



## Legislation Details (With Text)

**File #:** RLH RR 16- 28      **Version:** 3

**Type:** Resolution LH Substantial Abatement Order      **Status:** Passed

**In control:** City Council

**Final action:** 9/7/2016

**Title:** Ordering the razing and removal of the structures at 129 JESSAMINE AVENUE EAST within fifteen (15) days after the August 17, 2016, City Council Public Hearing. (Amended to grant 180 days)

**Sponsors:** Amy Brendmoen

**Indexes:** Substantial Abatement Orders, Ward - 5

**Code sections:**

**Attachments:** 1. 129 Jessamine Ave E.OTA 5-18-16, 2. 129 Jessamine Ave E.PH 6-24-16, 3. 129 Jessamine Ave E.Code Compliance 11-4-15, 4. 129 Jessamine Ave E.SHPO Form 5-27-16, 5. 129 Jessamine Ave. E.Photos 5-13-16 #1, 6. 129 Jessamine Ave. E.Photos 5-13-16 #2, 7. 129 Jessamine Ave. E.Photos 7-30-13, 8. 129 Jessamine Ave E.Neighbor Ltr.7-26-16, 9. 129 Jessamine Ave E.FTA R-R Ltr.7-27-16, 10. 129 Jessamine Ave E.Moermond-Murillo Email.8-1-16, 11. 129 Jessamine Ave E.Dr. Alphonso Morales Ltr to Magner.8-12-16, 12. 129 Jessamine Ave E.Pine Financial Loan Commitment.8-12-16, 13. 129 Jessamine Ave W.Affidavit-Financial Info.8-22-16, 14. 129 Jessamine Ave E. R-R Ltr.8-24-16, 15. 129 Jessamine Ave E.Klein Group Remodel Proposal.8-30-16, 16. 129 Jessamine Ave E.Materials submitted 8-30-16, 17. 129 Jessamine Ave E.Revised Affidavit for funds.8-30-16, 18. 129 Jessamine Ave.Final Klein Bid.8-31-16

Date	Ver.	Action By	Action	Result
9/9/2016	3	Mayor's Office	Signed	
9/7/2016	3	City Council	Adopted As Amended	
8/23/2016	2	Legislative Hearings	Referred	
8/17/2016	2	City Council	Referred	Pass
7/26/2016	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 129 JESSAMINE AVENUE EAST within fifteen (15) days after the August 17, 2016, City Council Public Hearing. (Amended to grant 180 days)

### **AMENDED 9/7/2016**

WHEREAS, the Department of Safety and Inspections has determined that 129 JESSAMINE 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

WHEREAS, this property is legally described as follows, to wit: Ransoms Addition To St Paul Lot 12 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 June 24, 2016: 129 Jessamine LLC, 8936 Springwood Circle, Woodbury MN 55125-4913; US Bank NA, 400 City Center, Oshkosh WI 54901; and District 6 Planning Council; and

WHEREAS, each of these parties was served a written order dated May 18, 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 June 17, 2016; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structure(s) located on the Subject Property by June 17, 2016; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on May 19, 2016 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by June 17, 2016, and therefore an abatement hearing was scheduled before the City Council on August 17, 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 July 26 and August 23, 2016; and

WHEREAS, public hearing were held on August 17 and September 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 129 JESSAMINE 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 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).

