



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

361.0

April 29, 2015

13-238765

Trang Vo
390 Fry St
Saint Paul MN 55104-3704

Del Co Limited Partnership
PO Box 17122
Saint Paul MN 55117-0122

Gloria Jean Tracy
2235 Rockwood Ave Apt A7
Saint Paul MN 55116-3296

Unity One Credit Union
380 Jackson Street #279
Saint Paul MN 55101

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:

390 FRY ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Milham Park Ramsey Cominn Lot 21 Blk 2

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 21, 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 dwelling.

The following deficiency list is excerpted from the June 25, 2014 Code Compliance Inspection Report.

BUILDING

- Dry out basement and eliminate source of moisture.
- Remove mold, mildew and moldy or water damaged materials.
- Remove or encapsulate asbestos 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 intumescent 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.
- Strap or support top of stair stringers for structural stability.
- 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.
- Provide functional hardware at all doors and windows
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- 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 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.
- Re-level structure as much as is practical.
- Charred building components shall be scraped or sandblasted completely clean and water-damaged components replaced. A determination of necessary fire damage corrective measures shall be made by this department or by a registered structural engineer as to replacement, repairs, etc. All smoke damaged and charred members shall be cleaned, sealed and deodorized.

- Provide fire block construction as necessary and seal chases in basement ceiling.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around house to direct water away from foundation of garage.
- Install downspouts and a complete gutter system.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and on the alley side of garage.
- Provide ground cover capable of controlling sediment and erosion.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Remove trees which are against foundation of home and garage.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Properly replace driveway and install erosion control measures as required.
- Re-level front porch and replace footings as required.
- House full of belongings and trash at time of inspection and some fire damaged framing and walls.
- Install handrail and guardrail on basement stairs.
- Remove rear illegal add-ons to garage (not a legal living area) bring all up to code.
- Remove rear illegal porch and roof at rear of house (not to code or permitted)
- Replace cut off and fire damaged framing, call for inspection before covering.
- \$60,000 minimum value Building permit.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- No power at time of inspection. Test all electrical outlets and ensure all luminaries (light fixtures) are working properly when power is restored.
- Provide a complete circuit directory at service panel indicating location and use of all circuits. Article 408.4, NEC
- Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers. Article 110.12 (A), NEC

- Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaries (light fixtures), switches, covers and plates to current code. Article 406.4(D) & Article 410, NEC
- 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. Article 406.4(D), NEC
- 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. SPLC 58, IRC
- Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
- Raise service mast to provide proper overhead conductor clearance.
- Rewire all wiring, outlets, and equipment damaged by water and fire.
- 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 current NEC.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

- MPC 4715.0340 subp 2. Air test required on all gas piping. All damaged plumbing, fixtures and piping to be replaced due to fire.
- MPC 4715.2850 (Air Test of Defective Plumbing) All plumbing to hold final air test.
- All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

HEATING

- Install approved level handle manual gas shutoff valve on boiler and remove unapproved valve
- Install approved automatic gas valve for boiler
- Clean and Orsat test boiler 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
- Install approved metal chimney liner
- Replace boiler flue venting to code
- Connect boiler and water heater venting into chimney liner

- Provide adequate clearance from flue vent pipe on boiler to combustible materials or provide approved shielding according to code
- 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
- Conduct witnessed pressure test on all gas piping and check for leaks
- Support supply and return piping from heating system according to code
- Conduct witnessed pressure test on hot water heating system and check for leaks
- Install complete heating system to code
- Separate heating system is required for each dwelling unit.
- Mechanical gas and hydronic 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 29, 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 **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