City of Saint Paul

City Hall and Court House
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Legislation Details (With Text)

File #:	RLH RR 15-47 **Version:** 2		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	1/6/2016

Title: Ordering the razing and removal of the structures at 373 RUTH STREET NORTH within fifteen (90) days after the January 6, 2016, City Council Public Hearing and 90 days for the site work to be finished.

Sponsors: Bill Finney

Indexes: Substantial Abatement Orders, Ward - 7

Code sections:

Attachments: 1. 373 Ruth St N.OTA 9-30-15, 2. 373 Ruth St N.PH 11-6-15, 3. 373 Ruth St N.CofO VB Deficiencies Letter 4-3-15, 4. 373 Ruth St N.SHPO Form 10-14-15, 5. 373 Ruth St N.Photos.1-6-12, 6. 373 Ruth St N.Photos #1.9-18-15, 7. 373 Ruth St N.Photos #2.9-18-15, 8. 373 Ruth St N.Photos #3.9-18-15, 9. 373 Ruth St N.Photos.10-5-15, 10. 373 Ruth St.Aerial Map.10-19-53, 11. 373 Ruth St.Dreher Ltr.12-9-15, 12. 373 Ruth St.Email.12-10-15, 13. 373 Ruth St.Iselewa Ltr.12-23-15

Date	Ver.	Action By	Action	Result
1/7/2016	2	Mayor's Office	Signed	
1/6/2016	2	City Council	Adopted	Pass
12/22/2015	1	Legislative Hearings	Referred	
12/8/2015	1	Legislative Hearings	Laid Over	

Ordering the razing and removal of the structures at 373 RUTH STREET NORTH within fifteen (90) days after the January 6, 2016, City Council Public Hearing and 90 days for the site work to be finished.

WHEREAS, the Department of Safety and Inspections has determined that 373 RUTH STREET NORTH 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: Hudson Road Gardens Subj To St And Ex W 100 Ft Lot 4 And Ex W 100 Ft The S 40 Ft Of Lot 3 Also Subj To Hwy And Ex W 100 Ft Lot 5 Blk 8; 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 November 6, 2015: Vicious Properties LLC, 3153 Eagle Valley Drive, Woodbury MN 55129-4268; and District 1 Community Council; and

WHEREAS, each of these parties was served a written order dated September 30, 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 October 30, 2015; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove

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the structures(s) located on the Subject Property by October 30, 2015; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on October 1, 2015 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by October 30, 2015, and therefore an abatement hearing was scheduled before the City Council on January 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 legislative hearings on December 8 and 22, 2015; and

WHEREAS, a public hearing was held on January 6, 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 373 RUTH STREET NORTH 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 shall raze and remove the structure(s) within 90 days, noting that there needs to be an approved site plan for concrete, curb cut and parking through Zoning; and 90 days for the site work to be finished; 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).

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