



## Legislation Details (With Text)

**File #:** RLH RR 12- 31 **Version:** 5

**Type:** Resolution LH Substantial Abatement Order **Status:** Passed

**In control:** City Council

**Final action:** 5/1/2013

**Title:** Ordering the rehabilitation or razing and removal of the structures at 702 THIRD STREET EAST within fifteen (15) days.

**Sponsors:** Kathy Lantry

**Indexes:** Substantial Abatement Orders, Ward - 7

**Code sections:**

**Attachments:** 1. 702 3rd St E.Order to Abate, 2. 702 3rd St E.Public Hearing Notification, 3. 702 3rd St E.Photos, 4. 702 Third St E.HPC Photos.pdf, 5. 702 Third St E.HPC Report.6-7-12.pdf, 6. 702 Third St E.R-R Delisi Ltr 6-15-12.pdf, 7. 702 Third St E.R-R Delisi Ltr 6-28-12.pdf, 8. 702 Third St E.R-R Delisi Ltr 8-3-12.not sent, 9. 702 Third St E.R-R Delisi Ltr 8-16-12.pdf, 10. 702 Third St E.Code Compliance Report.6-1-12.pdf, 11. 702 Third St E.Uniform Residential Appraisal Report.7-30-12.pdf, 12. 702 Third St E.R-R Delisi Ltr 10-25-12.pdf, 13. 702 Third St E R-R Delisi Revised Ltr 10-26-12.pdf, 14. 702 Third St E.Griffith Email.11-1-12.pdf, 15. 702 Third St E.Purchase Agreement.9-27-12.pdf, 16. 702 Third St E.MetLife Insurance Claim.11-13-12, 17. 702 Third St E.Twin City Roofing Bid.6-8-12, 18. 702 Third St E.R-R Delisi Ltr 11-28-12, 19. 702 Third Street E.R-R Delisi Ltr. 12-18.pdf, 20. 702 Third St E R-R Delisi Ltr 12-24-12, 21. 702 Third Street E.R-R Delisi Ltr.1-16-13, 22. 702 3rd St.News Article.3-17-14

Date	Ver.	Action By	Action	Result
5/6/2013	5	Mayor's Office	Signed	
5/1/2013	5	City Council	Adopted As Amended	Pass
4/23/2013	4	Legislative Hearings	Referred	
2/6/2013	4	City Council	Referred	Pass
1/15/2013	4	Legislative Hearings	Referred	
12/11/2012	4	Legislative Hearings	Laid Over	
11/27/2012	4	Legislative Hearings	Laid Over	
11/7/2012	4	City Council	Laid Over	Pass
10/23/2012	3	Legislative Hearings	Referred	
10/3/2012	3	City Council	Laid Over	Pass
9/11/2012	2	Legislative Hearings	Referred	
8/15/2012	2	City Council	Referred	Pass
8/14/2012	2	Legislative Hearings	Referred	
8/7/2012	2	Legislative Hearings	Referred	
7/3/2012	2	City Council	Referred	
6/12/2012	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 702 THIRD STREET EAST within fifteen (15) days.

**AMENDED 5/1/13**

WHEREAS, the Department of Safety and Inspections has determined that 702 THIRD STREET EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Lyman Dayton Addition Lot 21 Blk 38; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of May 11, 2012: Charles D Delisi, 2060 Wilson Ave Unit 2, St Paul MN 55119-6405; TCF Mortgage Corp, 801 Marquette Avenue S, Minneapolis MN 55402; Great Lakes Mortgage, 7550 France Avenue S #340, Edina MN 55435; and Dayton's Bluff District 4 Community Council; and

WHEREAS, each of these parties was served a written order dated March 2, 2012 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by April 2, 2012; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by April 2, 2012; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on March 3, 2012 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by April 2, 2012 and, therefore, an abatement hearing was scheduled before the City Council on July 3, 2012 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearing on June 12, 2012; and

WHEREAS, a public hearing was held on July 3, 2012, and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 702 THIRD STREET EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner;
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45; and
3. That the owners, interested parties or responsible parties have not [have] presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days; And, Be It

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within ~~15 days~~ 8 months, provided a scope of work is provided within 30 days of acquisition; And, Be it

FURTHER RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).