



## Legislation Details (With Text)

**File #:** RLH RR 17- 37 **Version:** 2

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

**In control:** City Council

**Final action:** 10/11/2017

**Title:** Ordering the rehabilitation or razing and removal of the structures at 880 CLARK STREET within fifteen (15) days after the September 20, 2017 City Council public hearing. (Amend to grant 180 days for remove or repair)

**Sponsors:** Amy Brendmoen

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

**Code sections:**

**Attachments:** 1. 880 Clark St.OTA 6-16-17, 2. 880 Clark St.PH 7-21-17, 3. 880 Clark St.SHPO Form 6-23-17, 4. 880 Clark St.Photos.7-20-17, 5. 880 Clark St.Photos.7-27-16, 6. 880 Clark St.Fire C of O Revocation.5-31-16, 7. 880 Clark St.Bjerkness email.8-21-17.pdf, 8. 880 Clark St.Foreclosure.8-21-17.pdf, 9. 880 Clark St.Work Plan.8-21-17.pdf, 10. 880 Clark St.Bjerkness R-R Ltr.8-24-17.pdf, 11. 880 Clark St.Bjerkness R-R Ltr.8-30-17.pdf, 12. 880 Clark St.chain emails.9-11-17.pdf, 13. 880 Clark St.Fulong ltr from US Bank 9.8.17.pdf, 14. 880 Clark St.Financial Letter - US Bank.9-11-17.pdf, 15. 880 Clark St.Bjerkness R-R Ltr.9-14-17.pdf, 16. 880 Clark St.Work Plan-MS Properties Bid 9.29.17.pdf, 17. 880 Clark St.Code Compliance Inspection Report.9-25-17, 18. 880 Clark St.Revised Work Plan.10-4-17.pdf, 19. 880 Clark St.chain emails.10-4-17.pdf, 20. 880 Clark St.revised financial commitment ltr. 10-6-17.pdf

| Date       | Ver. | Action By            | Action                  | Result |
|------------|------|----------------------|-------------------------|--------|
| 10/13/2017 | 2    | Mayor's Office       | Signed                  |        |
| 10/11/2017 | 2    | City Council         | Adopted As Amended      | Pass   |
| 10/4/2017  | 2    | City Council         | Laid Over               | Pass   |
| 9/20/2017  | 2    | City Council         | Continue Public Hearing |        |
| 9/12/2017  | 1    | Legislative Hearings | Referred                |        |
| 8/22/2017  | 1    | Legislative Hearings | Laid Over               |        |

Ordering the rehabilitation or razing and removal of the structures at 880 CLARK STREET within fifteen (15) days after the September 20, 2017 City Council public hearing. (Amend to grant 180 days for remove or repair)

### **AMENDED 10/13/17**

WHEREAS, the Department of Safety and Inspections has determined that 880 CLARK 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: Edmund Rices First Addition Subj To Drive Esmt; N 1/2 Of Lot 11 & S 6 Ft Of Lot 12 Blk 5; 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 16, 2017: US Bank NA, 4801 Frederica St, Owensboro KY 42301-7441; Wilford, Geske & Cook PA, 7616 Currell Blvd, Suite 200, Woodbury MN 55125; and Payne Phalen District 5 Planning Council; and

WHEREAS, each of these parties was served a written order dated June 16, 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 July 16, 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 July 16, 2017; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on June 19, 2017 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by July 16, 2017, and therefore an abatement hearing was scheduled before the City Council on September 20, 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 August 22, 2017; and

WHEREAS, a public hearing was held on September 20, 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 880 CLARK 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 45 180 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 at the conclusion of the 180-day grant of time, the Council will receive a report from the Legislative Hearing Officer with findings on the status of the nuisance abatement; And Be It Further

RESOLVED, that a Legislative Hearing is scheduled for April 10, 2018 at which owners, interested parties and Department of Safety and Inspection staff will present information on the current building conditions and

progress toward abatement of the dangerous/nuisance conditions and the resulting findings will be presented to the City Council at a public hearing on April 18, 2018 for its consideration; 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 may be 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).