

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

RESOLUTION #21-162

A RESOLUTION APPROVING HIRING CONTRACTORS TO ABATE OFF-STREET PARKING ITEMS FROM 5520 140th LANE NW

WHEREAS, the property owner Diane Mattsen (the “Property Owner”) has an open code enforcement case on the property generally known as 5520 140th Lane NW and legally described as follows:

LOT 1 BLOCK 3 FLINTWOOD HILLS, EX RD SUBJ TO EASE OF REC, Anoka County, Minnesota
(the “Subject Property”); and

WHEREAS, the Subject Property is an owner-occupied property; and

WHEREAS, the Subject Property is zoned R-1 Residential (MUSA); and

WHEREAS, the Subject Property is approximately 1.29 acres in size; and

WHEREAS, there are documented City Code violations dating back to 2014 with notices of violation regarding outdoor storage, refuse and garbage, off-street parking, and driveway work without a permit; and

WHEREAS, the City has most recently opened a case on the Subject Property for violations related to off-street parking, home occupation, and public nuisances; and

WHEREAS, the City sent a formal first notice of violation on April 29, 2021 for off-street parking, home occupation, and public nuisances; and

WHEREAS, the City of Ramsey City Code would allow the Subject Property to properly store all items in accordance with Section 117-355 regarding residential off-street parking; and

WHEREAS, the residential off-street parking in the City Code prohibits the storing of more than six (6) items on the Subject Property in the R-1 MUSA zoning district; and

WHEREAS, the City of Ramsey City Code would allow the Subject Property a second driveway per street frontage in accordance with Section 117-111 R-1 Residential District

WHEREAS, a driveway is required to have bituminous or concrete surfaces in the R-1 MUSA zoning district; and

WHEREAS, a second notice of violation and administrative citation were sent on May 14, 2021; and

WHEREAS, the Property Owners have not responded to attempts to contact them concerning violations; and

WHEREAS, the Property Owner has not paid for the administrative citation; and

WHEREAS, the Property Owner has not contacted Staff after initial phone call on April 29 when Community Service Officer forwarded the case to Planning Staff when the Property Owner wanted to build a fence; and

WHEREAS, a third notice of violation was sent on June 2, 2021 to Property Owner with second citation to allow more time to address violations and notify them of the potential abatement.

FINDINGS OF FACT

1. The City inspected the property from the road on:
 - a. December 18, 2020;
 - b. May 13, 2021;
 - c. May 28, 2021; and
 - d. June 1, 2021.
2. Property Owner has not responded since initial call on April 29, 2021 prior to first notice of violation being re-sent from Community Service Officer on December 18, 2020.
3. The City sent formal notices via US Mail on:
 - a. April 29, 2021 for a first notice of violation requesting the proper storage or removal of items being stored outside. The notice cited City Code requesting off-street parking violation items to be removed or properly stored.
 - b. May 14, 2021 for a second notice of violation requesting the proper storage or removal of items being stored outside. The notice cited City Code requesting off-street parking violation items to be removed or properly stored, and included a first citation of \$75.00.
 - c. June 2, 2021 for a third notice of violation requesting proper storage or removal of off-street parking items exceeding allowed six (6) items on the Subject Property, or the City will move towards abatement with the City Council on June 8, 2021. Citation for \$250.00 was included in the letter.
4. The City has not received payment from the Property Owner for the administrative citation, or correspondence since first letter of violation was re-issued by Planning Staff on April 29, 2021.

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

That the Ramsey City Council hereby grants approval of the proposed code enforcement action plan on the Subject Property as outlined below, contingent upon verification of any violation(s) of City Code:

1. The City of Ramsey shall utilize Northstar Towing and Reshetar Systems Inc. for abatement services per City policy.
2. That the week of June 23, 2021, the City of Ramsey will work with the abatement contractors listed above to remove:
 - a. Vehicles, equipment, or outdoor storage items until at six (6) items
 - b. Refuse in the backyard and in driveway
 - c. Second driveway on rear property
 - d. Any inoperable, non-licensed vehicles over one (1) allowed
3. That future violations within twelve (12) months of the same type will result in financial penalties and quicker escalation of violation notices.
4. That the City Council reserves the right to escalate future violations directly to District Court for Temporary Restraining Order.
5. That if the Property Owner misses one of the aforementioned deadlines, Staff has the approval to:
 - a. Reinspect the Subject Property and document all items out of compliance.
 - b. Issue an abatement notice for specific items outlined in step (a).
 - c. Abate the Subject Property of items and charge abatement back to Property Owner.

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:

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 the 8th day of June, 2021.

