



Legislation Details (With Text)

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

In control: City Council

Final action: 9/9/2020

Title: Ordering the rehabilitation or razing and removal of the structures at 134 ELIZABETH STREET EAST within fifteen (15) days after the April 8, 2020 City Council public hearing. (Amend to grant 180 days)

Sponsors: Rebecca Noecker

Indexes: Substantial Abatement Orders, Ward - 2

Code sections:

Attachments: 1. 134 Elizabeth St E.OTA 12-6-19, 2. 134 Elizabeth St E.PH 2-7-20, 3. 134 Elizabeth St E.SHPO Form 12-27-19, 4. 134 Elizabeth St E.Photo 8-28-18, 5. 134 Elizabeth St E.Photos 1-27-20, 6. 134 Elizabeth St E.Hudson R-R Ltr.3-13-20, 7. 134 Elizabeth St E.chain emails.4-6-20.pdf, 8. 134 Elizabeth St E.chain emails.4-8-20.pdf, 9. 134 Elizabeth St E.chain emails.4-15-20.pdf, 10. 134 Elizabeth St E.Hudson R-R Ltr.5-1-20, 11. 134 Elizabeth St E.Hudson R-R Ltr Revised.5-1-20, 12. 134 Elizabeth St E.Hudson R-R Ltr 5-29-20.pdf, 13. 134 Elizabeth St E.Code Compliance Report.6-5-20.pdf, 14. 134 Elizabeth St E.Kujala email.6-22-20.pdf, 15. 134 Elizabeth St E.Hudson R-R Ltr 6-25-20, 16. 134 Elizabeth St E.Hudson R-R Ltr 7-17-20.pdf, 17. 134 Elizabeth St E.Work Plan estimate.7-26-20.pdf, 18. 134 Elizabeth St E.Hudson R-R Ltr 7-31-20.pdf, 19. 134 Elizabeth St E.Work Plan.8-8-20.pdf, 20. 134 Elizabeth St E.Financial Statement.8-11-20.pdf, 21. 134 Elizabeth St E.email chain.8-11-20.pdf, 22. 134 Elizabeth St E.Hudson R-R Ltr 8-13-20.pdf, 23. 134 Elizabeth St E.Plumbing & Electrical Bids.pdf, 24. 134 Elizabeth St E.Hudson R-R Ltr REVISED. 8-28-20, 25. 134 Elizabeth St E.Affidavit of Financing and Financial Plan.9-8-20.pdf, 26. 134 Elizabeth St E.Work Plan & Bids.9-8-20.pdf

Date	Ver.	Action By	Action	Result
9/11/2020	3	Mayor's Office	Signed	
9/9/2020	3	City Council	Adopted	Pass
8/25/2020	2	Legislative Hearings	Referred	
8/11/2020	2	Legislative Hearings		
7/28/2020	2	Legislative Hearings	Laid Over	
7/14/2020	2	Legislative Hearings	Laid Over	
6/23/2020	2	Legislative Hearings		
5/26/2020	2	Legislative Hearings	Laid Over	
4/28/2020	2	Legislative Hearings	Laid Over	
4/21/2020	2	Legislative Hearings	Laid Over	
4/8/2020	2	City Council		
3/10/2020	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 134 ELIZABETH STREET EAST within fifteen (15) days after the April 8, 2020 City Council public hearing. (Amend to grant 180 days)

AMENDED 9/9/20

WHEREAS, the Department of Safety and Inspections has determined that 134 ELIZABETH STREET 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: WEST ST PAUL BLKS 100 THRU 171 PART W OF STATE ST AND BET EXT N L OF LOT 10 AND EXT S L OF LOT 9 BLK 126 TOWN OF WEST ST PAUL OF SE 1/4 OF NW 1/4 OF SEC 8 TN 28 RN 22 & EX W 200 FT THE N 2 2/3 FT OF LOT 1 BLK 11 IN WOODBURY AND CASES ADD & IN SD WEST ST PAUL BLKS 100 THRU 171 EX W 50 FT LOTS 9 AND LOT 10 BLK 126; 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 December 6, 2019: Charnell Hudson, PO Box 17320, St Paul MN 55117-0320; Ramsey County Tax Forfeit Land, PO Box 64097, Saint Paul MN 55146; Carol A. DeLisle, PO Box 17122, St Paul MN 55117; and West Side Community Organization; and

WHEREAS, each of these parties was served a written order dated December 6, 2019 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 January 5, 2020; 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 January 5, 2020; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on December 9, 2019 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by January 5, 2020, and therefore an abatement hearing was scheduled before the City Council on April 8, 2020 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 March 10 and April 21, 2020, April 28, May 26, June 23, July 14, July 28, August 11 and August 25, 2020; and

WHEREAS, public hearing was held on April 8, 2020 and September 9, 2020, 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 134 ELIZABETH STREET 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 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 March 9, 2021 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 March 24, 2021 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).