



Legislation Details (With Text)

File #: RLH RR 15- 41 **Version:** 4

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

In control: City Council

Final action: 1/6/2016

Title: Ordering the razing and removal of the structures at 421 CURTICE STREET WEST within fifteen (15) days after the November 18, 2015, City Council Public Hearing. (To continue the Public Hearing to January 6, 2016)

Sponsors: Dave Thune

Indexes: Substantial Abatement Orders, Ward - 2

Code sections:

Attachments: 1. 421 Curtice St W.OTA 8-20-15, 2. 421 Curtice St W.PH 9-25-15, 3. 421 Curtice St W.Photos 12-19-12, 4. 421 Curtice St W.SHPO Form 8-28-15, 5. 421 Curtice St W.Photos #1.8-13-15, 6. 421 Curtice St W.Photos #2.8-13-15, 7. 421 Curtice St W.Photos #3.8-13-15, 8. 421 Curtice St W.Photos #4.8-13-15, 9. 421 Curtice St W.Photo.5-20-15, 10. 421 Curtice St W.Photo.4-27-15, 11. 421 Curtice St W.Photo.2-27-15, 12. 421 Curtice St W.Photo.7-23-13, 13. 421 Curtice St W.Photo.12-19-12, 14. 421 Curtice St W.HPC Materials.10-27-15, 15. 421 Curtice St W.FTA R-R Ltr.10-28-15, 16. 421 Curtice St W.Chain emails.11-18-15, 17. 421 Curtice St W.Chain emails and Bid Est.11-18-15, 18. 421 Curtice St W.Chain emails and Receipt.11-18-15, 19. 421 Curtice St W.Schleisman R-R Ltr.11-30-15, 20. 421 Curtice St W.Schleisman R-R Ltr.12-9-15

Date	Ver.	Action By	Action	Result
1/7/2016	4	Mayor's Office	Signed	
1/6/2016	4	City Council	Adopted As Amended	Pass
12/16/2015	4	City Council	Continue Public Hearing	Pass
12/8/2015	3	Legislative Hearings	Referred	
12/2/2015	66 3	City Council	Referred	Pass
11/24/2015	2	Legislative Hearings	Referred	
11/18/2015	2	City Council	Referred	Pass
10/27/2015	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 421 CURTICE STREET WEST within fifteen (15) days after the November 18, 2015, City Council Public Hearing. (To continue the Public Hearing to January 6, 2016)

AMENDED 12/16/15

WHEREAS, the Department of Safety and Inspections has determined that 421 CURTICE STREET WEST 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: Lawton Brothers Addition W 90 Ft of Lots 9 10

And Lot 11 Blk 57; 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 25, 2015: David and Nancy Geissingner, PO Box 6067, Nalcrest FL 33856-6067; MERS, PO Box 2026, Flint MI 48501-2026; Christina Trust Trustee, c/o Altisource Residential LP, 402 Strand Street, Frederiksted VI 00840; Dave Camp, c/o Altisource, 16329 Kenyon St NE, Ham Lake MN 55304; Household Industrial Finance Company, 961 Weigel Drive, Elmhurst IL 60126-1050; PFB Law, 55 5th St #800, St Paul MN 55101; and West Side Community Organization; and

WHEREAS, each of these parties was served a written order dated August 20, 2015 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 September 19, 2015; 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 September 19, 2015; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on August 21, 2015 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by September 19, 2015, and therefore an abatement hearing was scheduled before the City Council on November 18, 2015 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 27, 2015, November 24, December 8; and

WHEREAS, a public hearings was were held on November 18, 2015, December 2, December 16, 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 421 CURTICE STREET WEST 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.
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 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).