

City of St. Helens
RESOLUTION NO. 1900

A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY
LOCATED AT 234 N 16TH 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 8.14.040(4) provides that "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 primary residential structure located at 234 N 16TH STREET, St. Helens, Oregon was 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 primary residential structure at 234 N 16TH STREET, St. Helens, Oregon constitutes a nuisance under SHMC Chapter 8.14.040(4), due to the lack of potable water creating an insanitary condition for the occupants and the public. The structure was previously posted to as uninhabitable but that posting has not resolved the problem of persons occupying the premises without legal, potable water. Council hereby directs that the premises located at 234 N 16TH STREET be vacated immediately and until such time that a legal, potable water service is restored.

Section 2. Pursuant to SHMC 8.2.220, Council hereby delegates a temporary remedy of boarding up the vacated structure so as to prevent entry into the structure. The owner or owner's designee shall cause such boarding up shall take place within thirty days of this resolution and shall remain in place and maintained until such time as the residence is deemed fit for human occupancy and intended to be occupied.

Section 3. Council hereby directs a notice to be posted at 234 N 16TH STREET, St. Helens, Oregon which contains: a description of the real property, by street address or otherwise; a direction to vacate the property until a legal potable water service is restored; a statement that unless such vacated structures are sufficiently secured to prevent access into them within thirty days of this resolution, the City will perform temporary nuisance abatement and secure said structures 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 4. 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 3, 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 7, 2020, by the following vote:

Ayes: Locke, Carlson, Topaz, Scholl

Nays: None



Rick Scholl, Mayor

ATTEST:



Kathy Payne, City Recorder