DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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November 12, 2013 09-303637

Rebecca Lynn Bertini
Phyllis F Bertini
2259 7th St N
Maplewood MN 55109-2807

Order to Abate Nuisance Building(s)

Dear Sir/Madam:

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

872 DULUTH ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

J W Bass Sub L14 15 Pt L13 W 1o Ft Of Vac Alley Adj And Lot 20 Blk 1

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 5, 2013 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 wood frame shed.

A fire occurred at the property on September 29, 2013 severely damaging the walls, ceilings, floors, and the contents of the interior of the dwelling. Contents were also damaged by smoke, heat, and fire suppression activities.

In addition, the following deficiencies are excerpted from the May 12, 2010 Code Compliance Report:

BUILDING

- Insure basement cellar floor is even, cleanable and all holes are filled
- 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
- Install tempered or safety glass in window over stair landing to code
- Provide complete storms and screens, in good repair for all door and window openings
- Provide and operable latching device for all windows
- 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
- Re-level structure as much as is practical
- Provide fire block construction as necessary
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- 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.
- Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft, one-half of which shall operate; and all bedroom windows shall meet emergency escape requirements (20 inch minimum opening width, 24 inch minimum opening height, and minimum net glazed area of 5.7 sq. ft.)
- Provide general clean-up of premise
- Install water-proof enclosure in shower area
- Provide weather sealed, air sealed and vermin sealed exterior
- Replace or repair landing and stairway per code

- 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.
- Install rain leaders to direct drainage away from foundation.
- Replace house and garage roof covering and vents to code.
- Install flashing in an approved manner at the intersection of the roof with walls, chimneys, and other conjoined surfaces.
- 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
- Install concrete floor in basement.
- Repair basement stairs, risers, new treads, level and stabilize.
- Shore up and install a retaining wall in basement at west end where a large amount of dirt is eroding away.
- Install footings under support posts in basement.
- Install support beam where large piece of existing beam has been removed.
- Repair floor in garage.
- Remove storage sheds at rear of property or fire rate north walls.
- Install new floor coverings at first and second floors.
- Install new doors and windows as necessary.
- General rehabilitation of whole house required.
- Re-finish hardwood floors.
- Install landing at garage service door.
- Repair or replace overhead garage door.
- Repair fence as necessary.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- 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.
- Install/replace GFCI receptacle in second floor bathroom by bathtub
- 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
- Properly wire exterior lights at back door
- Install exterior lights at front entry doors
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Properly wire garbage disposal, water heater, first floor laundry receptacle.
- Properly wire boxes behind kitchen receptacles. (cubic inch capacity, ground splices)
- Replace electrical meter - water damaged.
- 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 - T and P relief discharge piping incorrect
- Basement - Water Heater - Water piping incorrect
- Basement - Water Heater - parts missing
- Exterior - Lawn Hydrants - Requires backflow assembly or device
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Laundry Tub - unvented
- First Floor - Laundry Tub - waste incorrect
- First Floor - Lavatory - unvented
- First Floor - Lavatory - waste incorrect
- First Floor - Sink - waste incorrect ABS/PVC glued
- First Floor - Toilet Facilities - unvented
- First Floor - Shower - Provide a vacuum breaker for the handheld shower
- First Floor - Shower - provide anti-scald valve
- First Floor - Shower - unvented
- Second Floor - Lavatory - faucet is missing, broken, or parts missing stopper
- Second Floor - Lavatory - waste incorrect ABS/PVC glued
- 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.
- Install furnace flue venting according to the manufacturer's installation instructions.
- 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 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.
- Provide heat in every habitable room and bathrooms.
- Install heating system to code.
- Gas and warm air mechanical 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 **December 12, 2013** 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

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