



## Legislation Details (With Text)

**File #:** RLH RR 16- 35      **Version:** 4

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

**In control:** City Council

**Final action:** 12/7/2016

**Title:** Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Amended to grant 30 days)

**Sponsors:** Russ Stark

**Indexes:** Substantial Abatement Orders, Ward - 4

**Code sections:**

**Attachments:** 1. 1242 Hewitt Ave.OTA 6-8-16, 2. 1242 Hewitt Ave.PH 7-8-16, 3. 1242 Hewitt Ave.SHPO Form 6-13-16, 4. 1242 Hewitt Ave.Photos.4-15-14, 5. 1242 Hewitt Ave.Photos #1.6-2-16, 6. 1242 Hewitt Ave.Photos #2.6-2-16, 7. 1242 Hewitt Ave.FTA R-R Ltr.8-10-16, 8. 1242 Hewitt Ave.Shelton R-R Ltr.8-25-16, 9. 1242 Hewitt Ave.Hunter R-R Ltr.9-22-16, 10. 1242 Hewitt Ave.chain emals.9-27-16, 11. 1242 Hewitt Ave.Wilmore email.9-28-16, 12. 1242 Hewitt Ave.Layman Ltr.10-26-16, 13. 1242 Hewitt Ave.Work Plan-Housing Hub LLC.9-27-16, 14. 1242 Hewitt Ave.Code Compliance Inspection Report.11-1-16, 15. 1242 Hewitt Ave.Work Plan.11-7-16, 16. 1242 Hewitt Ave.Kandels.Neighbor concern email..10-29-16, 17. 1242 Hewitt Ave.Kandels.Neighbor chain emails.10-29-16, 18. 1242 Hewitt Ave.Kandels.Neighbor chain emails.10-29-16 #2, 19. 1242 Hewitt Ave.Kandels.Neighbor chain emails.10-29-16 #3, 20. 1242 Hewitt Ave.Blanner Ltr.11-9-16, 21. 1242 Hewitt Ave.Blanner R-R Ltr.11-22-16, 22. 1242 Hewitt Ave.Cyprexx Contract.11-29-16, 23. 1242 Hewitt Ave.Cyprexx Proposal of Timelines.11-28-16

Date	Ver.	Action By	Action	Result
12/12/2016	4	Mayor's Office	Signed	
12/7/2016	4	City Council	Adopted As Amended	
11/22/2016	3	Legislative Hearings	Referred	
11/8/2016	3	Legislative Hearings	Laid Over	
10/25/2016	3	Legislative Hearings	Laid Over	
10/5/2016	3	City Council	Referred	
9/27/2016	2	Legislative Hearings	Referred	
9/21/2016	2	City Council	Referred	
9/7/2016	2	City Council	Continue Public Hearing	
8/9/2016	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Amended to grant 30 days)

### **AMENDED 10/5/16 and 12/7/16**

WHEREAS, the Department of Safety and Inspections has determined that 1242 HEWITT AVENUE 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: Hersey Woolsey Addition Ex S 8 Ft For Alley Lot 6 Blk 6; 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 July 8, 2016: Verlee J Klimek, 7076 38th St N, Oakdale MN 55128-3320; US Bank NA, EP-MN-L22F, 200 S Sixth Street, Minneapolis MN 55402; Stein & Moore PA, 332 Minnesota Street #W-1650, Saint Paul MN 55101; Hamline Midway Coalition; and

WHEREAS, each of these parties was served a written order dated June 8, 2016 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 July 8, 2016; 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 July 8, 2016; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on June 9, 2016 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by July 8, 2016, and therefore an abatement hearing was scheduled before the City Council on September 7, 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 August 9, 2016 and September 27, 2016, October 25 and November 22, 2016; and

WHEREAS, a public hearings were was held on September 7, 2016 and October 5, 2016 and December 7, 2016, 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 1242 HEWITT AVENUE 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 45 30 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).