



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](http://www.stpaul.gov/dsi)

362.0

March 06, 2017

11-262506

Community Enhancement Group LLC  
774 University Ave W  
Saint Paul MN 55104-4805

## 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:**

**544 MINNEHAHA AVE W**

With the following Historic Preservation information: NONE

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

Smiths Sub Of Stinsns Div B3 Lot 49 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 March 1, 2017 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, single-family dwelling with a detached, two-stall garage.

The following is excerpted from the September 8, 2015 Cod Compliance Report:

**BUILDING**

1. Insure basement cellar floor is even, is cleanable, and all holes are filled.
2. Repair or replace damaged doors and frames as necessary, including storm doors.
3. Weather seal exterior doors, threshold and weather-stripping.
4. Install floor covering in bathroom and kitchen that is impervious to water.
5. Repair walls, ceiling and floors throughout, as necessary.
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.
7. 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.
8. Re-level structure as much as is practical.
9. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
10. Repair siding, soffit, fascia, trim, etc. as necessary.
11. Provide proper drainage around house to direct water away from foundation of house.
12. Tuck Point interior/exterior of foundation as necessary.
13. Provide proper drainage around house to direct water away from foundation of garage.
14. Install downspouts and a complete gutter system.
15. Install rain leaders to direct drainage away from foundation.
16. Provide general rehabilitation of garage.
17. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
18. Repair all floor framing and supports below 1st. floor and remove all decayed framing and post.
19. Remove all wall covering and framing in cellar and repair foundation and footing as needed.
20. Replace damaged garage doors.
21. Insure grading on west side of structure is adequate to keep water away from foundation framing.
22. Replace kitchen cabinets , vanities and countertops.
23. Dry out basement and eliminate source of moisture.
24. Remove mold, mildew and moldy or water damaged materials.
25. 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.
26. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary.
27. Provide complete storms and screens, in good repair for all door and window openings.
28. Provide functional hardware at all doors and windows.
29. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
30. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

## **ELECTRICAL**

1. Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
2. Replace all painted-over receptacles.
3. Hazardous wiring noted in many areas of the house.
4. Ensure installation of outlet boxes at all device and fixture locations.
5. Ensure use of box extensions on all paneled walls.
6. Replace electrical service.
7. Based on repair list, purchase permit for a service and all circuits.
8. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC.
9. Provide a complete circuit directory at service panel indicating location and use of all circuits.
10. Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
11. Check all outlets for proper polarity and verify ground on 3-prong outlets.
12. Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
13. Install hard-wired, battery backup smoke detector and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms.
14. Properly wire exterior lights at back door.
15. Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage.
16. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

## **PLUMBING**

1. Basement -The water heater is missing. Install the water heater to code.
2. Basement -Soil and Waste Piping -no front sewer clean out.
3. Basement -Soil and Waste Piping -unplugged or open piping; back pitched piping.
4. Basement -Soil and Waste Piping -improper connections, transitions, fittings or pipe usage.
5. Basement -Soil and Waste Piping -replace corroded cast iron or steel waste piping at stack.
6. Basement -Soil and Waste Piping -no soil stack base clean out.
7. Basement -Water Meter -raise meter to a minimum 12 inches above floor.
8. Basement -Water Meter -meter is removed or not in service.
9. Basement -Water Meter -meter needs repair or is broken.
10. Basement -Water Meter -service valves not functional or correct.
11. Basement -Water Meter -corroded piping; incorrect piping.
12. Basement -Water Meter -remove meter from pit.
13. Basement -Water Piping -provide water piping to all fixtures and appliances.
14. Basement -Water Piping -run 1 inch water line from meter to first major take off.
15. Basement -Water Piping -repair or replace all corroded, broken or leaking piping.
16. Basement -Water Piping -improper fittings or usage.
17. Basement -Water Piping -improper piping or usage.
18. Exterior -Lawn Hydrants -Requires backflow assembly or device.
19. First Floor -Gas Piping -range gas shut off; connector or piping incorrect.
20. First Floor -Gas Piping -dryer gas shutoff; connector or piping incorrect.
21. First Floor -Gas Piping -run dryer vent to code.
22. First Floor -Laundry Tub -incorrectly vented.

23. First Floor -Laundry Tub -waste incorrect.
24. First Floor -Sink -waste incorrect.
25. First Floor -Sink -water piping incorrect.
26. Second Floor -Lavatory -waste incorrect.
27. Second Floor -Lavatory -water piping incorrect.
28. Second Floor -Lavatory -fixture is broken or parts missing.
29. Second Floor -Lavatory -faucet is missing, broken, or parts missing
30. Second Floor -Toilet Facilities -reset the toilet on a firm base.
31. Second Floor -Tub and Shower -incorrectly vented.
32. Second Floor -Tub and Shower -waste incorrect.
33. Second Floor -Tub and Shower -water piping incorrect.
34. Second Floor -Tub and Shower -Provide access.
35. Second Floor -Tub and Shower -provide stopper.

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**

1. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
2. 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.
3. Vent clothes dryer to code.
4. Raise gas service so it enters the house a minimum of three and one-half inches above grade.
5. Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
6. No access to basement and attic at time of inspection, bring all heating and ventilating equipment up to code.
7. Mechanical gas permit is 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 **April 5, 2017** 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 **Mike Kalis** between the hours of 8:00 and 9:30 a.m. at **651-266-1929**, or you may leave a voice mail message.

Sincerely,

Mike Kalis  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council