



## Legislation Details (With Text)

**File #:** RLH OA 13- 48 **Version:** 1

**Type:** Resolution LH Other Appeal **Status:** Passed

**In control:** City Council

**Final action:** 4/3/2013

**Title:** Re-examining the record for RLH RR 13-10 approved by the City Council on March 6, 2013, ordering the razing and removal of the structures located at 758 MARYLAND AVENUE EAST within fifteen (15) days.

**Sponsors:** Dan Bostrom

**Indexes:** Summary Abatement Order

**Code sections:**

**Attachments:** 1. 758 Maryland Ave E.Expired Code Compliance.10-28-11, 2. 758 Maryland Ave E.Order to Abate. 12-7-12, 3. 758 Maryland Ave E.Photos.2012, 4. 758 Maryland Ave E.Public Hearing Notice.1-11-13, 5. 758 Maryland Ave E.SHPO Form.2013-0864, 6. 758 Maryland Ave E.Kaye Ltr R-R Ltr 2-12-13, 7. 758 Maryland Ave E.Kaye Email and Documents.2-26-13, 8. 758 Maryland Ave E.Kaye Email.2-27-13, 9. 758 Maryland Ave E.Kaye Ltr R-R Ltr 3-12-13, 10. 758 Maryland Ave.Notification Service.3-19-13, 11. 758 Maryland Ave E.Hedquist credentials.3-19-13, 12. 758 Maryland Ave E.Kaye Correspondence.3-13-13, 13. 758 Maryland Ave E.LO Email.3-19-13, 14. 758 Maryland Ave E.Kaye-Moermond Email Chain.3-20-13, 15. 758 Maryland Ave E.Vang Kaye Email.3-18-13, 16. 758 Maryland Ave E.City\_fraudulent Email.4-2-13, 17. 758 Maryland Ave E.Mary Kaye Email 4-2-13 at 821 PM, 18. 758 Maryland Ave E.Mary Kaye Email 4-2-13, 19. 758 Maryland Ave E.Mary Kaye Email and Manufactured email submission Memo.4-2-13 at 0833 PM, 20. 758 Maryland Ave E.Mary Kaye Ltr to Raven Financial.1-20-13, 21. 758 Maryland Ave E.Mary Kaye Email.4-2-13 at 0827 pm, 22. 758 Maryland Ave E.Soley Email.4-1-13, 23. 758 Maryland Ave E.BDI Appt Letter.11-20-12, 24. 758 Maryland Ave E.Kaye Email and Hedquist Chapter 45 assesment.4-3-13, 25. 758 Maryland Ave E.Mary Kaye Email.4-3-13 at 0403pm

Date	Ver.	Action By	Action	Result
4/8/2013	1	Mayor's Office	Signed	
4/3/2013	1	City Council	Adopted	Pass
3/20/2013	1	City Council	Continue Public Hearing	Pass

Re-examining the record for RLH RR 13-10 approved by the City Council on March 6, 2013, ordering the razing and removal of the structures located at 758 MARYLAND AVENUE EAST within fifteen (15) days.

Please note this resolution is constructed to affirm the Council's decision of March 6, 2013 in this matter. (See the first "Resolved".) However, it can also be amended to modify the decision.

WHEREAS, the City Council adopted RLH RR 13-10 on March 6, 2013 ordering the razing and removal of the structures located at 758 Maryland Avenue East within fifteen (15) days after the March 6, 2013 City Council Public Hearing; and

WHEREAS, the Legislative Hearing Officer orally summarized the documents provided by the representative of the owner of record, including evidence of financial wherewithal, and the 2 bids for the rehabilitation of the structures; and

WHEREAS, although the official record includes this oral summary, the documents themselves were inadvertently omitted from the official record under consideration by the City Council; and

WHEREAS, the City Council finds it important to consider all submissions provided by the owner; and

WHEREAS, the owners and their representative have been notified of this error and that an additional public hearing to consider this matter is scheduled for Wednesday March 20, 2013 at 5:30 p.m.; now, therefore, be it RESOLVED, that the City Council herewith affirms its March 6, 2013 findings and orders in the matter of the razing and removal of the structures located at 758 Maryland Avenue East; to wit

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 758 MARYLAND AVENUE EAST 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

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall raze and remove the structure(s) within 15 days of March 20, 2013; And, Be It

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

RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).