

City of St. Helens
RESOLUTION NO. 2032

**A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY
LOCATED AT 325 THE STRAND 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(2) provides that “an unsafe structure is one that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Any structure or premises that has one or more of the conditions or defects described below shall be considered dangerous:

(a) Any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building code or fire code as related to the requirements for existing buildings;

(b) The walking surface of any aisle, passageway, stairway, exit, or other means of egress is so warped, worn loose, torn, or otherwise unsafe as to not provide safe and adequate means of egress;

(c) Any portion of a building, structure, or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism, or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged;

(d) Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, that is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place, so as to be capable of resisting natural or artificial loads of one and one-half the original designed value;

(e) The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way;

(g) Any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse, or any other threat to life and safety;

(i) Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system, or other cause, is determined by the building official to be a threat to life or health;

WHEREAS, the structure located at 325 The Strand, 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. Council hereby determines a nuisance exists at 325 The Strand and directs the owner to mitigate the nuisance by legally reinforcing or demolishing all failing portions of the building within 30 days from the adoption date of this Resolution. If such nuisance exists after 30 days from the adoption date of this Resolution, the City will remove the nuisance, and the cost of removal shall be a lien against the property.

Section 2. Council hereby directs a notice to be posted at 325 The Strand, 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 removed, the City will remove the nuisance and the costs of removal 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. Council further directs the City Recorder to 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 December 4, 2024, by the following vote:

Ayes:

Nays:

Rick Scholl, Mayor

ATTEST:

Kathy Payne, City Recorder







