



## Legislation Text

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**File #:** 18-0317R, **Version:** 1

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RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE A NUISANCE BY REMOVING A STRUCTURALLY UNSOUND BUILDING IN THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$25,000.

### CITY PROPOSAL:

RESOLVED, that the council finds as follows:

(a) The building official for the city of Duluth duly issued condemnation orders for the structure located on the parcel of land described below located within the city of Duluth after determining that the criteria of Section 10-3 of the city of Duluth Legislative Code was met in this case: 4822 Oakley Street.

(b) The property owner was notified of the condemnations for demolition via certified mail, posting on the premises, and publication in the Duluth News Tribune twice in separate weeks.

(c) The appeal period for all of these condemnation orders have expired, and,

(d) The cost for demolition of the three structures is estimated not to exceed \$25,000.

BE IT FURTHER RESOLVED, that pursuant to Section 10-3(b) of the city of Duluth Legislative Code, if any owner has not complied with the demolition order within 30 days of notification, the building official is authorized:

(a) To proceed with the work ordered or to contract to have the work done; and

(b) Should the sale of the salvage from such work exceed the cost of the demolition, the balance in excess of the cost shall be paid to the owner of said building or to such other persons as may by law be entitled thereto; and

(c) Submit to the city council a statement of the cost of such work for its further determination of the manner by which such costs shall be recouped as provided by Section 10-3(b) of the city of Duluth Legislative Code.

**STATEMENT OF PURPOSE:** This resolution identifies a severely damaged or dilapidated building that has been condemned for demolition and authorizes the building official to take appropriate action for removal once the demolition order is final. The council finds that the structure is substandard and constitutes spot slum and blight conditions on the community. Buildings damaged or deteriorated in excess of 60% of their market value are subject to an order to the owner to demolish the building within 30 days. Owners are notified via certified mail, posting of the notice on the premises, and posting in the Duluth News Tribune on two dates. Owners are informed of their right to appeal to the Building Appeal Board within 15 days of receipt of the order, pursuant to DLC 10-3. The appeal period has lapsed for the orders described herein. Demolition orders are final when the appeal period has lapsed without the filing of an appeal. If the owner has not appealed the order within 15 days or complied with the demolition order within 30 days of notice, the city council may direct the building official to proceed with the work ordered or to contract to have the work done. The estimated total cost for demolition of this structures is \$25,000.