

## RESOLUTION NUMBER 9-1956

A RESOLUTION DECLARING THE BUILDING AND OTHER STRUCTURES LOCATED ON LOT 15 BLOCK 10, QUINCY ADDITION, IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, TO BE DANGEROUS BUILDINGS AS DEFINED BY ORDINANCE NUMBER 502 OF THE CITY OF MILWAUKIE, OREGON, AND DIRECTING THE CITY ATTORNEY OF SAID CITY TO BRING A SUIT FOR THE ABATEMENT OF THE PUBLIC NUISANCE CREATED BY THE EXISTANCE OF SUCH DANGEROUS BUILDINGS.

WHEREAS, at a regular meeting of the City Council of the City of Milwaukie, Oregon, held on the 14th day of May, 1956, the Mayor, the Fire Chief, the Police Chief, the City Manager and the City Attorney of said city all reported to the Council that in their opinion there is a dangerous building as defined by Ordinance No. 502, located upon Lot 15, Block 10, Quincy Addition, in the City of Milwaukie, Oregon; said premises being owned by Leo Fontana, and

WHEREAS, at its regular meeting the Council of the City of Milwaukie, Oregon, did direct the City Recorder to notify Mr. Leo Fontana and that proper notice be otherwise given to the public as required by said Ordinance No. 502 that a public hearing would be held at the hour of 8:00 P.M. on May 28th, 1956, in the Council Chambers of the City Hall, 926 Main Street, Milwaukie, Oregon, on the question of whether or not there does exist a dangerous building on said property as defined by said ordinance, and,

WHEREAS, pursuant to said notice to Mr. Leo Fontana, the owner of the premises on which said building is located, and pursuant to notice duly published and posted as required by said Ordinance No. 502, the city did hold a hearing on the 28th day of May, 1956, at the hour of 8:00 P.M. in the Council Chambers of the City Hall, 926 Main Street, Milwaukie, Oregon, on the question of whether or not there exists on said property a dangerous building as defined by said Ordinance, and,

WHEREAS, several citizens and property owners owning property in the vicinity of said Fontana property did appear before the Council at said public hearing and did relate to the Council that not only Mr. Fontana's dwelling house on said premises was a fire hazard to other neighborhood properties, but that his entire place was covered with piles of old boards and lumber also constituting a fire hazard; that Mr. Fontana maintained a large number of dogs on said premises whose droppings created a filthy and unsanitary condition; that the piles of old lumber and other debris scattered around Mr. Fontana's premises harbor rats that overrun the neighborhood; that Mr. Fontana has no toilet facilities and that he disposes of his own bodily waste by first permitting the same to accumulate in a bucket and then pouring it into or upon the ground, and

WHEREAS, it was made to appear to the members of the Council of the City of Milwaukie, Oregon, from all of the recitals of persons attending said public hearing, including Mr. Leo Fontana, that a dangerous building did exist on said premises, and,

WHEREAS, it was deemed advisable that the members of the City Council make a personal inspection of said premises, and obtain written reports from the Chief of Police and the Fire Chief pertaining to their investigation of said premises, and,

WHEREAS, for said purposes, the Council of the City of Milwaukie, Oregon, did, following the public hearing so held on May 28th, 1956, continue the said hearing for the said purpose, and,

WHEREAS, the City Council, did make a personal inspection of said premises and did consider and place on file the written reports of the Fire Chief and the Chief of Police of the City of Milwaukie, Oregon, and,

WHEREAS, by virtue of all of the foregoing, and from the information so obtained by it as a result of said hearing, personal inspection and reports, the Council finds that the residence, garage and shed located on said premises are in such weakened, dilapidated and deteriorated condition as to endanger persons by reason of probability of partial or entire collapse thereof; that said buildings contain and are surrounded by combustible material, rubble and inflammable substance especially

liable to cause fire and danger to the safety of such buildings and to human life, that such buildings and structures are especially liable to fire and so situated as to endanger other buildings, property and human life; and that such buildings and structures are maintained and kept in such filthy and unsanitary conditions as to make them especially liable to cause and spread contagious and infectious diseases, and

WHEREAS, in view of the circumstances and conditions as it finds them to exist on said real property owned and in the possession of said Leo Fontana, the Council sees fit to take appropriate action for the protection of the public and the citizens and inhabitants of the City of Milwaukie, Oregon, under and by virtue of the terms and provisions of said Ordinance No. 502 of said City

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that dangerous buildings as the same are defined by Ordinance No. 502 of the City of Milwaukie, Oregon, be and the same hereby are found, determined and declared to exist on Lot 15, Block 10, Quincy Addition, in the City of Milwaukie, Oregon, being real property owned, occupied and in possession of Leo Fontana and, that by virtue of the provisions of Ordinance No. 502, said dangerous buildings are hereby declared to be and constitute a public nuisance.

BE IT FURTHER RESOLVED that the City Attorney of the City of Milwaukie, Oregon, be and hereby is directed to bring suit for the abatement of said public nuisance against the said Leo Fontana for the abatement thereof in the Circuit Court of Clackamas County, Oregon.

ADOPTED THIS 11th DAY OF JUNE, 1956

Leonard B. Mullan, Mayor

ATTEST:

Ellen Martin, Recorder

RESOLUTION NUMBER 10-1956

A RESOLUTION REQUESTING THE COUNTY COURT OF CLACKAMAS COUNTY, OREGON TO SURRENDER JURISDICTION OVER PORTIONS OF CERTAIN COUNTY ROADS, AND DIRECTING THE MAYOR TO REQUEST SUCH SURRENDER OF JURISDICTION ON BEHALF OF THE CITY OF MILWAUKIE.

WHEREAS, it has been considered and deemed necessary and expedient and for the best interests of the City of Milwaukie, Oregon, that the City of Milwaukie, Oregon, acquire jurisdiction over certain portions of County Roads lying within the corporate limits of said city as the same are hereunder described.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that by virtue of the foregoing and by virtue of the provisions of Section 373.270, Oregon Revised Statutes, that the City Council of the City of Milwaukie, Oregon, do, and it hereby does request the County Court of the County of Clackamas and State of Oregon to surrender jurisdiction over the following portions of County Roads as the same now lie within the corporate limits of the City of Milwaukie, Oregon, said portions of such County Roads being described as follows:

1. That portion of S.S.Fields Road, sometimes known as Railroad Avenue, as the same extends from Adams Street easterly to 46th Street, sometimes known as Walsh Road, within the corporate limits of the City of Milwaukie, Oregon.