



Legislation Details (With Text)

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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 978 DESOTO STREET within fifteen (15) days after the September 7, 2011 City Council public hearing.

Sponsors: Lee Helgen

Indexes: Substantial Abatement Orders, Ward - 5

Code sections:

Attachments: 1. 978 Desoto St Order to Abate.pdf, 2. 978 Desoto St Public Hearing Notice.pdf, 3. 978 Desoto St Photos.pdf, 4. 978 Desoto St.8-9-11 Remove-Repair Ltrs.pdf, 5. 978 Desoto St.Bid Tabs 8-23-11.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 978 DESOTO 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 single story, wood frame, single family dwelling and a wood frame shed located on property hereinafter referred to as the "Subject Property" and commonly known as 978 DESOTO STREET. This property is legally described as follows, to wit:

Fairview Addition Lot 10 Blk 13

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 1, 2011, the following are the now known owners, interested or responsible parties for the subject property: Prism Real Estate Inc, 6465 Wayzata Blvd #304, Minneapolis MN 55426-1730; MD Webb Inc, c/o Michael Olsen, 659 Bielenberg Drive, Woodbury MN 55125; Payne Phalen District 5 Planning Council; 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 July 7, 2011; and

WHEREAS, on June 7, 2011, the enforcement officer posted a placard on the Subject Property declaring this 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 978 DESOTO 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 Further

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

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 this structure(s) in accordance with all applicable codes and ordinances. The razing and removal of the structure(s) 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.