



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
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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:

392 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 one-story, wood frame, single-family dwelling.

The following deficiency list is excerpted from the October 3, 2014 Code Compliance Inspection Report.

BUILDING

- Insure basement cellar floor is even, is cleanable, and all holes are filled. SPLC 34.10 (1)
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts. SPLC 34.09 (3h)
- Repair or replace damaged doors and frames as necessary, including storm doors. SPLC 34.09 (3f)
- Weather seal exterior doors, threshold and weather-stripping. SPLC 34.09 (3f)
- Install floor covering in bathroom and kitchen that is impervious to water. SPLC34.10 (4)
- Repair walls, ceiling and floors throughout, as necessary. SPLC 34.34 (6)
- 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. SPLC 34.33 (1)
- Where wall and ceiling covering is removed install full thickness or code-specified insulation. MN Energy Code Ch. 1322.1101 (except. 4)
- Air-seal and insulate attic/access door. MN Energy Code Ch 1322.1102.4
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible. MNRC Ch 1309 Sect 313.2.1
- Provide major clean-up of premises. SPLC 34.34 (4)
- Tuck Point interior/exterior of foundation as necessary. SPLC 34.09 (1)
- Verify proper venting of bath exhaust fan to exterior. SPLC 34.14 (3)
- Provide weather sealed, air sealed and vermin sealed exterior. SPLC 34.32 (2)
- Repair siding, soffit, fascia, trim, etc. as necessary. SPLC 34.09 (1)
- Provide proper drainage around house to direct water away from foundation of house. SPLC 34.08 (2)
- Install downspouts and a complete gutter system. SPLC 34.33 (1d)
- Install rain leaders to direct drainage away from foundation. SPLC 34.33 (1d)
- Install flashing in an approved manner at the intersection of the roof with walls, chimneys, and other conjoined surfaces. SPLC 34.09 (1)
- Provide ground cover capable of controlling sediment and erosion. SPLC 34.08 (3)
- Remove trees which are against foundation of home and garage. SPLC 34.09 (1b)
- Openings in stair risers must be less than 4 inches. MNRC Ch. 1309 Sect. 311/312
- Dry out basement and eliminate source of moisture. SPLC 34.10 (10)

- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil. MNRC Ch 1309-Sect. 404.1.6
- Remove trees from against building.
- Replace all siding and trim and properly install flashing on all openings.
- Supply plans and spec's to DSI for rebuilding roof on north half of structure to code.
- Replace roof covering on whole structure.
- Could not find access to basement or crawl space ,provide access. All to meet code.
- Remove mold, mildew and moldy or water damaged materials. SPLC 34.10 (1)
- Permanently secure top and bottom of support posts in an approved manner MNRC Ch 1309 Sect. 407.3
- 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. MNRC Ch 1309 Sect. 311 & 312
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary. SPLC 34.09 (3)
- Provide complete storms and screens, in good repair for all door and window openings. SPLC 34.09 (3e)
- Provide functional hardware at all doors and windows. SPLC 34.09 (3f)
- A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner. SPLC 33.03 (a)

ELECTRICAL

- No power at time of inspection. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored.
- Protect NM cable at stairs (2014 NEC 334.15).
- Remove all cord wiring used as a substitute for fixed wiring. Article 400.8, NEC
- Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code. Article 406.4(D) & Article 410, NEC (painted receptacles - 2 in living room).
- 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
- Properly wire exterior luminaire (light fixture) at entry door. Articles 110.3 (B), 314.20, NEC

- Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
- Cables, smaller than 8 AWG, run at angles on the bottom of joists in unfinished basements, shall be run in either bored holes in joists or on running boards. Article 334.15 (C), current NEC
- Properly wire switch outlets at front entry (2014 NEC 334.15).
- 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

- First Floor - Minimum access was available to write report.
- All waste, vent and water pipe to be installed, tested and inspected per the Minnesota Plumbing code.
- All gas pipe and mechanical devices to be installed, tested and inspected per the Minnesota Mechanical code.
- 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 furnace and remove unapproved valve
- Install approved automatic gas valve for furnace
- Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee
- 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
- Provide thirty (30) inches of clearance in front of furnace for service
- Move furnace out of closet/alcove or provide documentation from the equipment manufacturer indicating that it is an approved installation
- Move return air intake a minimum of ten (10) feet from furnace flue draft diverter or relocate it to another room
- Install approved metal chimney liner

- Replace furnace flue venting to code
- Connect furnace and water heater venting into chimney liner
- Provide adequate clearance from flue vent pipe on furnace to combustible materials or provide approved shielding according to code
- Vent clothes dryer to code and provide approved gas piping and valve.
- 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
- Install furnace air filter access cover
- Provide all supply and return ducts for warm air heating system must be clean before final approval for occupancy. 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
- Mechanical gas and warm air permits are required for the above work.
- 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.
- The bathroom requires 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. A mechanical ventilation permit will be required for the bath fan.

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