



Legislation Text

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File #: 18-396, Version: 1

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**TO: Mayor and Members of City Council**

**THRU: Jay Reinstein, Assistant City Manager**

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

**DATE: August 27, 2018**

**RE: Uninhabitable Structures Demolition Recommendations**

1023 Deep Creek Road                      District 2  
503 Person Street                          District 2

**COUNCIL DISTRICT(S):**  
2

**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 one residential building determined to be blight and one commercial building determined to be blight.

**Background:**

**1023 Deep Creek Road 0446-36-8317**

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 March 1, 2018. A hearing on the condition of the structure was conducted on March 21, 2018, for which the owner's relative appeared. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on March 22, 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 no calls for 911 service to the property. There have been 3 code violation cases with no City assessments and \$325.38 in outstanding taxes.

**503 Person Street 0437-93-1065**

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 commercial building that was inspected and condemned as a blighted structure on March 13, 2018. A hearing on the condition of the structure was conducted on March 28, 2018, at which the owner failed to attend. The owner's attorney responded prior to the hearing. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on March 29, 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 8 calls for 911 service to the property. There have been 10 code violation cases with \$1,388.64 in City assessments and no outstanding taxes.

**Issues/Analysis:**

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

**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 that Council move to adopt the ordinance authorizing demolition of the structures. Council is advised that staff continues to work with property owners up until the actual City-ordered demolitions to either get the structures repaired and code-compliant or to demolish the structures themselves or with a Community Development grant. In the event we are successful, staff brings Council a demolition rescission ordinance to clear the property of the cloud on the title from the original demolition order. Staff prefers to get demolition ordinances approved, as Council action increases our leverage with property owners in obtaining code compliance. Only an action by the Council can stay or suspend demolition proceedings.

**Attachments:**

Aerial photos, violation photos, and proposed ordinances