

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #19-051

**A RESOLUTION APPROVING THE EXTENSION OF
CODE ENFORCEMENT ACTIONS AT THE PROPERTY
GENERALLY KNOWN AS 14760 BOWERS DRIVE NORTHWEST**

WHEREAS, Sandra Dickson, hereby referred to as a the “homeowner,” has an open code enforcement case for multiple violations at the property generally known as 14760 Bowers Dr NW and legally described as follows:

THAT PRT OF GOV LOT 1 SEC 30 TWP 32 RGE 25 DESC AS FOL: COM AT NE COR OF LOT 5 BOWERS MISSISSIPPI ACRES TH N 0 DEG 00 MIN 00 SEC E ASD BRG ALG W LINE OF BOWERS DR NW 155.3 FT, TH N 65 DEG 14 MIN W 165.55 FT, TH N 78 DEG 04 MIN W TO ELY SHORE LINE OF MISSISSIPPI RIVER, TH SLY ALG SD SHORE LINE TO NW COR OF SD LOT 5 TH ELY ALG N LINE OF SD LOT TO POB, EX THAT PRT OF SD GOV LOT 1 COM AT NE COR OF SD LOT 5, TH ON ASSD BRG N 0 DEG 00 MIN 00 SEC E 3.5 FT, TH N 65 DEG 14 MIN W 9.7 FT, TH S 49 DEG 20 MIN 46 SEC E 11.61 FT TO POB, EX RD SUBJ TO EASE OF REC, Anoka County, Minnesota

(the “Subject Property”) (PID: 30-32-25-11-0010)

WHEREAS, the violations on the Subject Property include the following:

- a. Violations of City Code Chapter 105, Rule 1309 and the International Property Maintenance Code
- b. Violations of City Code Chapter 30, Public Nuisances
- c. Violations of City Code Chapter 117, Off-Street Parking Regulations

WHEREAS, on December 20, 2018, Staff performed an inspection of the Subject Property; and

WHEREAS, the City of Ramsey sent notices on November 8, 2018, November 29, 2018, and January 4, 2019; and

WHEREAS, it does not appear the homeowner has made progress on the code violations since December 20, 2018, but the City of Ramsey has had a significant freeze and negative temperatures; and

WHEREAS, Staff feels it is reasonable to grant an extension through May 31, 2019 due to the recent cold weather and deep freeze; and

WHEREAS, there have been at least 41 code enforcement cases on the Subject Property since 2008; and

WHEREAS, the City Council approved the extension this 12th of February, 2019.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the Ramsey City Council approves the following related to the code enforcement case:
 - a. That the City of Ramsey is granting an extension to code enforcement actions at the Subject Property until May 31, 2019 in order to allow the homeowner time to clean up, fix, and address the code enforcement items onsite.
 - b. That the homeowner understands any subsequent violation within 12 months of this date will include an administrative citation, starting at \$250.
 - c. That the homeowner must address the items noted in Exhibit A, a notice of violation dated and sent on February 5, 2019, including, but not limited to:
 - i. Removing any junk or garbage onsite
 - ii. Removing tarp and items stored inside gazebo
 - iii. Removing landing off rear of home
 - iv. Removing pile of lumber, furniture, items hidden by tarp in rear yard
 - v. Removing addition to white shed
 - vi. Ensuring windows and structures meet building code requirements
 - vii. Receiving necessary permits for work being taken

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this 12th day of February, 2019.

Mayor

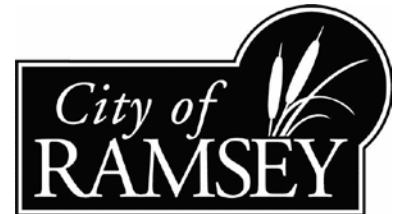
ATTEST:

City Clerk

EXHIBIT A

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



February 5, 2019

Sandra Dickson
Or Current Property Owner
14760 Bowers Dr NW
Ramsey, MN 55303

---Third Notice of Violation and Extension---

RE: 14760 Bowers Dr NW, Ramsey, MN 55303; Anoka County PID: 30-32-25-11-0010

Dear Property Owner:

Due to recent weather conditions, including extreme negative temperatures and subsequent snow events, City Staff feels it is reasonable to grant you an extension until May 31, 2019 to address the open code enforcement violations on the property 14760 Bowers Drive NW in Ramsey, MN. The City will begin the abatement process after that date and formally requests an inspection for June 3, 2019. The City Council will formally discuss the extension topic on February 12, 2019.

