

Nuisance Property Team

Code Enforcement

Police Patrol

Police Street Crimes

Crime Analyst

Building Division

Fire Marshall

Legal Department

Riverstone Health

Probation and Parole

Others as Needed

PROPERTIES

Active Properties

223 S 27th

120 S 29th

824 Dorothy

122 N 30th

2601 4th Ave N

3714 5 Ave S

605 Calhoun

835 Miles

323 S 31st

213 S 31st

4910 Southgate Dr

Inactive Properties

213 S 29th

1078 Kootenai

STATUS

223 S 27th – Complaint filed in District Court on 1/27/2023

120 S 29th - Dangerous structure case. Posted No Trespass. Windows and doors installed. Siding scheduled. Almost in compliance. Reinspection scheduled for 2/28/23.

122 N 30th - Graffiti alley. All but one building owner wishes to install a mural. DBA involved. BPD to patrol for tagging enforcement.

2601 4th Ave N - Decaying structure case started 11/22/22. New ownership beginning remodel January 2023. Reinspection scheduled on 6/30/23

3714 5 Ave S - Dangerous structure/open storage case started 8/22/22. Voluntary abatement completed on 10/12/22 and structure boarded. Boards removed illegally around 1/10/23. In foreclosure. Property boarded again by code enforcement team. Ready for public sale.

STATUS

605 Calhoun - Boarded structure case opened 7/7/22. In foreclosure. Property set for public sale 5/5/23.

835 Miles - Active open storage case. Large abatement completed on 9/7/22. Property came out of compliance again. Second open storage case opened 10/25/22. Ownership shared among 5 people. Dangerous structure case also on this property. New owner identified. Cleaning and repairs on building ongoing.

213 S 31st - Open storage / graffiti / transient activity. Property owner is on probation has absconded. Code Enforcement granted abatement order on 1/18/23

323 S 31st - Decaying structure case opened 9/16/22. Contractor has materials but requested extension due to weather. Reinspection scheduled for 4/26/23.

STATUS

4910 Southgate Dr – Significant calls for police service, business was lacking a business license, code enforcement followed up for compliance, discussions with business owners on potential issues

824 Dorothy - Open storage case opened 8/2/22. Abatement granted and was completed on 11/2/22. Property remained in compliance until new complaint on 1/18/23 of open storage and junk vehicle. New case started. First notice sent 1/18/23.

Legislative

LC 1370/HB 534

MCA – 3-11-103 Exclusive Jurisdiction

(2) when the amount of the taxes or assessments sought does not exceed ~~\$9,500~~ \$25,000, actions for the collection of taxes or assessments levied for any of the following purposes, except that no lien on the property taxed or assessed for the nonpayment of the taxes or assessments may be foreclosed in any such action:

Status – No date/time listed

Ordinances

BMCC – 18-1100 – Graffiti

- Moving to municipal infraction vs misdemeanor offense
- General Language Clean up

BMC – 18-303 – Nuisances

- Remove 12-month period for reported graffiti
- Add Damage roofing to include missing shingles or roofing materials; warped shingles; or deteriorating shingles under conditions to abandoned or decaying structure
- Add Broken or boarded windows under conditions to abandoned or decaying structure

Montana Statutes Relating to Civil Litigation

45-8-111 - Public nuisance

45-8-112 - Action to abate public nuisance

27-30-103 - Action for nuisance

27-30-104 - Right to recover damages unaffected by abatement

27-30-105 - Successive owners liable for nuisance

27-30-202 - Remedies for public nuisances

27-30-204 - Abatement of public nuisance by public body or officer or injured party