Legislation Details (With Text)

File #:	RLH RR 11-45 **Version:** 2		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	9/7/2011
Title:	Ordering the razing and removal of the structures at 755 ANDREW STREET within fifteen (15) days after the September 7, 2011 City Council public hearing.		
Sponsors:	Dave Thune		
Indexes:	Substantial Abatement Orders, Ward - 2		
Code sections:			
Attachments:	1. 755 Andrew St Order to Abate.pdf, 2. 755 Andrew St Public Hearing Notice.pdf, 3. 755 Andrew St Photos.pdf, 4. 755 Andrew St.FTA Ltr 8-11-11.pdf, 5. 755 Andew St.Bid Tab.pdf		

Date	Ver.	Action By	Action	Result
9/9/2011	2	Mayor's Office	Signed	
9/7/2011	2	City Council	Adopted	Pass
8/9/2011	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 755 ANDREW STREET within fifteen (15) days after the September 7, 2011 City Council public hearing.

WHEREAS, the Department of Safety and Inspections has requested the City Council to hold public hearings to consider the advisability and necessity of ordering the repair or razing and removal of a one and one-half story, wood frame and masonry single-family dwelling and its attached two-stall garage, wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 755 ANDREW STREET. This property is legally described as follows, to wit:
Smedleys Add to Saint Paul Lot 24 Blk 1
WHEREAS, based upon the records in the Ramsey County Recorder's Office and information obtained by the Department of Safety and Inspections on or before May 19, 2011, the following are the now known owners, interested or responsible parties for the subject property: Anthony C Lee/Elizabeth C Vitela, PO Box 18683, West St Paul MN 55118; Peterson, Fram & Bergman, 55 E 5th Street Suite 800, Saint Paul, MN 55101; West Side Citizens Organization; and
WHEREAS, the Department of Safety and Inspections has notified the known owners, interested or responsible parties of the "Order to Abate Nuisance Building(s) pursuant to Saint Paul Legislative Code Chapter 45; 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 30, 2011; and

WHEREAS, on June 1, 2011 the enforcement officer posted a placard on the Subject Property declaring the building(s) to constitute a nuisance condition, subject to demolition; and

WHEREAS, this nuisance condition has not been corrected and the Department of Safety and Inspections requested the City Clerk schedule public hearings before the Legislative Hearing Officer and the Saint Paul City Council; and

WHEREAS, the interested and responsible parties have been served notice in accordance with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and purpose of the public hearings; and

WHEREAS, a hearing was conducted before the Legislative Hearing Officer of the City of Saint Paul City Council on August 9, 2011; and

WHEREAS, after reviewing testimony and evidence, the Legislative Hearing Officer made the recommendation to approve the request to order the owners, interested or responsible parties to make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by razing and removing the structure in accordance with all applicable codes and ordinances, which is to be completed within fifteen (15) days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on September 7, 2011 and the testimony and evidence including the action taken by the Legislative Hearing Officer was considered by the Council; Now, Therefore, Be It

RESOLVED, that based upon the testimony and evidence presented at the above referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and Order concerning the Subject Property at 755 ANDREW STREET:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;
2. That costs of razing and removal of this building(s) is estimated to exceed $5,000;
3. That there now exists and has existed multiple Housing or Building Code violations at the Subject Property;
4. That an Order to Abate Nuisance Building(s) was sent to the then known owners, interested and responsible parties to correct the deficiencies or to raze and remove the building(s);
5. That the deficiencies causing this nuisance condition have not been corrected;
6. That the Department of Safety and Inspections has posted a placard on the Subject Property which declares it to be a nuisance condition, subject to razing and removal;
7. That this building(s) has been routinely monitored by Department of Safety and Inspections Vacant/Nuisance Buildings staff; and
8. That the known interested parties and owners are as previously stated in this resolution and that the notification requirements of Saint Paul Legislative Code Chapter 45 have been fulfilled; And, Be It

RESOLVED, that the Saint Paul City Council hereby makes the following order:

1. The above-referenced owners, interested or responsible parties shall make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by razing and removing the structure in accordance with all applicable codes and ordinances. The razing and removal of the structure must be completed within fifteen (15) days after the date of the Council Hearing;
2. If the above corrective action is not completed within this period of time, the Department of Safety and Inspections is hereby authorized to take whatever steps are necessary to raze and remove this structure, fill the site and charge the costs incurred against the Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative Code;
3. In the event the building is to be razed and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the razing and removal shall be removed from the Subject Property by the owners or responsible parties by the end of this time period. If all personal property is not removed, it shall be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as provided by law; and
4. It is further ordered that a copy of this resolution be mailed to the owners, interested and responsible parties in accordance with Chapter 45 of the Saint Paul Legislative Code.