Summary of Past Actions

- You received previous (second) notice dated January 4, 2019 with a \$75 citation for the repeat offense. City Staff gave you a deadline date of January 21, 2019 to make the necessary improvements on the property including those outlined in the next few pages of this notice.
- Thank you for allowing City Staff to perform a voluntary inspection on December 20, 2018. During this inspection, City Staff was able to get a more clear understanding of the property.
- You received previous notices you received on November 8, 2018 and November 29, 2018 (consolidated into notice on January 4, 2019)

Please note that permits are required for siding, window, door, landing, and building improvements. Please stop all work until you receive a permit. You can apply at <https://epermits2.logis.org/home.aspx?city=ra> or in person at City Hall. There was a Stop Work Order issued for the siding because of the lack of permit.

The Following Pages Outline

- Next steps - specific items to be removed or improved
- Summary of violations - Please note the number in brackets [#] relates to the Summary of Violations starting on the next page
- Process of requesting a hearing on this notice and administrative next steps
- Contact information
- Attachment of photos - Each photo has items circled which need to be addressed as outlined on the next page; the photos are not exhaustive of all of the items onsite.



Summary of Next Steps

Remove	Improve
<ul style="list-style-type: none"> • Any garbage or refuse inside or outside the home, any garbage or refuse stored in vehicles – Photos on page 6 and 7 [5] • Remove large pile in rear yard near river – Photos on page 8 [5] • Remove all lumber stored on ground near fence – Photos on page 9 [5] • Remove piles of items in front yard (e.g. wood chair, table, buckets, etc.) [5] • Remove furniture stored outside that is not outdoor furniture (e.g. wooden end table) [5] • Stacked landscape block near landing [5] • Plastic sign in front yard draped over lawnmower – Photo on page 7 [5] • Pile of items, refuse on landing and near landing – Photo on page 6 [5] • Tarps cannot be used to hide items – includes trailers in front yard, shed walls, and large pile in rear yard – Page 6, 7, 8 [5] 	<ul style="list-style-type: none"> • Landing must be removed and a permit must be applied if you wish to replace landing with allowed materials (per code requirements below) – Photo on page 6 [1] [4] • Sheds onsite – tarps cannot be used as doors or walls – Photos on page 10 [2] [4] • Windows, walls, and exterior siding to meet property maintenance standards and Chapter 105 requirements – permit needed – Photos on page 11 [3] [5] • You are limited to 6 total items of outdoor storage including boats, trailers, and automobiles. You are currently at 8 items; reduce number onsite to 6 [6] • Remove wrap from gazebo and any items stored inside [2] [5] • Remove any shed under construction [2]
<p>Items listed above can be abated (removed) if not fixed within the time frame listed above</p>	<p>Items listed above will not be abated (removed); instead, the City takes these types of items to Civil Prosecution (court) if not remedied within the time frame listed above</p>

* Please note the number in brackets [#] relates to the Summary of Violations starting on the next page.



Summary of Violations

Violations of City Code Chapter 105

[1] **Exterior landing at rear door.**

Mn Rules 1309 section R311. Exterior landings shall be constructed of material that is naturally decay resistant or approved pressure preservative treated wood. Landings shall be a minimum of 3-foot by 3-foot.

Mn Rules 1309 section R312. Guards shall be located along open sides landings that are thirty (30") inches above floor or grade below. The guard shall be a minimum of 36" high. Guards shall not have openings, which allow passage of a sphere 4 inches in diameter.

Violations of City Code Chapter 105, International Property Maintenance Violations

The City of Ramsey has adopted ordinances that are designed to keep the community safe, healthy and attractive by the elimination of public nuisances. City Code Article V. Section 105-142 adopts the 2006 International Property Maintenance Code. You are presently in violation of Section 304.2.

[2] **Accessory Structure**

302.7 Accessory Structures. All accessory structures shall be maintained structurally sound and in good repair.

[3] **Exterior walls and overhangs.**

304 Exterior Structure. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.9 Overhang extensions. All exposed surfaces of metal or wood shall be protected from the elements and against decay and rust by application of weather coating materials, such as paint or similar surface treatment.

[3] **Windows.**

304.13 Windows and doorframes. Every window and doorframe shall be kept in sound condition, good repair and weather tight.



- [4] **Section 304.2: Protective Treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Building permits are required for the installation of new siding, new windows, and the exterior landing. Stop all work until permits are obtained.

Violations of Chapter 30

- [5] **City Code Section 30-3 Property Conditions Constituting a Public Nuisance:**
(6) The storage or accumulation of waste, refuse, or garbage that is not contained in a closed container designed or reasonably adapted for such purpose, except for 30 days preceding pick-up by a hauler. This includes any accumulation of appliances, plumbing fixtures, furniture, equipment, remnants of wood (decayed or weathered) unused construction materials, stockpiles of rocks or dirt, or any items that could not be put to use in the manner that they are intended.

