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## COUNCIL PROCEEDINGS

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CITY OF WELLS, MINNESOTA

Council Member Gaines introduced the following resolution and moved for its adoption:

### **RESOLUTION NO. 2007-09**

#### **A RESOLUTION ISSUING AN ORDER FOR ABATEMENT OF A NUISANCE**

The grounds for this Order are:

1. You are the owner of record of the property located at 100 North Broadway, Wells, Minnesota.
2. The City of Wells has received numerous complaints about the current condition of the structure(s) located on the above-described property concerning the present dangerous condition of the premises and its impact on public safety.
3. That based upon the numerous complaints, the City of Wells had the property inspected by official of Wells, Minnesota.
4. The Wells City Council has reviewed a Health and Safety Assessment issued by Mr. Tim Langer, Public Health Sanitarian for Human Services of Faribault and Martin Counties concerning the current condition of the structure located at 100 North Broadway in Wells and owned by you.
5. The Health and Safety Assessment dated March 23, 2007 states that due to inadequate maintenance, the structure has deteriorated to a point where it is unlikely that it would be economically feasible to bring it in compliance with current building codes.
6. The Health and Safety Assessment dated March 23, 2007 also found that the following conditions existed on the property:
  - a. That the property is an attractive nuisance to children who may live in the area in that the structure itself is currently open to trespass due to an open door and broken windows.
  - b. That the structural integrity of the current roof for the structure is questionable.
  - c. That due to exposure to the elements and lack of maintenance, the structure itself is in poor condition.

- d. That being open to trespass, said structure can provide harborage areas for rodents and other wild animals which are vectors for several human diseases, thus posing a danger to public health.
7. The Health and Safety Assessment dated March 23, 2007 further states that the structure located at 100 North Broadway in Wells clearly meets the definition of "hazardous building" as defined in Minnesota Statutes §463.15 in its present condition.

NOW THEREFORE, YOU ARE HEREBY ORDERED TO:

1. Abate the nuisances created by the current conditions of the structure(s) located at 100 North Broadway, Wells, Minnesota, by making the following repairs to said structure by June 23, 2007.
  - a. Bring said structure in compliance with all measures of the City Building Code and State electrical and plumbing codes so that said structure is in usable condition.
2. Immediately place fencing or another form of barricade around the structure to prevent unauthorized access to said structure until the above repairs are completed and place a lock upon the open door to said structure.
3. If repairs can not be completed as specified, remove the structure located at 100 North Broadway, Wells, Minnesota by June 23, 2007.
4. That a motion for summary enforcement of this order will be made to the Faribault County District Court unless the corrective action required by this order is taken, or unless an answer to this order is filed with the Wells City Attorney, David F. Frundt, Frundt & Johnson, Ltd., 117 W. 5<sup>th</sup> St., PO Box 95, Blue Earth, MN 56013 within twenty (20) days from the date this order is served upon you.

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

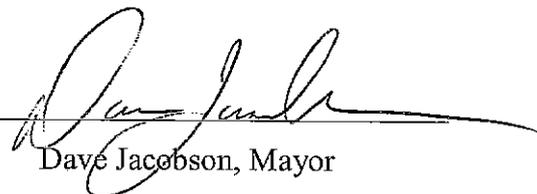
Jacobson, Savick, Burns, Linde and Gaines

and the following voted against the same:

None

Whereupon said resolution was declared duly passed and adopted by the City Council of the City of Wells on May 23, 2007.

By: \_\_\_\_\_

  
Dave Jacobson, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Ronda C. Allis". The signature is written in a cursive style with a large initial "R".

Ronda C. Allis, City Administrator

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