CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No. 75-2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ASSESSING THE COSTS OF ABATEMENT OF THE NUISANCE LOCATED AT 2840 SE BOYD ST AND ENTERING THE SAME ON THE DOCKET OF CITY LIENS PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(D).

WHEREAS, on May 19, 2014 notice of a nuisance was issued and posted on the property located at 2840 SE Boyd St, Milwaukie, Oregon; and

WHEREAS, the property owner or person in charge of the property did not abate the property, but filed a protest to the notice of a nuisance within ten (10) days of the posting; and

WHEREAS, the City Council conducted a hearing on June 3, 2014 and declared that a nuisance was occurring on the property and that the property owner or person in charge the property had ten (10) days from the date of the hearing to abate the property; and

WHEREAS, the property owner or person in charge of the property did not abate the property within ten (10) days of the hearing; and

WHEREAS, the City abated the nuisance after first obtaining a judicial warrant authorizing entry to the property to abate the nuisance; and

WHEREAS, the City has maintained an accurate accounting of the costs of abatement, including administrative overhead; and

WHEREAS, on July 1, 2014, the City forwarded to the owner, or person in charge, by registered or certified mail, postage prepaid, a notice of the abatement costs in compliance with Milwaukie Municipal Code Section 8.04.200(A) et seq; and

WHEREAS, there has been no objection filed to the abatement costs within ten (10) days after the notice nor have the costs of the abatement been paid within thirty (30) days from the date of the notice; and

WHEREAS, Milwaukie Municipal Code Section 8.04.200(C) provides that if the costs of abatement are not paid within thirty days from the date of notice, an assessment of the costs as determined by the City Council shall be made by resolution and shall thereupon be entered in the dockets of city liens, and upon such entry being made shall constitute a lien upon the property from which the nuisance was abated.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL, CITY OF MILWAUKIE, STATE OF OREGON, THAT, PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(C):

Section 1. The assessment of the costs for the abatement of the said nuisance, including administrative overhead, is in the amount of $17,731.88.

Section 2. The above assessment of costs shall be entered in the docket of city liens.

Section 3. This resolution is effective immediately upon adoption.

IT IS FURTHER RESOLVED THAT the City may also record the lien as a lien in the County lien records.

Introduced and adopted by the City Council on 8/5/2014.

This resolution is effective on 8/5/2014.

Jeremy Ferguson, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
Jordan Ramis PC

City Attorney