



CITY OF SAINT PAUL

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

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July 13, 2020

David Rocha and Rosalinda Costilla
1978 Kingston Avenue E
St Paul MN 55109-4702

Order to Abate Nuisance Building(s)

Dear Responsible or Interested Party:

The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:

1023 JESSIE STREET

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

FAIRVIEW ADDITION LOT 1 BLK 7

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 July 9, 2020 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.

The following is excerpted from the November 5, 2018 Code Compliance Report:

BUILDING

1. Ensure 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. 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.
7. Provide fire block construction as necessary and seal chases in basement ceiling.
8. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
9. Air-seal and insulate attic/access door.
10. 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
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 durable, dustless parking surface as specified in the zoning code.
14. Repair basement stairs and install handrail.
15. Install foundation wall at east and north east sides of basement at crawl space.
16. Install vapor barrier in crawl space.
17. Replace or sister decayed floor joist at north side of basement.
18. Replace south leaking roof covering.
19. Install front handrail.
20. Call for framing inspection when electrical, plumbing, and heating rough-ins done.
21. Dry out basement and eliminate source of moisture.
22. 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).
23. Maintain one-hour fire separation between dwelling units and between units and common areas.
24. Strap or support top of stair stringers for structural stability.
25. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
26. Provide complete storms and screens, in good repair for all door and window openings.
27. Provide functional hardware at all doors and windows.
28. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

ELECTRICAL

1. Properly wire electric dryer receptacle/branch circuit/overcurrent device to current NEC.
2. Remove all cord wiring used as a substitute for fixed wiring.
3. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
4. 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.
5. Install box extensions on devices mounted in wood paneling.

6. 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.
7. Properly support/wire exterior luminaire (light fixture) at entry door.
8. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
9. 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.
10. Properly bond neutral bar to service panelboard enclosure.
11. Properly wire multi-wire circuits in panelboard to ensure ungrounded conductors on opposite phases.
12. Properly wire electric range receptacle/branch circuit/overcurrent device to current NEC.
13. Replace electrical service panels, mast and meter including. Provide a house panel for common areas.
14. Replace conduit/fittings due to excessive corrosion.
15. Properly wire furnace to current NEC.
16. Properly wire microwave/hood fan above range to current NEC.
17. Properly wire dishwasher/disposal to current NEC.
18. Ensure/rewire all electrical associated with NM cables to current NEC. An electrical permit was never purchased for that wiring.
19. Separate neutral conductors and grounding conductors in sub-panel.
20. Repair the electrical service grounding conductor to the metallic water piping system. Install a conductor sized to Table 250.66 (NEC) from the electrical service to within 5' of the entrance points of the water service, and bond around the water meter.
21. Provide a complete circuit directory at service panel indicating location and use of all circuits.
22. Properly strap and support cables and/or conduits.
23. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement: Gas Piping - Vent clothes dryer to code.
2. Basement: Soil and Waste Piping - Plug all open piping and properly pitch all piping.
3. Basement: Soil and Waste Piping - Install proper pipe supports.
4. Basement: Water Heater - Install the gas shut off and the gas piping to code.
5. Basement: Water Heater -The water heater must be fired and in service.
6. Exterior: Lawn Hydrants - Repair or replace the lawn hydrants that are broken or have parts missing.
7. First Floor: Plumbing General - Obtain permits and provide tests/inspections for any plumbing performed without permits.
8. First Floor: Sink - Install the waste piping to code.
9. First Floor: Tub and Shower - Install a proper fixture vent to code.
10. First Floor: Tub and Shower - Install the waste piping to code.
11. Second Floor: Plumbing General - Provide a water-tight joint between the fixture and the wall or floor.
12. Second Floor: Plumbing General - Remove all unused waste, vent, water and gas piping to the main and cap or plug to code.

13. Second Floor: Sink - Repair/replace the fixture that is missing, broken or has parts missing.
14. Second Floor: Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
15. Second Floor: Tub and Shower - Repair/replace the fixture that is missing, broken or has parts missing.
16. All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4714, Minnesota Rules Chapter 326, 4716, 1300, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and Saint Paul Regional Water Services Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul by a plumber licensed in the State of Minnesota who also possess a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

MECHANICAL

1. Install approved level handle manual gas shutoff valve on furnace/boiler and remove unapproved valve.
2. Clean and Orsat test furnace/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.
3. Move return air intake a minimum of ten (10) feet from furnace flue draft diverter or relocate it to another room.
4. Replace furnace/boiler flue venting to code.
5. Connect furnace/boiler and water heater venting into chimney liner.
6. Provide adequate clearance from flue vent pipe on furnace/boiler to combustible materials or provide approved shielding according to code.
7. Vent clothes dryer to code and provide approved gas piping and valve (plumbing or mechanical gas permit is required).
8. Provide adequate combustion air and support duct to code.
9. Provide support for gas lines to code.
10. Plug, cap and/or remove all disconnected gas lines, non-conforming gas lines and unapproved valves.
11. 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.
12. Provide all supply and return ducts for warm air heating system must be clean before final approval for occupancy. Documentation is required from a licensed duct-cleaning contractor that the duct system has been cleaned.
13. Repair and/or replace heating registers as necessary.
14. Provide heat in every habitable room and bathrooms.
15. Bathrooms require 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. All kitchen exhaust must be venting to exterior. A mechanical ventilation permit will be required for the bath fan and/or kitchen exhaust.
16. Separate heating system is required for each dwelling unit. Furnace in basement cannot be used for heating both 1st and 2nd floor units of duplex.
17. Mechanical 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 **August 12, 2020** 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 dollars (\$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** at **651-266-1902**, or you may leave a voice mail message.

Sincerely,

Matt Dornfeld

Vacant Buildings Enforcement Inspector