



October 18, 2021

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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:

694 SHERBURNE AVE

With the following Historic Preservation information: Inventory #: RA-SPC-3340

and legally described as follows, to wit:

SYNDICATE NO. 1 ADDITION LOT 4 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 October 13/2021 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 expired April 27, 2015 Code Compliance Report:

BUILDING

1. Permanently secure top and bottom of support posts in an approved manner.
2. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.

3. Provide major clean-up of premises.
4. Provide proper drainage around house to direct water away from foundation of house.
5. Properly caulk and repair basement window openings.
6. Replace front steps at street or mud jack steps level.
7. 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).
8. Maintain one-hour fire separation between dwelling units and between units and common areas.
9. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
10. Provide complete storms and screens, in good repair for all door and window openings.
11. Install floor covering in bathroom and kitchen that is impervious to water.
12. Repair walls, ceiling and floors throughout, as necessary.
13. 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.
14. Air-seal and insulate attic/access door.
15. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

PLUMBING

1. Lawn Hydrants - The lawn hydrant(s) require a backflow assembly or device.
2. Piping Vents - Install the required vent piping.
3. Plumbing - General - Plumbing installed without permits/inspections. Obtain proper permits and provide tests and inspections.
4. Plumbing - General - Remove all unused waste, vent, water, and gas piping to the main and cap or plug to code.
5. Basement -Gas Piping - Install an approved shut off connector and gas piping for the dryer.
6. Basement -Laundry Tub - Install the waste piping to code.
7. Basement -Laundry Tub - Provide the proper potable water protection for the faucet spout.
8. Basement -Soil and Waste Piping - Replace all improper connections, transitions, fittings or pipe usage.
9. Basement -Water Heater - The water heater must be fired and in service.
10. Basement -Water Meter - Support the water meter to code.
11. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
12. First Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
13. First Floor -Toilet Facilities - Install a proper fixture vent to code.
14. First Floor -Toilet Facilities - Install the waste piping to code.
15. First Floor -Tub and Shower - Install a proper fixture vent to code.
16. First Floor -Tub and Shower - Install the waste piping to code.
17. First Floor -Tub and Shower - Replace the waste and overflow.
18. Second Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.

19. Second Floor -Tub and Shower - Provide a "stopper."
20. 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.

MECHANICAL

1. 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.
2. 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.
3. Vent clothes dryer to code and provide approved gas piping and valve.
4. Plug, cap and/or remove all disconnected gas lines
5. 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.
6. 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.
7. Repair and/or replace heating registers as necessary.
8. Provide heat in every habitable room and bathrooms.
9. 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.
10. Mechanical gas 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 **November 17, 2021** 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 deposit 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 **Joe Yannarely** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

Joe Yannarely

Vacant Buildings Enforcement Inspector