Legislation Details (With Text)

File #:	RLH RR 15-14 **Version:** 2		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	6/3/2015
Title:	Ordering the rehabilitation or razing and removal of the structures at 1839 SAINT ANTHONY AVENUE within one hundred and twenty (120) days after the June 3, 2015, City Council Public Hearing.		
Sponsors:	Russ Stark		
Indexes:	Substantial Abatement Orders, Ward - 4		
Code sections:			
Attachments:	1. 1839 St. Anthony Ave.OTA 3-6-15, 2. 1839 St. Anthony Ave.PH 4-10-15, 3. 1839 St. Anthony Ave.Exp Code Compliance 7-29-13, 4. 1839 St. Anthony Ave.SHPO Form 3-3-15, 5. 1839 St Anthony.Photos Doc #1.2-23-15, 6. 1839 St Anthony.Photos Doc #2.2-23-15, 7. 1839 St Anthony.Photos Doc #3.2-23-15, 8. 1839 St Anthony.Photos.2-5-15, 9. 1839 St. Anthony Ave.Code Compliance Report 4-15-15, 10. 1839 St. Anthony Ave.ltr from Union Park District Council asking to save property.4-21-15, 11. 1839 St Anthony Ave.Kneer Ltr.5-15-15, 12. 1839 Saint Anthony Ave.Work Plans-Financial Plan.5-26-15, 13. 1839 St Anthony Ave.Kneer Ltr.5-27-15		

Date	Ver.	Action By	Action	Result
6/8/2015	2	Mayor's Office	Signed	
6/3/2015	2	City Council	Adopted	Pass
5/26/2015	1	Legislative Hearings	Referred	
5/12/2015	1	Legislative Hearings	Laid Over	

Ordering the rehabilitation or razing and removal of the structures at 1839 SAINT ANTHONY AVENUE within one hundred and twenty (120) days after the June 3, 2015, City Council Public Hearing.

WHEREAS, the Department of Safety and Inspections has determined that 1839 ST ANTHONY 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: Union Park Subj To Hwy Lot 53; 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 April 10, 2015: TCM Properties LLC, 5858 Blackshire Path, Inver Grove Heights MN 55076-1620; Mark Kneer, 923 Payne Ave, St Paul MN 55101; and Union Park District Council; and

WHEREAS, each of these parties was served a written order dated March 6, 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 April 5, 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 April 5, 2015; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on March 9, 2015 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by April 5, 2015, and therefore an abatement hearing was scheduled before the City Council on June 3, 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 legislative hearings on May 12, 2015 and May 26, 2015; and

WHEREAS, a public hearing was held on June 3, 2015, 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 1839 ST ANTHONY 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 120 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).