

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA
RESOLUTION NO. 14-**

**RESOLUTION AND ORDER TO REPAIR
STRUCTURE AT 353 REHNBERG PLACE
IN WEST ST. PAUL**

WHEREAS, Frederick and Mary Rauschnot are the Owners (“Owners”) of 353 Rehnberg Place, West St. Paul, Minnesota (the “Property”);

WHEREAS, the Building Official and other City Staff conducted an inspection of the Property on May 30, 2014;

WHEREAS, following the inspection, the Building Official issued a compliance letter ordering the Owners to correct certain violations by July 3, 2014;

WHEREAS, on August 25, 2014, the City requested a reinspection of the Property on September 2, 2014;

WHEREAS, City Staff was denied access to conduct a reinspection and subsequently obtained an administrative search warrant on September 16, 2014;

WHEREAS, on September 16, 2014, City Staff reinspected the Property and due to the deplorable conditions in the Property, the Building Official posted the Property as an unsafe building and the occupants were ordered to leave the property;

WHEREAS, the Building Official has provided a detailed report of the conditions of the Property, which is attached hereto and incorporated herein as Exhibit A;

WHEREAS, the following conditions exist on the property:

1. The mechanical systems have become hazardous and unsafe due to the accumulation of boxes, clothes and other items near the furnace and hot water heater, resulting in poor ventilation.
2. There is excessive storage and accumulation of clothes and household goods on interior stairs.
3. Stairs have missing and/or loose steps and no handrails.
4. There is excessive storage and accumulation of clothes and household goods preventing adequate access to the stairs and window in the attic.
5. There is excessive storage and accumulation of clothes on the floor in the basement, resulting in wet conditions and the presence of mold.
6. There are no working smoke detectors in sleeping rooms or on each floor.
7. There are no working carbon monoxide detectors within 10 feet of each sleeping room.

8. Outlets and light switches are missing required cover plates and lights are not all in working order.
9. Bathrooms are noncompliant with required ventilation.
10. Furnace does not have minimum clearance for access.
11. Sleeping rooms do not have operable emergency escape and rescue openings.
12. Egress windows are screwed shut.
13. Outside stairs, porch and deck are in a state of disrepair and do not have guardrails.
14. Deck is in a hazardous condition to the point of damaging the house.

WHEREAS, it is the desire of the City Council that this Property be properly maintained and the hazardous conditions be removed.

NOW, THEREFORE, BE IT RESOLVED that the West St. Paul City Council finds that the structure at 353 Rehnberg Place in the City of West St. Paul, which because of inadequate maintenance, dilapidation, physical damage, and unsanitary conditions constitutes a fire hazard and a hazard to the public safety, health and welfare and is a hazardous building, as defined in Minnesota Statutes, Section 463;

NOW, THEREFORE, BE IT ORDERED that Frederick and Mary Rauschnot, Owners of the property at 353 Rehnberg Place, West St. Paul, Minnesota, correct and remove the hazardous conditions identified above by January 15, 2015 or in the alternative, the dwelling may be demolished and removed.

IT IS FURTHER ORDERED that unless an Answer is filed within 20 days of service, as provided in Minnesota Statutes, Section 463.18, if the Owners do not comply with the Order, a motion for summary enforcement of this Order will be made to the District Court of Dakota County. If summary enforcement is sought, the Court may issue a judgment, giving a reasonable time to comply with the City's Order. If there is no compliance, the City will be authorized to correct the defective conditions. The cost of repairs, correcting or removing the defective conditions may be a lien against the real estate, which may be levied and collected as a special assessment.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST ST. PAUL
THIS 15th DECEMBER, 2014.

Ayes: Nays:

Attest:

Mayor John A. Zanmiller

Chantal Doriott, City Clerk