

**City of St. Helens**  
**RESOLUTION NO. 1865**

**A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY  
LOCATED AT 264 S. 20<sup>TH</sup> 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 6.04.020(c) provides that "(i) Any owner or person having custody or control of an animal shall immediately remove excrement or other solid waste deposited by the animal on public or private property.

(ii) Excrement shall be removed from primary enclosures and areas as often as necessary to prevent contamination, reduce disease hazards and minimize odors;" and

**WHEREAS**, St. Helens Municipal Code (SHMC) Section 8.14.040(4) provides that 4) Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the Building Official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities, or other essential equipment required by this chapter, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public; and

**WHEREAS**, the structure(s) located at 264 S. 20<sup>TH</sup> STREET, St. Helens, Oregon were determined by the Building Official to be in violation of one or more provisions of Chapter 8.14 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 structures at 264 S. 20TH STREET, St. Helens, Oregon constitute a nuisance under SHMC Chapter 8.14, based on the photographs of the premises, attached hereto and incorporated by reference, and information from the Building Official and Code Enforcement Officer. Council finds that the photographs show insanitary conditions caused by animal filth and excrements that have accumulated within the dwelling. Council hereby directs that the premises located at 264 S. 20TH STREET be restored to a sanitary condition by removing all animal filth and excrement.

**Section 2.** Council hereby directs a notice to be posted at 264 S. 20TH 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 such nuisance is not completely removed from the property and disposed of in a legal manor, the City will contract services to permanently remove the nuisance from the property and that the costs shall be a lien against the property; 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 this resolution, 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 November 6, 2019, by the following vote:

Ayes: Locke, Carlson, Topaz, Morten, Scholl

Nays: None

  
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Rick Scholl, Mayor

ATTEST:

  
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Kathy Payne, City Recorder



