



CITY OF SAINT PAUL

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)

361.0

April 12, 2018

12-095409

Nam M Ho and Le M Ho  
559 Heinel Drive  
Roseville MN 55113-2108

## 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:**

**694 SNELLING AVE N**

With the following Historic Preservation information: NONE

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

Hamline Syndicate Add No1 Lots 15 Thru Lot 17 And Ex N 8.5 Ft; Lot 14 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 April 5, 2018 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, brick, commercial building.

The following is excerpted from the August 30, 2017 Team Inspection report:

### **BUILDING**

1. Building Occupancy: A-2 (Bar/ Restaurant) Zoning: T2
2. This property was inspected as an existing A-2 bar/restaurant. Any change from this use will require DSI building and zoning department approvals. 1st Floor has been partially gutted and floor plans will be required for future build-out.

3. 1st Floor - Ceiling Joists - Provide report from a Minnesota licensed structural engineer for 1st floor ceiling joists and repair as necessary to properly support the ceiling in accordance with building code requirements. Some of the joists are damaged and appear to be over-spanned.
4. 1st Floor - Exit Doors - Exit doors must swing in the direction of travel. Change the swing of the door. All marked exits from the assembly area (restaurant seating) must swing out.
5. 1st Floor - Exit Doors - Provide and maintain approved panic release hardware on all exit doors. Remove all other non-approved locks.
6. 1st Floor - Front Entry - Post a sign stating 'THIS DOOR MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED' at main exits with interior key locks. The minimum stroke of the letter must be 1 inch high with a contrasting background.
7. 1st Floor - Occupant Load - Post the occupant load on an approved sign in a conspicuous location near the main exit of the room. Maximum occupancy to be determined based on plans.
8. Basement - Properly abate the loose and damaged asbestos pipe wrapping. Provide documentation from a qualified contractor.
9. Emergency Lighting - Provide and maintain an approved emergency lighting system.- Emergency light fixtures will be required to illuminate 1st floor exit paths and main seating area.
10. Exit Signs - Provide and maintain approved exit signs. Illuminated exit signs will be required to direct to the 1st floor exits.
11. Exterior - Address Numbers - Provide address numbers on building.-Provide address numbers on front and rear sides of the building. Numbers must be 4 inches high minimum and must be reflective or illuminated at night.
12. Exterior - Parking Lot - Parking Lot Maintenance - Mark out the parking lot in accordance with a plan approved by DSI Zoning.
13. Exterior - Roof - Provide and maintained the roof weather tight and free from defects.
14. Exterior - 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.
15. Exterior - Repair or replace exterior doors and windows.
16. Exterior - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
17. Fire Extinguishers - Kitchen - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide one K - Class fire extinguisher within the cooking area of commercial kitchens if any deep fryers are installed. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
18. Fire Extinguishers - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
19. Kitchen - Hood - Hood and hood suppression system has been partially removed from the kitchen, permits will be required for any new installation.

20. Rear Cooler Addition - 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.- Repair or remove the rear walk-in cooler addition with damaged walls.
21. Throughout - Repair and maintain the walls, floors, and ceiling in an approved manner. Interior has been partially gutted.
22. Throughout - Provide and maintain interior in a clean and sanitary condition.-Clean all debris throughout the interior of the building.

### **ELECTRICAL**

23. Electrical Service - Replace electrical service panel due to excessive corrosion per the current NEC.
24. Throughout – All new, damaged, or disconnected electrical wiring must be wired or repaired to the current NEC.

### **MECHANICAL**

25. Install approved lever handle manual gas shutoff valve on Furnace/ Boiler and remove unapproved valves.
26. Install approved automatic gas valve for furnace/boiler.
27. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
28. Heating Report - Clean and Orsat test furnace/boiler 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.
29. Provide a minimum of thirty inches of clearance in front of furnace/boiler for service or as specified in the furnace manufacturer's installation instructions.
30. Move return air intake a minimum of ten feet from furnace flue draft diverter or relocate it to another room.
31. Install approved metal chimney liner.
32. Replace furnace/boiler flue venting to code.
33. Connect furnace/boiler and water heater venting into chimney liner.
34. Provide adequate clearance from flue vent pipe on furnace/boiler to combustible materials or provide approved shielding according to code.
35. Provide adequate combustion air and support duct to code.
36. Provide support for gas lines to code.
37. Plug, cap and/or remove all disconnected gas lines and unapproved valves.
38. 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.
39. Install furnace air filter access cover.
40. 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.
41. Repair and/or replace heating registers as necessary.
42. Provide heat in every habitable room and bathrooms.
43. Attach metal tag to expansion tank valve stating that this valve must be OPEN at all times except when draining the expansion tank.

