

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: November 20, 2007

TITLE: Summary Abatement Hearing for 106 James Street

DEPARTMENT: Inspections; Town Attorney	PUBLIC HEARING: YES X or NO
ATTACHMENTS: A. Resolution Authorizing Abatement B. Alternate Resolution	FOR INFORMATION CONTACT: Mike Canova 918-7337 T.C. Morphis 929-3905

PURPOSE

The purpose of this item is to conduct a quasi-judicial hearing pursuant Town Code 11-38 through 11-41 to determine whether the house and property at 106 James Street are dangerous or prejudicial to the public health and safety and, if so, to direct Town staff to take appropriate action.

INFORMATION

A Town building inspector inspected the property on March 12, 2007. He found numerous violations of the State Building Code, and condemned the house the same day. The building inspection staff also noted that the yard has not been maintained and that it may pose a public health risk. Town staff have attempted to contact the owner of the property several times to ask that the problems be fixed, but to date, we have received no response. Orange County property records indicate the property owner lives in Washington, D.C. Mike Canova, as head Building Inspector, conducted a hearing on the matter on July 23, 2007 and, based upon that hearing, ordered the house be repaired or demolished within sixty days. To date the owner of the property has taken no action, and Town staff would now like to board up the house, clean the roof and mow and clear the yard so that the property no longer poses a threat to the public health and safety.

Because we anticipate that town staff, and not the property owner, will have to do the necessary work, we ask that the Board hold a hearing to determine whether the house and premises are dangerous or prejudicial to the public health and safety. If the Board finds that they are, the Board can direct Town staff to secure and clean up the property and to place a lien on the property for the costs incurred.

RECOMMENDATION

Staff recommends the Board hold the hearing and, based on evidence presented, determine whether or not the house and premises are dangerous or prejudicial to the public health and safety. If the Board finds that they are, we ask the Board to adopt the resolution in Attachment A, which authorizes the Town staff to take corrective action. If the Board finds that the house and property are not dangerous or prejudicial to the public health and safety, we ask the Board to adopt the resolution in Attachment B.