



## Legislation Details (With Text)

**File #:** RLH RR 12- 56      **Version:** 3

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

**In control:** City Council

**Final action:** 9/19/2012

**Title:** Ordering the rehabilitation or razing and removal of the structures at 579 FOREST STREET within fifteen (15) days after the August 15, 2012 City Council Public Hearing. (Public hearing continued from August 15)

**Sponsors:** Kathy Lantry

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

**Code sections:**

**Attachments:** 1. 579 Forest St.OTA.5-21-12, 2. 579 Forest St.PH.6-22-12, 3. 579 Forest St.Photos.11-17-11, 4. 579 Forest St.Marley Ltr R-R 7-25-12.pdf, 5. 579 Forest St.Marley Ltr R-R 8-17-12.pdf, 6. 579 Forest St.Work Plan and Financials.8-14-12.pdf, 7. 579 Forest St.Work Plan.9-12-12.pdf, 8. 579 Forest.Covenant Cap.7-31-12.pdf, 9. 579 Forest.Tax Pymt.9-11-12.pdf, 10. 579 Forest St.Marley Ltr R-R 9-12-12.pdf

Date	Ver.	Action By	Action	Result
9/25/2012	3	Mayor's Office	Signed	
9/19/2012	2	City Council	Adopted As Amended	Pass
9/11/2012	2	Legislative Hearings	Referred	
8/15/2012	2	City Council	Referred	Pass
8/14/2012	2	Legislative Hearings	Referred	
7/24/2012	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 579 FOREST STREET within fifteen (15) days after the August 15, 2012 City Council Public Hearing. (Amended to 180 days)

### **AMENDED 9/19/12**

WHEREAS, the Department of Safety and Inspections has determined that 579 FOREST STREET 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: Daily Berrisfords Sub B95 Ex N 2 4/10 Ft Lot 31 Blk 95; 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 June 22, 2012: Patrick M Marley and Charlene Hessler, 579 Forest St, St Paul MN 55106-5237; Patrick M Marley and Charlene Hessler, 1445 Minnehaha Ave E #11, St Paul MN 55106; HSBC Bank US, NA, 452 Fifth Avenue, New York NY 10018; Litton Loan Servicing LP, 4828 Loop Central Dr, Houston TX 77081; Wilford & Geske, 7650 Currel Drive #300, Woodbury MN 55125; Dayton's Bluff

District 4 Community Council [karin@daytonsbluff.org](mailto:karin@daytonsbluff.org) <<mailto:karin@daytonsbluff.org>> <<mailto:karin@daytonsbluff.org>> and

WHEREAS, each of these parties was served a written order dated May 21, 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 June 20, 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 June 20, 2012; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on May 22, 2012 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by June 20, 2012 and, therefore, an abatement hearing was scheduled before the City Council on August 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 legislative hearings on July 24 and August 14, 2012; and

WHEREAS, a public hearing was held on August 15, 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 579 FOREST STREET 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; 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~~ 180; 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 fifteen (15)~~ one hundred eighty (180) 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).