

A G E N D A R E P O R T

DATE: December 17, 2002

ITEM Res. 9274, Cost Recovery, L11, B289, GF Eleventh Add., 2315 1 Ave. N.

INITIATED BY Community Development Department

ACTION REQUESTED Conduct Public Hearing and Adopt Res. 9274

PREPARED BY Jay Parrott, Code Enforcement

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

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RECOMMENDATION:

After closing the public hearing staff recommends the City Commission adopt Resolution 9274 and assess the total charges of \$ 1,116.00 against the property itself with interest and penalties on the unpaid balance.

MOTION:

I move to adopt Resolution 9274.

SYNOPSIS:

The owner of property at Lot 11, Block 289, Great Falls 11th Addition, Great Falls, Cascade County, Montana, was issued a "Notice of Hearing" before the City Commission of Great Falls to appear at 7:00 p.m., December 17, 2002. The hearing is to show cause why the owner of the property should not be liable for the costs incurred in razing the garage structure known as 2315 1 Avenue North. The following expenses were incurred:

Asbestos testing by <i>Northern Analytical Laboratories</i>	\$ 25.00
Demolition & clean-up by <i>Wayne Riley Excavating</i>	\$ 744.00
Ownership Report by <i>Stewart Title</i>	\$ 110.00
Administrative Fee	\$ 200.00
Publishing - Legal Ad (Notice of Public Hearing)	\$ 25.00
Recording Fees	<u>\$ 12.00</u>
TOTAL COSTS INCURRED	\$ 1,116.00

BACKGROUND:

The owner of the property known as 2315 1 Avenue North was given sixty (60) days from July 31, 2002, to obtain either a repair or razing permit. Neither a permit nor an appeal was filed for during the allotted time set by the Uniform Building Code. Proposals for razing the structure were taken with the contract awarded to *Wayne Riley Excavating* on November 11, 2002. Razing was completed on November 14, 2002.

Action

Date

- Initial complaint taken by staff 07-13-02
- Initial inspection of property 07-13-02
- Ownership and encumbrance report ordered 07-16-02
- Sixty-day “Condemnation Notice” mailed certified 07-31-02
- 30-day appeal date – no action taken by owner 08-30-02
- 60-day time limit – no action taken by owner 09-29-02
- “5-day Notice” mailed certified 10-21-02
- Razing application applied for 11-08-02
- “5-day Notice” returned to sender 11-12-02
- Razing started 11-12-02
- Razing completed 11-14-02
- Final inspection and approval by staff 11-15-02

Notification a public hearing would be held on December 17, 2002, at 7:00 p.m., for the purpose of assessing said costs on the above-mentioned property was mailed to the property owner and published in the TRIBUNE on December 6, 2002.

cc: Coleen Balzarini, Controller
 Judy Burg, Fiscal Control/Tax

RESOLUTION 9274

A RESOLUTION ASSESSING THE COSTS INCURRED IN THE NUISANCE ABATEMENT OF PROPERTY LOCATED AT LOT 11, BLOCK 289, GREAT FALLS ELEVENTH ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 2315 1 AVENUE NORTH, AGAINST SAID PROPERTY.

WHEREAS, the owner of the property located at Lot 11, Block 289, Great Falls 11th Addition, Great Falls, Montana, 2315 1 Avenue North was issued a notice to raze the structure.

WHEREAS, after due notice the property owner did not raze the structure.

WHEREAS, staff hired a contractor to raze the structure and clean the property.

WHEREAS, the contractor completed razing & cleanup with staff approving the work.

WHEREAS, the City Commission set December 17, 2002, at 7:00 p.m. for this hearing, to show cause why the property owner should not be held liable for the costs incurred in razing and cleanup of said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:

The amount of \$ 1,116.00 for razing and cleanup costs incurred in the abatement of a nuisance at Lot 11, Block 289, Great Falls 11th Addition, Great Falls, Montana, described as 2315 1 Avenue North, be assessed against the property itself, with interest and penalties on the unpaid balance.

PASSED by the Commission of the City of Great Falls, Montana, on this 17 day of December, 2002.

Randall H. Gray, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

State of Montana)
County of Cascade: ss.
City of Great Falls)

I, PEGGY J. BOURNE, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9274 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 17 day of December, 2002, and approved by the Mayor of said City, on the 17 day of December, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 17 day of December, 2002.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)