



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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355.0

August 04, 2015

12-040704

Laurie Bauer/Diane Longville/Michael Drieling  
2838 Woodridge Lane  
Stillwater MN 55082-5238

Diane Longville and Terrence Longville  
2565 S Shore Blvd  
White Bear Lake MN 55110

Michael Drieling  
11 Birchwood Ln  
White Bear Lake MN 55110-1609

## 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:**

**719 PAYNE AVE**

With the following Historic Preservation information: NONE

**and legally described as follows, to wit:**

Irvines 2nd Addition Subj To Ave The Fol Lots 1 2 And Lot 3 Blk 3

**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 June 30, 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 commercial building.

The following is excerpted from the September 24, 2012 Fire Certificate of Occupancy Team Inspection report:

### **DEFICIENCY LIST**

1. Building - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. Repair or replace and maintain the damaged structural member and construction features to code as listed below:

#### **Exterior**

- No access to roof: Gutters, downspouts and extensions must be properly installed and drain water away from building;
- Roof leaks must be repaired per current building codes;
- Replace all damaged framing, insulating and sheetrock caused by roof leaks;
- Repair metal soffit;
- Grade must drain away from rear door;
- Landing required at rear door;
- Replace all damaged glazing, trim;
- Repair/replace front door trim & threshold;
- Scrape/paint exterior as needed;
- Repair asphalt – fill holes;
- Remove O.S.B. on south wall-repair/replace 2 window openings or infill cavity.

#### **Interior**

- Repair/replace damaged floor tile;
  - Repair/replace damaged floor tile in walk-in cooler;
  - Replace walk-in cooler doors;
  - Repair/replace light above walk-in cooler;
  - Replace all damaged glazing;
  - Approved hardware on all doors;
  - Landing required at inside of rear exit door;
  - Remove all mold/mildew and material housing mold/mildew;
  - Remove 2 X 4s over rear door;
  - Replace rear office door;
  - Repair/replace or remove all damaged cabinetry;
  - Repair/replace damaged door to compressor room;
  - Repair flooring in compressor room.
2. EXTERIOR - MSFC 3404.2.13.2.1 - All above/underground tanks which have been out of service under 90 days must have all fill lines, gage openings, vapor return, and pump connections secured against tampering. Vent lines shall remain open.
  3. EXTERIOR - MSFC 3404.2.13.2.2 - All above/underground tanks which have been out of service over 90 days shall be pumped free of product, and cap/plug all fill lines, gage openings, vapor returns, and pump connections. Vent lines shall remain open. Or properly remove tanks. (Permits)

4. EXTERIOR - MSFC 3404.2.13.2.3 - All above/underground tanks which have been out of service at least 1 year shall be properly removed, unless tanks are tested in an approved manner and properly returned to service. (Permits)
5. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
6. EXTERIOR - Remove the accumulation of snow or ice from the public and private sidewalk abutting this property.
7. Electrical Trade - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. Provide an approved electrical service adequate to meet the buildings needs. Provide an approved electrical service adequate to meet the buildings needs.
8. Mechanical Trade - UMC 2103 - All equipment, appurtenances, devices, and piping must be installed in a workmanlike manner. All equipment, appurtenances, devices, and piping must be installed in a workmanlike manner.

There was no access to roof during the inspection. There appears to be heating and cooling equipment on it. The gas meter is at the rear of the building and is locked. Bring all equipment up to code and provide access for inspection.

- ROOF - HEATING REPORT - SPLC 34.11 (6) - Clean and Orsat test rooftop furnace burner. Check all controls for proper operation. Check heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
  - MNMC 401.4.2 & 604.1 - Verify that the bathroom exhaust is vented to the outside in a code compliant manner.
  - MNMC 103 - 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.
  - MNMC 103 - Repair and/or replace heating registers as necessary.
  - SPLC 34.11(6) - Provide heat in every habitable room and bathrooms.
  - MNMC 307.2 - Run condensate drain from walk-in cooler to an approved location and secure as needed.
  - MN RULES 1300.0120 - mechanical permits are required for the above work.
9. Plumbing Trade - Provide an approved number and type of plumbing fixtures. Repair or replace and maintain the plumbing fixture to an operational condition:
    - Water heater - corrections required: relief discharge piping incorrect; water piping incorrect; not fired or in service.
    - Water piping - corrections required: repair or replace all corroded, broken or leaking piping; pipe sizing incorrect; improper fittings or usage; improper piping or usage; provide water piping to all fixtures & appliances.
    - Gas piping - corrections required: pipe sizing incorrect; retest all gas for Xcel meter unlock.

Soil & waste piping - corrections required: no front sewer clean out; no soil stack base clean out; unplugged or open piping; back pitched piping; improper pipe supports, add appropriate hangers; improper connections, transitions, fittings or pipe usage; flammable waste trap must be serviced; verify that all floor drains connected to the flammable liquids separator have been capped to code.

Kitchen-type sink fixture: Waste incorrect; water piping incorrect; faucet is missing, broken or parts missing.

Lavatory fixture: Waste incorrect; water piping incorrect; faucet is missing, broken or parts missing.

Toilet fixture: Reset the toilet on a firm base.

Office sink fixture: Waste incorrect; water piping incorrect.

Note: Caulk all fixtures to code. Pipe all condensate to a point of proper disposal and install per code. Remove all unused waste, vent water, and gas piping to the main and cap or plug to code.

10. THROUGHTOUT - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.
11. MSFC 901.6 - Provide required annual service of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
12. SPLC 34.09 (1) e, 34.32 (1)d - Repair all roof leaks on the building.
13. SPLC 34.10 (7), 34.33 (6) - Repair all areas of ceiling damaged by roof leaks.
14. SPLC 34.09 (3), 34.32 (3) - Repair all broken window / door glass.
15. MSFC 2205.6 - Post Signage - NO SMOKING, SHUT-OFF ENGINE, NO DISPENSING INTO UNAPPROVED CONTAINERS.
16. MSFC 2203.2 - Provide a clearly labeled 'EMERGENCY FUEL PUMP SHUT OFF' switch 20 feet to 100 feet from dispenser(s).
17. SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.
18. MSFC 3404.2.13.2.3 - All above/underground tanks which have been out of service at least 1 year shall be properly removed, unless tanks are tested in an approved manner and properly returned to service. (Permits)

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **September 3, 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.

August 04, 2015  
719 PAYNE AVE  
Page 6

If you have any questions or request additional information please contact **Tom Friel** between the hours of 8:00 and 9:30 a.m. 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

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