



## Legislation Text

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**File #:** RES 10-805, **Version:** 3

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Ordering the rehabilitation or wrecking and removal of the structures at **1196 Seventh Street East** within fifteen (15) days after October 20, 2010.

WHEREAS, Department of Safety and Inspections has requested the City Council to hold public hearings to consider the advisability and necessity of ordering the repair or wrecking and removal of a single story, concrete block, commercial building located on property hereinafter referred to as the "Subject Property" and commonly known as 1196 7TH ST E. This property is legally described as follows, to wit:

Messerli Eschbachs Addition Lots 8 And Lot 9 Blk 3

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information obtained by Department of Safety and Inspections on or before January 17, 2010, the following are the now known interested or responsible parties for the Subject Property: Evelyn Berger, 2151 Falcon Ave, St Paul MN 55119 -5003; Thomas R. Kelly Dazarus & Kelly, 6550 York Avenue South, Ste. 405, Minneapolis, MN 55435; Dayton's Bluff District 4 Community Council; and

WHEREAS, Department of Safety and Inspections has notified the known interested or responsible parties of the "Order to Abate Nuisance Building(s)" dated April 21, 2010 as provided for in Chapter 45 of the Saint Paul Legislative Code; and

WHEREAS, this order informed the then known interested or responsible parties that the structure located on the Subject Property is a nuisance building(s) pursuant to Chapter 45; and

WHEREAS, this order informed the interested or responsible parties that they must repair or demolish the structure located on the Subject Property by July 26, 2010; and

WHEREAS, the enforcement officer has posted a placard on the Subject Property declaring this building(s) to constitute a nuisance condition; subject to demolition; and

WHEREAS, this nuisance condition has not been corrected and Department of Safety and Inspections requested that the City Clerk schedule public hearings before the Legislative Hearing Officer of the City Council and the Saint Paul City Council; and

WHEREAS, the interested and responsible parties have been served notice in accordance with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and purpose of the public hearings; and

WHEREAS, a hearing was held before the Legislative Hearing Officer of the Saint Paul City Council on Tuesday, September 28, 2010 to hear testimony and evidence, and after receiving testimony and evidence, made the recommendation to approve the request to order the interested or responsible parties to make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure in accordance with all applicable codes and ordinances, or in the alternative by demolishing and removing the structure in accordance with all

applicable codes and ordinances. The rehabilitation or demolition of the structure to be completed within forty-five (45) days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on Wednesday, October 20, 2010 and the testimony and evidence including the action taken by the Legislative Hearing Officer was considered by the Council; now therefore

BE IT RESOLVED, that based upon the testimony and evidence presented at the above referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and Order concerning the Subject Property at 1196 7TH ST E.

1. That the Subject Property comprises a nuisance condition as defined in Saint Paul Legislative Code, Chapter 45.
2. That the costs of demolition and removal of this building(s) is estimated to exceed five thousand dollars (\$5,000.00).
3. That there now exists and has existed multiple Housing or Building code violations at the Subject Property.
4. That an Order to Abate Nuisance Building(s) was sent to the then known responsible parties to correct the deficiencies or to demolish and remove the building(s).
5. That the deficiencies causing this nuisance condition have not been corrected.
6. That Department of Safety and Inspections has posted a placard on the Subject Property which declares it to be a nuisance condition subject to demolition.
7. That this building has been routinely monitored by Department of Safety and Inspections, Vacant/Nuisance Buildings.
8. That the known interested parties and owners are as previously stated in this resolution and that the notification requirements of Chapter 45 have been fulfilled.

#### ORDER

The Saint Paul City Council hereby makes the following order:

1. The above referenced interested or responsible parties shall make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure and correcting all deficiencies as prescribed in the above referenced Order to Abate Nuisance Building(s) in accordance with all applicable codes and ordinances, or in the alternative by demolishing and removing the structure in accordance with all applicable codes and ordinances. The rehabilitation or demolition and removal of the structure must be completed within forty-five (45) days after the date of the Council Hearing.
2. If the above corrective action is not completed within this period of time Department of Safety and Inspections is hereby authorized to take whatever steps are necessary to demolish and remove this structure, fill the site and charge the costs incurred against the Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative Code.
3. In the event the building is to be demolished and removed by the City of Saint Paul, all personal

property or fixtures of any kind which interfere with the demolition and removal shall be removed from the property by the responsible parties by the end of this time period. If all personal property is not removed, it shall be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as provided by law.

4. It is further ordered, that a copy of this resolution be mailed to the owners and interested parties in accordance with Chapter 45 of the Saint Paul Legislative Code.