



Legislation Details (With Text)

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**Title:** Uninhabitable Structures Demolition Recommendations

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Pleasant Street, 6493 - Aerial Map, 2. Pleasant Street, 6493 - Photos, 3. Pleasant Street, 6493 - Ordinance, 4. Schmidt Street, 4925 - Aerial Map, 5. Schmidt Street, 4925 - Photos, 6. Schmidt Street, 4925 - Ordinance

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Kristoff Bauer, Deputy City Manager, ICMA-CM

**FROM:** Bart Swanson, Housing and Code Enforcement Division Manager

**DATE:** May 28, 2019

**RE:**  
Uninhabitable Structures Demolition Recommendations

**COUNCIL DISTRICT(S):**

6493 Pleasant Street      District 7  
4925 Schmidt Street      District 4

**Relationship To Strategic Plan:**

Goal 2: More attractive City - Clean and Beautiful; Goal 3: Growing City, Livable Neighborhoods - A Great Place To Live

**Executive Summary:**

Staff request for demolition ordinance approval on two residential buildings determined to be blight.

**Background:**

**6493 Pleasant Street- 0407-03-5949-**

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential building that was inspected

and condemned as a blighted structure on January 25, 2019. A hearing on the condition of the structure was conducted on February 14, 2019, at which the owner failed to attend. Notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on February 15, 2019. To date, there have been no repairs to the structure and the structure has not been demolished. In the past 24 months, there have been 2 calls for 911 service to the property. There have been 5 code violation cases with \$866.26 in City assessments and \$1,063.17 in outstanding taxes.

**4925 Schmidt Street- 0418-28-7418-**

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential building that was inspected and condemned as a blighted structure on July 16, 2018. A hearing on the condition of the structure was conducted on August 2, 2018, at which the owner did not appear, but did respond via telephone. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on August 3, 2018. To date, there have been no repairs to the structure and the structure has not been demolished. In the past 24 months, there have been 16 calls for 911 service to the property. There have been 14 code violation case with no City assessments and no outstanding taxes.

**Issues/Analysis:**

The subject properties are sub-standard and detrimental to the surrounding neighborhood and promotes nuisances and blight, contrary to the City's Strategic Plan 1.

**Budget Impact:**

The demolition cost of these structures will be determined at a later date subject to a competitive bidding process to be conducted after adoption of the demolition ordinance. There may be additional unknown costs for asbestos testing and abatement if needed.

**Options:**

Adopt the ordinances and demolish the structures.  
Abstain from any action and allow the structures to remain.  
Defer any action to a later date.

**Recommended Action:**

Staff recommends the Council move to adopt the ordinance authorizing demolition of the structures. Council is advised that staff will continue to work with property owners up until the actual City-ordered demolitions begin to either bring the structures into a code-compliant state, to obtain voluntary owner-initiated demolition, or to achieve abatement of the violation with the assistance of a Community Development grant. In the event we are successful in voluntary compliance, we will bring Council a demolition rescission ordinance to remove the original demolition order from clouding the deed of the property. Having demolition ordinances approved by Council increases leverage to obtain code compliance. Only an action by the Council can stay or suspend demolition proceedings after a demolition order has been adopted.

**Attachments:**

Aerial photos, violation photos, and proposed ordinances