44. Support supply and return piping for heating system according to code.
45. Conduct witnessed pressure test on hot water heating system and check for leaks.
46. Install boiler pressure relief valve and pipe discharge to within eighteen inches of the floor.
47. Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
48. Repair or replace fin tube radiation and covers as needed.
49. Repair or replace radiator valves as needed.
50. Submit documentation from a licensed contractor that the wood burning fireplace is clean and safe for use or permanently seal openings.
51. Provide a means of returning air from every habitable room to the furnace. Return 07.2 - Run condensate drain from A/C unit coil in basement to an approved location and secure as needed.

## **PLUMBING**

### **Basement:**

52. Water heater: Install gas venting to code.
53. Water heater: Venting requires a chimney liner.
54. Water heater: Install the water piping to code.
55. Water heater: Must be fired and in service.
56. Water meter: Install to a min. 12 and max. 48 inches above the floor. Support to code.
57. Water meter: Must be installed and in service.
58. Water meter: The service valves must be functional and installed to code.
59. Water piping: Repair or replace all the corroded, broken, or leaking piping.
60. Water piping: Replace all the improper fittings and fittings that have improper usage.
61. Water piping: Install a proper backflow assembly or device for the boiler fill water line.
62. Water piping: Provide piping to all fixtures and appliances.
63. Water piping: Provide a 1 inch water line to the first major take off.
64. Water piping: Add the appropriate pipe hangers.
65. Soil/waste piping: Install a front sewer clean out.
66. Soil/waste piping: Install a clean out at the upper terminal at each horizontal drainage pipe.
67. Soil/waste piping: Plug all open piping and properly pitch all piping.
68. Soil/waste piping: Install proper pipe supports.
69. Soil/waste piping: Replace all improper connections, transitions, fittings or pipe usage.
70. Soil/waste piping: Replace all corroded cast iron or steel waste or vent piping
71. Basement toilet: Install a proper fixture vent to code.
72. Basement toilet: Install the waste piping to code.
73. Basement toilet: Install the water piping to code.
74. Basement toilet: Repair/replace the fixture that is missing, broken or has parts missing.
75. Basement toilet: Repair/replace the faucet that is missing, broken or has parts missing.
76. Basement toilet: Install the proper flanged fixture connection on a firm base.
77. Gas piping: Replace all corroded piping.
78. Gas piping: Replace all improperly installed gas piping and fittings.
79. Gas piping: Remove improperly sized piping and install to code. Add the appropriate metal hangers.
80. Gas piping: Conduct a witnessed pressure test on gas piping system.
81. Gas piping: Remove all disconnected lines and unapproved valves.

First Floor:

82. Sink: Install a proper fixture vent to code.
83. Sink: Install the waste piping to code.
84. Sink: Install the water piping to code.
85. Sink: Repair/replace the fixture that is missing, broken or has parts missing.
86. Sink: Repair/replace the faucet that is missing, broken or has parts missing.
87. Sink: Provide the proper potable water protection for the faucet spout
88. Lavatory: Install a proper fixture vent to code.
89. Lavatory: Install the waste piping to code.
90. Lavatory: Install the water piping to code.
91. Lavatory: Repair/replace the fixture that is missing, broken or has parts missing
92. Lavatory: Repair/replace the faucet that is missing, broken or has parts missing.
93. Lavatory: Provide the proper potable water protection for the faucet spout.
94. Toilet: Install a proper fixture vent to code.
95. Toilet: Install the waste piping to code.
96. Toilet: Install the water piping to code.
97. Toilet: Repair/replace the fixture that is missing, broken or has parts missing.
98. Toilet: Repair/replace the faucet that is missing, broken or has parts missing.
99. Toilet: Install the proper flanged fixture connection on a firm base.
100. Gas piping: Replace all corroded piping.
101. Gas piping: Replace all improperly installed gas piping and fittings.
102. Gas piping: Remove improperly sized gas piping and install to code.
103. Gas piping: Install an approved shut off; connector and gas piping for the range.
104. Gas piping: Add the appropriate metal hangers.
105. Gas piping: Conduct a witnessed pressure test on gas piping system.
106. Gas piping: Remove all disconnected gas lines and unapproved valves.

Exterior:

107. The lawn hydrant(s) require a backflow preventer. Provide the proper size vents through the roof.

**GENERAL**

108. Obtain permits and provide tests/inspections for the plumbing performed without permits.
109. Remove unused waste, vent, water, and gas piping to the main and cap/plug to code.
110. Provide proper fixture spacing.
111. Air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
112. Verify that A/C system is operable, if not, repair, replace or remove and seal all openings.
113. Install isolation valves on boiler supply and return pipes.
114. Abate or remove friable asbestos. Provide documentation that the work was completed by a state licensed asbestos abatement contractor.
115. All existing mechanical equipment including all gas piping must be tested and re-certified by a licensed Mechanical Contractor and inspected under permit. All existing mechanical equipment will be required to meet current codes being enforced at time of inspection.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **May 12, 2018** 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.

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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

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