



Legislation Details (With Text)

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

In control: City Council

Final action: 8/23/2017

Title: Ordering the rehabilitation or razing and removal of the structures at 1426 DESOTO STREET within fifteen (15) days after the August 16, 2017, City Council Public Hearing. (Public hearing held August 16) (Amend to grant 180 days for rehabilitation of the structures)

Sponsors: Amy Brendmoen

Indexes: Substantial Abatement Orders, Ward - 5

Code sections:

Attachments: 1. 1426 Desoto St.OTA 5-15-17, 2. 1426 Desoto St.PH 6-23-17, 3. 1426 Desoto St.SHPO 5-26-17, 4. 1426 Desoto St.Code Compliance Report 1-3-17, 5. 1426 Desoto St.Photos.5-4-17, 6. 1426 Desoto St.Photos.6-3-14, 7. 1426 Desoto St.Fire Report.6-1-14.pdf, 8. 1426 Desoto St.Bjerkness Ltr.7-27-17.pdf, 9. 1426 Desoto St.Work Plan.pdf, 10. 1426 Desoto St.Executed Com. letter.pdf, 11. 1426 Desoto St.chain emails.8-14-17.pdf, 12. 1426 Desoto St.Executed Revised Commitment letter.8-11-17.pdf, 13. 1426 Desoto St.Revised Repair Plan.8-9-17.pdf, 14. 1426 Desoto St.Revised Work Plan.8-16-17.pdf, 15. 1426 Desoto St.Revised Financial Statement.8-16-17, 16. 1426 Desoto St.owner photos.8-22-17.pdf, 17. 1426 Desoto St.Sauer email.8-23-17.pdf, 18. 1426 Desoto St.Revised Work Plan.8-23-17.pdf, 19. 1426 Desoto St.Moermond Email.4-24-18

Date	Ver.	Action By	Action	Result
8/24/2017	3	Mayor's Office	Signed	
8/23/2017	2	City Council	Adopted As Amended	Pass
8/16/2017	2	City Council	Laid Over	Pass
7/25/2017	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 1426 DESOTO STREET within fifteen (15) days after the August 16, 2017, City Council Public Hearing. (Public hearing held August 16) (Amend to grant 180 days for rehabilitation of the structures)

AMENDED 8/23/17

WHEREAS, the Department of Safety and Inspections has determined that 1426 DESOTO STREET 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: M M Gassers Addition Ex S 28.25 Ft; Lot 16 & All Of Lot 17 Blk 1; 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 May 15, 2017: Ocwen Loan Servicing LLC, 3451 Hammond Ave, Waterloo IA 50702-5345; Ocwen Financial Services, 1661 Worthington Road Ste 100, West Palm Beach FL 33409; Safeguard Properties, 7887 Safeguard Circle, Valley View OH 44125; and Payne Phalen District 5

Planning Council; and

WHEREAS, each of these parties was served a written order dated May 15, 2017 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 14, 2017; 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 June 14, 2017; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on May 16, 2017 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by June 14, 2017, and therefore an abatement hearing was scheduled before the City Council on August 16, 2017 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 July 25, 2017; and

WHEREAS, a public hearings ~~were~~ was held on August 16 ~~and~~ 23, 2017, and the City 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 1426 DESOTO STREET 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 City 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 45 180 days after the City Council Public Hearing. 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 resolution compliance date 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).