



REQUEST FOR COUNCIL ACTION

MEETING DATE: March 20, 2023

PREPARED BY: Peter Vickerman, Planning Manager

AGENDA ITEM: Declaration of public nuisance, ordering abatement, and assessment of clean-up costs at 9139 Kirkwood Lane North

PREVIOUS ACTIONS:

None.

RECOMMENDED COUNCIL ACTION:

Motion to approve Resolution No. 23-055 declaring a public nuisance at 9139 Kirkwood Lane North and ordering abatement and the assessment of costs.

COMMENTS:

The property at 9139 Kirkwood Lane North, contains significant property maintenance violations. These violations involve the excess storage of material on the exterior of the property. Notices to correct the violations were sent to the owner and tenant of the property on the following dates:

- May 27, 2021
- July 22, 2021
- September 16, 2021
- January 10, 2022
- February 8, 2022
- July 5, 2022
- July 20, 2022
- August 3, 2022
- August 19, 2022
- September 6, 2022
- October 6, 2022

A final notice was issued on October 19, 2022, stating that corrections must be made by October 31, 2022. No visible improvement was made to the property. On December 1, 2022, notice was sent via certified mail stating that abatement and material removal is recommended, and will be considered by the City Council in 2023.

This resolution authorizes the city to abate the nuisance by hiring a waste removal contractor to remove items on the property. Items found to be soiled or permanently damaged will be disposed of, and items of value will be stored for a period of six months at a secured storage facility. If the entire cost of abatement activities, including storage, is paid to the city within six months, the items will be returned. If the entire cost is not paid within that timeframe, the items will be disposed of and all costs will be assessed to the property.

If this resolution is approved, staff will contact the owner again and notify them that if the violations are not corrected by May 1, 2023, staff will order the abatement. Notice of the exact date will be provided to the property owner.

ATTACHMENTS:

Attachment A: Location map

Attachment B: Photos of property

Attachment C: Resolution No. 23-055