

City of St. Helens
RESOLUTION NO. 2031

A RESOLUTION DETERMINING THAT A NUISANCE EXISTS UPON PROPERTY
LOCATED AT 203 S. COLUMBIA RIVER HWY. WITHIN THE CITY OF ST. HELENS
AND ORDERING THE NUISANCE REMOVED

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:

(f) The building or structure is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or trespassers, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act;

(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;

(h) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease;

(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; or;” and

WHEREAS, the structure located at 203 S. Columbia River Hwy., St. Helens, Oregon has been 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 203 S. Columbia River Hwy. and directs the owner to mitigate the nuisance by securing the exterior from entry 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 203 S. 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 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