Violations of Chapter 117, Off-Street Parking Regulations

- [6] **City Code Section 117-355 Residential Development Off Street Parking**
Under (b) (1) you are allowed 6 total items for outdoor storage – including vehicles and trailers, campers, boats, recreational equipment, and similar items. On December 20, 2018, staff observed two personal automobiles, two trailers, two canoes, and the two trailers (at least one with a boat) in the driveway. You are above the limit for these items.

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



Administration and Optional Hearing Instructions

You may request a hearing before a Hearing Examiner regarding these violations. Your request must be filed in writing addressed to the Chief of Police within fourteen (14) days from the date you receive his notice and your request **MUST** identify with specificity the basis for your objection to the interpretation of the Code and the Notice of Violation for requesting the hearing. A \$250 filing fee must also accompany your hearing request. The Police Chief's name and address is as follows:

Jeff Katers, Chief of Police
Ramsey Police Department
7550 Sunwood Drive NW
Ramsey, MN 55303

If you fail to correct the violations and come into compliance with the City Code or request a hearing within the fourteen (14) day period, you may be subject to an administrative fine AND the City will come on to the Property and correct (abate) the violations, and assess the costs with any penalties and interest incurred to the Property. Those costs will be certified to the county auditor and will be collected along with current taxes the following year or in annual installments not exceeding ten as the City Council may determine. The assessments will remain a perpetual lien on the Property until paid in full.

You are further notified that any item removed from the Property by the City will be held for 15 days prior to disposal. Within said 15 days you may reclaim the items held by the City after paying all fees incurred by the City associated with the abatement. If you do not contact the City within 15 days to reclaim the items, all items will be disposed of and sold. Any abated items that are reclaimed and returned to the Property owner that are found to be in violation of the City Code's nuisance provisions shall be abated immediately by the City.

If you have questions concerning this Notice, please contact me at (763) 433-9821. If you have any troubles reaching me, please contact the Community Development Department at 763-433-9824.

Sincerely,

Chloe McGuire, City Planner
City of Ramsey Community Development Department

Attachments

Remove items hidden by tarps; remove tarps (items circled)



Remove garbage from inside car (items circled)



Remove items from top of landing & block at bottom (circled), remove landing, (optional) obtain permit to reconstruct landing using approved materials

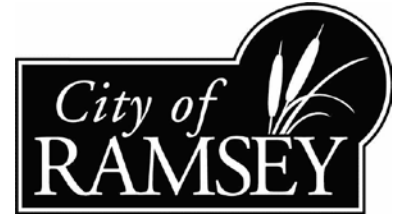


Remove garbage and outdoor storage (items circled)



**STATE OF MINNESOTA
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Fix: remove wrap from gazebo and any items inside;
ensure gazebo meets property maintenance standards
(gazebo is circled)



Remove sign, bucket, pile of items (see circled items)

Remove items from inside trellis/ remove
makeshift shed and tarp (items circled)



Remove all blighted items outdoors that are
not being put to intended purpose (in
circled areas)



Remove all lumber, items under tarp, furniture, refuse, junk, etc. The only item that can be stacked and stored outdoors seen here is firewood which needs to be in an orderly manner. Tarps may not be used to hide outdoor storage of items. (items circled)

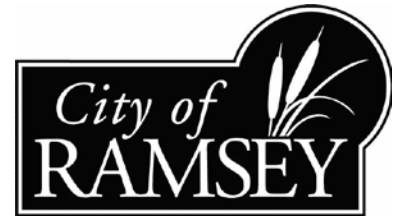




Remove lumber stored on ground; refuse (see circled items)

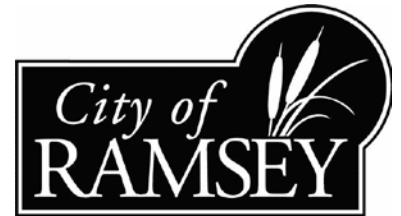
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Sheds: White shed addition needs to be removed, tarps can't be used as walls, ceilings, or doors

- Note: New sheds must receive zoning permit
- Note: Sheds must meet property maintenance standards – which includes maintenance of the sheds (e.g. fix flooring on white shed, remove unpermitted addition on white shed, tarps cannot be used as walls on brown shed) (see circled items)



Windows and Siding:



Windows need to be in tact – repair with window sashes which are missing, and replace missing glass

Deteriorating siding needs repaired

Remove all garage, refuse, items that are not put to intended use outside