

City of St. Helens
RESOLUTION NO. 1979

A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY
LOCATED AT 155 N COLUMBIA RIVER HWY WITHIN THE CITY OF ST. HELENS
AND DIRECTING THE NUISANCE BE REMOVED OR ABATED

WHEREAS, St. Helens Municipal Code (SHMC) Section 15.04.110(1)(a) provides that "All buildings or structures regulated by this code which are structurally unsafe, fail to provide adequate means of egress, constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe;" and

WHEREAS, St. Helens Municipal Code (SHMC) Section 15.04.110(1)(b) provides that "All such unsafe buildings, structures or appendages are hereby declared to be public nuisances;" and

WHEREAS, St. Helens Municipal Code (SHMC) Section 8.14.040(1) provides that "When a structure or equipment is found by an enforcement official to be unsafe, unfit for human occupancy, or otherwise unlawful, such structure or equipment is in violation of this chapter and a nuisance which shall be abated as set forth in SHMC 8.12.220 through 8.12.290, Chapter 15.20 SHMC;" and

WHEREAS, the 384sqft non-permitted unenclosed structure located at 155 N COLUMBIA RIVER HWY, St. Helens, Oregon has been determined by the Building Official to be in violation of one or more provisions of Chapters 8.14; 15.04 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 155 N COLUMBIA RIVER HWY, 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.

Section 2. Pursuant to SHMC 8.2.220, Council hereby directs that this nuisance be permanently abated or removed within 30 days from the date of this resolution.

Section 3. Council hereby directs a notice to be posted at 155 N COLUMBIA RIVER HWY, 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 structure is removed or abated, the City will remove the nuisance and 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 paragraph 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 March 15, 2023, by the following vote:

Ayes:

Nays:

Rick Scholl, Mayor

ATTEST:

Kathy Payne, City Recorder

