monoxide detectors. This is also a fire hazard.
2. SPLC 34.19 **ACCESS:** Provide access to the inspector to all areas of the building.

PLEASE PROVIDE ACCESS THROUGHOUT THE ENTIRE HOUSE.

3. SPLC 34.15 **CARBON MONOXIDE ALARM:** Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturer's instructions.

PLEASE PROVIDE A CARBON MONOXIDE DETECTOR WITHIN TEN FEET OF THE LIVING ROOM THAT IS BEING USED A SLEEPING AREA AND INSTALL THE CARBON MONOXIDE DETECTOR INSIDE THE LIVING ROOM WHERE THE BED IS LOCATED. FOR ASSISTANCE OBTAINING A CARBON MONOXIDE DETECTOR PLEASE CALL PROJECT SAFE HAVEN AT 651 228-6273.

4. SPLC 34.10 **CEILINGS:** All ceilings must be maintained in a sound condition and in a professional state of maintenance and repair.

PLEASE REPAIR THE HOLE IN THE CEILING LOCATED ABOVE THE FIREPLACE.

5. SPLC 34.09 **DECK/STAIRWAY:** Repair or replace the unsafe stairways, porch, decks, guardrails, and handrail in a professional state of maintenance and repair. Permit is required. Call DSI at (651) 266-9090.

PLEASE PROVIDE SAFETY RAILS AROUND THE SECOND FLOOR REAR BALCONY OR SEAL THE DOOR TO PREVENT ACCESS TO THE UNSAFE BALCONY. PERMIT IS REQUIRED.

6. SPLC 33.03 (c) **DRYER VENTING:** 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.

FLEXIBLE DUCT IS NOT AN APPROVED MATERIAL FOR DRYER VENTS. PLEASE REPLACE VENT WITH APPROVED MATERIALS TO MEET CODE OR REMOVE CLOTHES DRYER AND CAP THE GAS LINE. THIS WORK REQUIRES A PERMIT.

7. SPLC 45.03 **EXPOSED WIRES:** Remove unapproved exposed wiring and repair or replace damaged electrical fixtures. Install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.

PLEASE RE-INSTALL LIGHT FIXTURES TO COVER THE EXPOSED WIRING AS NEEDED THROUGHOUT THE HOUSE.

8. SPLC 34.15 **SMOKE DETECTOR:** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. Immediately provide and maintain a smoke detector located outside each sleeping area.

PLEASE PROVIDE A SMOKE DETECTOR INSIDE THE LIVING ROOM THAT IS BEING USED A SLEEPING AREA. PROVIDE A SMOKE DETECTOR IN A CENTRALIZED LOCATION ON EVERY FLOOR OF THE HOUSE. FOR ASSISTANCE OBTAINING A SMOKE DETECTOR PLEASE CALL PROJECT SAFE HAVEN AT 651 228-6273.

9. SPLC 34.09 **WINDOWS:** Repair and maintain the window in good condition including the glass, sash, frame, and screens. Windows shall be without cracks or holes, sashes shall be in sound conditions, the window shall be easily opened and maintain the open position. All screens shall be maintained in a professional state of maintenance and repair.

PLEASE REMOVE ALL BOARDING FROM THE WINDOWS. ALL WINDOWS IN LIVING SPACES MUST BE OPERATIONAL TO ALLOW LIGHT AND AIR.

10. SPLC 34.10 **WALLS:** All walls must be maintained in a sound condition and in a professional state of maintenance and repair.

PLEASE REPAIR THE HOLE IN THE WALL LOCATED ABOVE THE FIREPLACE.

11. SPLC 34.09 **STAIRWAY: Exterior stairs** shall be maintained in a professional state of maintenance and repair, free of defects and hazards. Repair or replace the unsafe stairway in an approved manner.

PLEASE PROVIDE STAIRS TO THE FIRST FLOOR REAR DOOR TO MEET REQUIREMENTS OF THE CITY CODE. PERMIT IS REQUIRED.

12. SPLC 34.09 **DOOR(S)**: All doors and its hardware shall be in sound condition and fit within its frame. Doors shall be maintained in a professional state of maintenance and repair. Repair or replace the damaged door, hardware, or frame.

PLEASE REPLACE THE GLASS ON THE STORM DOOR LOCATED ON THE FRONT DOOR.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

**If you have any questions concerning this matter, please contact the Inspector, Willie Williams, at 651-266-1942. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.**

Sincerely,

**Willie Williams**  
Enforcement Officer

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cc: Posted to ENS