



Legislation Details (With Text)

File #: RLH RR 12-4 **Version:** 2

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

In control: City Council

Final action: 3/21/2012

Title: Ordering razing and removal of the structures at 939-941 THIRD STREET EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing. (Public hearing continued from February 15)

Sponsors: Kathy Lantry

Indexes: Substantial Abatement Orders, Ward - 7

Code sections:

Attachments: 1. 939-941 3rd St E.Order to Abate a Nuisance.11-15-11, 2. 939-941 3rd St E.Public Hearing Notice.12-30-11, 3. 939-941 3rd St E.Photos10-10>11-11, 4. 939-941 Third St.Danielson Ltr 1-26-12.pdf, 5. 939-941 Third St E.Emai and Affidavit1.2-14-12.pdf, 6. 939-941 Third St E.Work Plan.2-15-2012.pdf, 7. 939-941 Third St E.Williamson Letter.2-15-2012.pdf, 8. 939-941 Third St.Danielson Ltr 3-15-12.pdf, 9. 939-941 Third St.Danielson Ltr 3-15-12.pdf

Date	Ver.	Action By	Action	Result
3/27/2012	2	Mayor's Office	Signed	
3/21/2012	3	City Council	Adopted As Amended	Pass
3/13/2012	2	Legislative Hearings	Referred	
2/15/2012	2	City Council	Continue Public Hearing	Pass
1/24/2012	1	Legislative Hearings	Referred	

Ordering razing and removal of the structures at 939-941 THIRD STREET EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing. (Public hearing continued from February 15)

Recommendation may change based on compliance with conditions at the time of the city council hearing.

AMENDED 3/21/12

WHEREAS, the Department of Safety and Inspections has determined that 939-941 3RD 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: Richard Mccarricks Sub B88 Lym Lot 18 Blk 88; 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 December 30, 2011: Red Branch Financial Corp, 3972 Pumice Ln, Eagan MN 55122-2908; Alerus Financial NA, 990 Helena Avenue N, Oakdale MN 55128-2908; and Manty & Associates PA, 510 First Avenue N #305, Minneapolis MN 55403; and

WHEREAS, each of these parties was served a written order dated November 15, 2011 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 December 15, 2011; 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 December 15, 2011; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on December 16, 2011 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by December 15, 2011 and, therefore, an abatement hearing was scheduled before the City Council on February 15, 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 Hearings on January 24, 2012 and March 13, 2012; and

WHEREAS, a public hearings were was held on February 15, 2012 and March 21, 2012 and the City 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 939-941 3RD 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 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 Further

RESOLVED, that the 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; 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).