Legislation Details (With Text)

File #:	RLH RR 13-47 **Version:** 3		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	12/4/2013

Title: Ordering the rehabilitation or razing and removal of the structures at 838-840 GOODRICH AVENUE within fifteen (15) days (amended to one hundred and eighty [180] days) after the November 6, 2013, City Council Public Hearing. (Public hearing continued from November 6)

Sponsors: Dave Thune

Indexes: Substantial Abatement Orders, Ward - 2

Code sections:

Attachments: 1. 838-840 Goodrich Ave.OTA.7-31-13.pdf, 2. 838-840 Goodrich Ave.PH.7-31-13.pdf, 3. 838-840 Goodrich Ave.Expired Code Compliance.12-1-10.pdf, 4. 838-840 Goodrich Ave.Photos 7-23-13.pdf, 5. 838-840 Goodrich Ave.SHPO Form 8-30-13.pdf, 6. 838-840 Goodrich Ave.FTA & LO RR Ltr 10-16-13, 7. 838-840 Goodrich Ave.Atty Letter to David Thune.11-5-13, 8. 838-840 Goodrich Ave.Casselman Ltr.11-7-13, 9. 838-840 Goodrich Ave.Casselman Ltr.11-13-13, 10. 838-840 Goodrich Ave.Code Compliance.11-19-13.pdf, 11. 838-840 Goodrich Ave.Construction Schedule.11-12-13, 12. 838-840 Goodrich Ave.Sunrise Bank Statement.10-31-13, 13. 838-840 Goodrich Ave.Application for Code Compliance.11-7-13, 14. 838-840 Goodrich Ave.Affidavit & Bond Receipt.11-18-13

Date	Ver.	Action By	Action	Result
12/11/2013	3	Mayor's Office	Signed	
12/4/2013	3	City Council	Adopted As Amended	Pass
11/12/2013	2	Legislative Hearings	Referred	
11/6/2013	2	City Council	Referred	Pass
10/15/2013	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 838-840 GOODRICH AVENUE within fifteen (15) days (amended to one hundred and eighty [180] days) after the November 6, 2013, City Council Public Hearing. (Public hearing continued from November 6)

AMENDED 12/4/13

WHEREAS, the Department of Safety and Inspections has determined that 838-840 GOODRICH 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: Summit Park Addition Tost Pa Lot 10 Blk 15; 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 13, 2013: Robert Casselman, 670 Pelham Blvd #201, St Paul

MN 55114-1719; Meridian Residential Mortgage Inc, 6200 Excelsior Blvd #104, St Louis Park, MN 55416; MERS, PO Box 2026, Flint, MI 48501-2026; and Summit Hill Association/District Council 16; and

WHEREAS, each of these parties was served a written order dated July 31, 2013 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 August 30, 2013; 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 August 30, 2013; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on August 1, 2013 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by August 30, 2013, and therefore an abatement hearing was scheduled before the City Council on November 6, 2013 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 hearing on October 15, 2013 and November 12, 2013; and

WHEREAS, a public hearing was held on November 6, 2013 and continued to December 4, 2013, 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 838-840 GOODRICH 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 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~~ 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).