



Legislation Details (With Text)

File #: RLH RR 16- 47 **Version:** 4

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

In control: City Council

Final action: 1/4/2017

Title: Ordering the substantial abatement/cleanup of the property at 776 DESOTO STREET within fifteen (15) days after the November 16, 2016 City Council Public Hearing. (Public hearing continued from December 7, 2016) (Amend to 90 days)

Sponsors: Amy Brendmoen

Indexes: Substantial Abatement Orders, Ward - 5

Code sections:

Attachments: 1. 776 Desoto St.OTA 8-15-16, 2. 776 Desoto St.PH 9-23-16, 3. 776 Desoto St.Photos Doc 1.7-28-16, 4. 776 Desoto St.Photos Doc 2.7-28-16, 5. 776 Desoto St.Zoning Letter 10-28-15, 6. 776 Desoto St.Zoning Letter 1-12-16, 7. 776 Desoto St.Zoning Letter 1-22-16, 8. 776 Desoto St.DeLisle Ltr.10-26-16, 9. 776 Desoto St.DeLisle Ltr.12-16-16, 10. 778 Desoto Street.Work Plan.12-22-16, 11. 776 Desoto St.Lane Zoning Letter.12-16-16

Date	Ver.	Action By	Action	Result
1/9/2017	4	Mayor's Office	Signed	
1/4/2017	4	City Council	Adopted As Amended	Pass
12/13/2016	3	Legislative Hearings	Referred	
12/7/2016	3	City Council	Referred	
11/22/2016	2	Legislative Hearings	Referred	
11/16/2016	2	City Council	Referred	
10/25/2016	1	Legislative Hearings	Referred	

Ordering the substantial abatement/cleanup of the property at 776 DESOTO STREET within fifteen (15) days after the November 16, 2016 City Council Public Hearing. (Public hearing continued from December 7, 2016) (Amend to 90 days)

AMENDED 1/4/17

WHEREAS, the Department of Safety and Inspections has determined that 776 DESOTO STREET is a nuisance property pursuant to Saint Paul Legislative Code §45.02 and §45.03; and it has multiple 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: Stinsons Addition Lots 1 Thru Lot 4 Blk 13; 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 September 23, 2016: Delco LP, 1146 Rice Street, Saint Paul, MN 55117; Delco LP, PO Box 17122, Saint Paul MN 55117, and District 5 Planning Council; and

WHEREAS, each of these parties was served a written order dated August 15, 2016 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance be abated by September 15, 2016; and

WHEREAS, this order informed the interested or responsible parties that they must abate or cleanup the property by September 15, 2016; and

WHEREAS, a placard indicating the City's order that this nuisance be abated was posted on the property on August 24, 2016 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by September 15, 2016, and therefore an abatement hearing was scheduled before the City Council on November 16, 2016 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 October 25, 2016 and December 13, 2016; and

WHEREAS, a public hearings were was held on November 16, 2016 and January 4, 2017, 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 property at 776 DESOTO STREET is a nuisance pursuant to Saint Paul Legislative Code §45.02 and §45.03; and 1) it has multiple 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 2) 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.
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 correct all of the deficiencies listed in the Order to Abate Exterior Nuisance 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 correct all of the deficiencies listed in the Order to Abate Exterior Nuisance report and to make the property safe within 45 90 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 abate/cleanup the property 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 cleanup 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).