City Hall and Court House
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City of Saint Paul

Legislation Details (With Text)

File #:	RLH RR 22-56 **Version:** 4		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	4/5/2023
Title:	Ordering the rehabilitation or razing and removal of the structures at 771 IOWA AVENUE WEST within fifteen (15) days after the October 26, 2022, City Council Public Hearing. (Amend to grant 180 days)		
Sponsors:	Amy Brendmoen		
Indexes:	Substantial Abatement Orders, Ward - 5		
Code sections:			
Attachments:	1. 771 Iowa Ave W.OTA 7-14-22, 2. 771 Iowa Ave W.PH 8-26-22, 3. 771 Iowa Ave W.SHPO Form 8-16-22, 4. 771 Iowa Ave W.Photos 7-12-22, 5. 771 Iowa Ave W.Photos 7-19-22, 6. 771 Iowa Ave W.Photos 8-31-22, 7. 771 Iowa Ave W.Summary.pdf, 8. 771 Iowa Ave W.LS 9-27-22.pdf, 9. 771 Iowa Ave W.Yanta Muraski R-R Ltr.9-30-22, 10. 771 Iowa Ave W.Yanta Muraski R-R Ltr.10-28-22, 11. 771 Iowa Ave W.Photos 11-7-22.pdf, 12. 771 Iowa Ave W.Yanta Muraski R-R Ltr.11-28-22, 13. 771 Iowa Ave W.Code Compliance Report 1-20-23.pdf, 14. 771 Iowa Ave W.Yanta Muraski R-R Ltr.1-27-23, 15. 771 Iowa Ave W.unsigned PA.2-24-23, 16. 771 Iowa Ave W.Transaction Agreement 2-28-23.pdf, 17. 771 Iowa Ave W.Yanta Muraski R-R Ltr.3-3-23, 18. 771 Iowa Ave W.Revised FP with timeline 3-6-23.pdf, 19. 771 Iowa Ave W.Yanta Steinmaus R-R Ltr.3-17-23, 20. 771 Iowa Ave E.Affidavit of Financials 3-22-23.pdf, 21. 771 Iowa Ave E.Updated schedule 3-22-23.pdf		

Date	Ver.	Action By	Action	Result
4/11/2023	4	Mayor's Office	Signed	
4/5/2023	4	City Council	Adopted As Amended	
3/14/2023	3	Legislative Hearings	Referred	
2/28/2023	3	Legislative Hearings	Laid Over	
1/24/2023	3	Legislative Hearings	Laid Over	
1/10/2023	3	Legislative Hearings	Laid Over	
11/22/2022	3	Legislative Hearings	Laid Over	
10/26/2022	2	City Council	Referred	
10/25/2022	2	Legislative Hearings	Referred	
9/27/2022	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 771 IOWA AVENUE WEST within fifteen (15) days after the October 26, 2022, City Council Public Hearing. (Amend to grant 180 days)

AMENDED 4/5/23

WHEREAS, the Department of Safety and Inspections has determined that 771 IOWA AVENUE WEST 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: WEIGELT'S ADDITION LOT 15 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 July 14, 2022: Joseph J Yanta and Mary Muraski, 1114 Hoyt Ave W, St Paul MN 55108-2226; and Como Community Council; and

WHEREAS, each of these parties was served a written order dated July 14, 2022 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 August 13, 2022; 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 August 13, 2022; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on July 15, 2022 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by August 13, 2022, and therefore an abatement hearing was scheduled before the City Council on October 26, 2022 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 hearings on September 27, October 5 and November 22, 2022 and January 10, January 24, February 28, and March 14, 2023; and

WHEREAS, ~~a~~ public hearing ~~was~~ were held on October 26, 2022 and April 5, 2023, 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 771 IOWA AVENUE WEST 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 180 ~~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 180 ~~15~~ days after the City Council Public Hearing. And, Be it Further

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 771 IOWA AVENUE WEST 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; and
3. That the owners, interested parties or responsible parties have 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~~ 180 days after the City Council Public Hearing; And, Be It

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 ~~15~~ 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 October 10, 2023 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 October 25, 2023 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 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).