



Legislation Text

File #: RLH RR 16-11, **Version:** 4

Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (Public hearing continued from April 6 and May 4)

AMENDED 5/4/16 and 12/7/16

WHEREAS, the Department of Safety and Inspections has determined that 1698 LAFOND 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: George Bros Addition To the C Lot 6 Blk 3; 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 February 5, 2016: Richard J. Ayd, 1698 Lafond Avenue, Saint Paul MN 55104-2213; Meyer & Njus PA, o/b/o GE Capital Retail Bank, 200 S 6th Street, Minneapolis, MN 55402; Stewart, Zlimen & Jungers Ltd, o/b/o LVNV Funding LLC, 2277 Highway 36 W, Suite 100, Roseville MN 55113; and Hamline Midway Coalition; and,

WHEREAS, each of these parties was served a written order dated January 22, 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 February 5, 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 February 5, 2016; and,

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on January 25, 2016 in accordance with Saint Paul Legislative Code §45.11(2)c; and,

WHEREAS, the nuisance condition was not corrected by February 5, 2016 and therefore an abatement hearing was scheduled before the City Council on April 6, 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 March 8, 2016, March 22, April 12, 2016, April 26, May 10, May 24, June 14, July 12, August 9, September 13 and November 22, 2016; and,

WHEREAS, a public hearings were was held on April 6, 2016, May 4, 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 1698 LAFOND 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 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).