

City of St. Helens
RESOLUTION NO. 1830

**A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY
LOCATED AT 115 LITTLE STREET WITHIN THE CITY OF ST. HELENS AND
DIRECTING THAT NOTICE TO ABATE THE NUISANCE BE POSTED ON SAID
PREMISES**

WHEREAS, St. Helens Municipal Code (SHMC) Section 8.12.050(2) provides that "Debris on Private Property. All accumulations of debris, trash, garbage, rubbish, manure and other refuse located on private property or sidewalks abutting thereon, and which has not been removed within a reasonable time and which is unsightly or which affects the health, safety or welfare of the city;" and

WHEREAS, St. Helens Municipal Code (SHMC) Section 8.12.070(1) provides that "No person in charge of any premises shall permit: (a) To remain unguarded upon said premises any machinery, automobile bodies or parts thereof, equipment, structures, buildings or other devices having the characteristic of an attractive nuisance or which is liable to attract children;" and

WHEREAS, St. Helens Municipal Code (SHMC) Section 15.20.010 SECTION 302(3)(4)(5)(7)(8)(12)(14)(15)(18) – Dangerous Building states that "For the purpose of this code any building or structure which has any or all of the conditions or defects [hereinafter described] shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered.

WHEREAS, the structure located at 115 Little Street, St. Helens, Oregon, used as a dwelling unit has been damaged by fire and is determined by the Building Official to be in violation of one or more provisions of Chapters 8.12 and 15.20 of the St. Helens Municipal Code and therefore a nuisance pursuant to the ordinance.

NOW, THEREFORE, THE CITY OF ST. HELENS RESOLVES AS FOLLOWS:

Section 1. The structure at 115 Little Street, St. Helens, Oregon constitutes a nuisance under SHMC Chapters 8.12 and 15.20, based on the photographs of the premises, attached hereto and incorporated herein by reference, and information from the Building Official. Council finds that the photographs show a structure damaged by fire and has deteriorated to the extent it is now a dangerous building as defined in SHMC 15.20.010 Section 302. The structure is now in a state where risk of a full or partial collapse is likely. The fire also damaged the roofing and siding of the structure exposing the structure, in many areas, to the weather which has caused further deterioration. The building is not secure at the exterior to prevent the infestation of vermin and growth of organic materials, rendering the building unsanitary to the occupants, neighboring properties and the public. Additionally, there is debris, rubbish and vehicles that have accumulated on the property creating attractive nuisances and nuisances that are affecting the public health. Council hereby directs that the property owner(s) or the person(s) in charge of the property attain the required permits to demolish the structures and remove all building debris, rubbish, debris, vehicles, and any other materials that present the attractive nuisance.

Section 2. Council hereby directs a notice to be posted at 115 Little Street, St. Helens, Oregon which contains: a description of the real property, by street address or otherwise; a direction to remove the nuisance within 30 days of the date of the notice; a description of the nuisance; a statement that unless the debris is removed, the City will perform nuisance abatement and that the costs shall be a lien against the property; furthermore, unless a permanent abatement of the nuisance is performed within 30 days of this resolution, the City will permanently remove the nuisance and a statement that the person

in charge of the property may protest the action by giving notice to the City Recorder within ten (10) days from the date of the notice.

Section 3. The City Recorder shall cause a copy of said notice to be forwarded by registered or certified mail, postage prepaid, to the person in charge of the property at the last known address of such person. That notice shall contain all the elements listed in Section 2, supra, that is, the posting. If the person responsible for the nuisance is not the owner, an additional notice shall be sent to the owner, stating that the cost of abatement not paid by the person responsible may be assessed to and become a lien on the property.

Approved and adopted by the City Council on October 17, 2018, by the following vote:

Ayes: Locke, Carlson, Conn, Morten, Scholl

Nays: None



Rick Scholl, Mayor

ATTEST:



Kathy Payne, City Recorder





