



STAFF REPORT

TO: Mayor Keis and Members of City Council
FROM: Chris Heineman, City Administrator
DATE: June 24, 2019
RE: 2900 Edgerton Street

BACKGROUND:

The garage structure located at 2900 Edgerton Street was severely damaged in an overnight fire on April 2, 2019. Fire Marshal Jim Lee inspected the property on April 3 and documented the damage to the structure and contents. The garage roof was totally burned through and the walls of the structure were damaged to a point that their load-bearing capability was compromised and in danger of collapse. The foundation/slab was also spalled and cracked due to the heat of the fire and could no longer support the walls of the garage.

Under MN State Building Code, Chapter 1300, the Building Official shall make a determination if a building is unsafe by reason of damage, is structurally unsafe, or is dangerous to human life. Based on the information above and the experience of Building Official, Steve Westerhaus deemed the garage to be unsafe and a hazard to safety and public welfare. He issued an order for the garage structure to be abated by demolition and removed per State Statute

Following an inspection by the Department of Environmental Health at Ramsey County, a demolition permit was issued on April 24. When the demolition permit was issued, a 60-day cleanup period was agreed upon for clean-up of fire debris and items in the yard. The 60-day time period will expire on June 24, 2019. Fire Marshal Jim Lee has been in ongoing communication with the property owners, and has informed them that if substantial progress on the cleanup of the fire debris and items in the yard are not completed by June 24, the City may take action to abate the nuisance and have the property brought into compliance. The first step in this process is laid out in Section 601.070 of the Municipal Code.

601.070. POWERS OF OFFICERS. Whenever, in the judgment of the Code Enforcement Officer, it is determined upon investigation that a public nuisance is being maintained or exists within the City, the Code Enforcement Officer shall notify the person committing or maintaining such public nuisance and require him or her to terminate and abate such nuisance and to remove such conditions or eliminate such defects. Notice requiring abatement or removal must be served on the owner, occupant, or agent of the property by certified and United States mail, or personal service. If the owner of the property is unknown or absent and has no known representative upon 601-5 whom notice can be served, service may be had by posting a written or printed notice on the property. Said notice shall require the owner, occupant, or agent to abate or remove said nuisance in a manner set forth in the notice within a period not longer than ten (10) days. The notice may also include a notice of intent to abate nuisance advising the owner, occupant, or

agent that if the nuisance is not removed within ten (10) days, the nuisance will be abated or removed at the expense of the owner. When an order so given is not complied with, such noncompliance shall be reported forthwith to the City Administrator for such action as may be necessary and deemed appropriate to abate and enjoin further continuation of said nuisance.

Staff will evaluate the condition of the property and provide an additional update at the City Council meeting on June 24. If it is determined that substantial progress has not been made, official notification per Municipal Code 601.070 will be issued by the Code Enforcement Officer. If the public nuisance is not removed within ten (10) days, the City Council may cause the nuisance to be abated or removed at the expense of the owner. If necessary, this action can be taken at the next City Council meeting on Wednesday, July 10. At this time, no further action by the City Council is necessary.

REQUESTED ACTION: No Action Requested