



## Legislation Details (With Text)

**File #:** Res. 2016-107      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 10/12/2016      **In control:** City Council

**On agenda:** 10/18/2016      **Final action:** 10/18/2016

**Title:** Consideration of Resolution Regarding Order to Abate Nuisance at 504 4th Street East.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1- Resolution

Date	Ver.	Action By	Action	Result
10/18/2016	1	City Council	approve	Pass

**City Council Meeting Date:** October 18, 2016

**To:** Mayor and City Council  
City Administrator

**From:** Chris Heineman, Community Planning and Development Director  
Jim Kessler, Building Official  
Chris Hood, City Attorney

Consideration of Resolution Regarding Order to Abate Nuisance at 504 4th Street East.

### Action Requested:

Staff recommends approval of a Resolution ordering abatement of blight and nuisance conditions at 504 4<sup>th</sup> Street East.

### Summary Report:

The conditions of the Property located at 504 4<sup>th</sup> Street East in Northfield as identified in the attached Findings, Conclusion, and Order of Abatement, constitute a blight and public nuisance and are in violation of the referenced City Code provisions and State Statutes. City staff has made several attempts to enforce the referenced code provisions, and the Property Owner shall have until October 28, 2016 to remedy, abate, eliminate and remove all of the blight and nuisance conditions from the Property as identified in the attached Notice and Order to Abate Nuisance and Notice of Hearing (Exhibits E and F).

The City Council is asked to review the findings, conclusion, and order of abatement and pass a Resolution ordering abatement of the blight and nuisance conditions at 504 4<sup>th</sup> Street East. This Order of Abatement, including but not limited to, all or any combination of the following:

- a. Make a motion for summary enforcement of this Order of Abatement or file such other legal action is necessary to the District Court of Rice County, Minnesota, in order to obtain a court order authorizing the

City personnel or the City's contracted agent to subsequently enter upon the Property and remedy, abate, eliminate and remove the identified blight and nuisance conditions present on the Property.

b. Initiate additional criminal prosecutions for each documented violation of the City Code.

c. Execute a Consent Agreement with the Property Owners, Exhibit G, to allow the City or the City's contracted agent to enter upon the Property to remedy, abate, eliminate and remove the identified blight and nuisance conditions present on the Property and invoice the costs incurred by the City associated with the clean-up to the Owners or subsequently assess such costs to the Property.

d. Execute a contract with a City contractor to enter upon the Property to remedy, abate, eliminate and remove the identified blight and nuisance conditions present on the Property.

e. Invoice the Owners for all costs incurred by the City to remedy, abate, eliminate and remove the identified blight and nuisance conditions present on the Property.

f. In the event that the Owners do not pay the invoiced costs incurred by the City in a timely manner, initiate a public hearing before the City Council to consider assessing such costs incurred by the City as an assessment on the Property to be certified for payment in like manner as property taxes on the Property.

**Alternative Options:**

The City Council could choose not to approve the Resolution Ordering Abatement of Nuisance. If no action is taken, staff will have limited ability to enforce City Code violations.

**Financial Impacts:**

If the Resolution is approved, the City of Northfield will have the ability to invoice the Owners for all costs incurred by the City to remedy, abate, eliminate and remove the identified blight and nuisance conditions presented on the Property.

**Tentative Timelines:**

The Property Owners shall have until October 28, 2016 to remedy, abate, eliminate and remove all of the blight and nuisance conditions from the Property as identified in the August 24, 2016 Notice and Order to Abate Nuisance and Notice of Hearing and this Order of Abatement.