

## ORDINANCE NO. 151632

An Ordinance declaring the buildings at 9449 S.W. Barbur Blvd. to be a public nuisance pursuant to Chapter 24.55 of the Code of the City of Portland and providing abatement by removal.

The City of Portland ordains:

1. That the Director of the Bureau of Buildings has determined that the buildings at 9449 S.W. Barbur Blvd., more particularly described as TL# 5 of Block 1, BRUGGER VIEW, in the City of Portland, Multnomah County, Oregon, are dangerous buildings as indicated in the report from the Bureau of Buildings dated November 7, 1980.
2. That the owners, Deedholders: Howard W. and Nina M. Harris and Samuel P. Stewart, 6715 S.W. 11th Drive, Portland, Oregon 97219; To: Dan E. and Ben Vedder, 2222 S.W. Spring Garden Street, Apt. 307, Portland, Oregon 97219; Contract Buyer: Palmyra Corp. 4411 N.E. Tillamook Street, Portland, Oregon 97213; To: Ronald L. Smith, 1221 S.W. Yamhill Street, Portland, Oregon 97205 of said buildings were notified of the condition of said buildings on July 24, 1980 but have failed and refused to repair or remove said buildings.
3. That the Commissioner in charge of the Bureau of Buildings has referred the matter to the Council, which fixed a date for a public hearing to ascertain whether said buildings constitute a public nuisance; said hearing was held in the Council Chamber of the City Hall on January 7, 1981 at 9:30 a.m.
4. That due notice of said hearing, a copy of which was posted on the buildings, was mailed to the owners of said buildings and was published in the official newspaper of the City (Daily Journal of Commerce) as specified in Section 24.55.110 of the Code of the City of Portland, Oregon.
5. That the buildings described in paragraph 1 hereof are dangerous buildings within the meaning of Section 24.55.060(c) of the Code of the City of Portland, Oregon, in that the life, health, property and safety of the public are endangered because:
  - a. The buildings are open to entry, creating an attractive nuisance for children and a harbor for vagrants and criminals.

- b. Buildings lack the required utilities.
- c. Gutters and downspouts are damaged and missing.
- d. Wood porches and steps are deteriorated and unsafe.
- e. Roofing is badly worn and partly missing.
- f. Yards are littered with garbage and debris.
- g. Window glass is broken.
- h. Garage doors are missing or damaged.
- i. Defective electrical and plumbing fixtures. Special Inspection required prior to repair.
- j. Damaged wall and ceiling cover.
- k. Buildings lack heating facilities.
- l. Damaged or missing siding.
- m. Some garages closed in with walls and converted to storage rooms without permits.
- n. Inoperable car stored in the yard.
- o. These buildings may not be occupied until all repairs are made under the required permits and a certificate of final inspection issued.

NOW, THEREFORE, The Council directs:

- a. The building located at 9449 S.W. Barbur Blvd. and more particularly described as TL# 5 of Block 1, BRUGGER VIEW in the City of Portland, Multnomah County, Oregon, is hereby declared to be a public nuisance and the owners or persons responsible therefor shall within ten (10) days after the taking effect of this ordinance abate said nuisance.
- b. In the event said nuisance is not abated within the time designated herein, the Director of the Bureau of Buildings shall abate the same by hiring a private contractor to demolish the buildings.

A contract to demolish said buildings may be entered into only after bids therefor have been solicited.

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When so razed, removed and abated, the Director of the Bureau of Buildings shall file a statement of the cost thereof with the City Auditor in the manner provided in Sections 24.55.120 and 24.55.140 of the Code of the City of Portland, Oregon, and upon receipt of such statement the City Auditor shall proceed with further action as provided in said Code Sections.

- c. The Auditor shall mail a copy of this ordinance to the owners of the buildings described herein.

Passed by the Council, **MAY 27 1981**

Order of Council  
Arlan H. Barreth:krf  
May 8, 1981

Attest:

  
Auditor of the City of Portland

Calendar No. **1658**  
**1579**

**ORDINANCE No. 151632**

**Title**

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**MAY 21 1981**

**PASSED TO SECOND READING**

**MAY 27 1981**

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed **MAY 14 1981**

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *George Yerkovich*  
Deputy

INTRODUCED BY
Order of Council

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>MNS/MTN</i>
Works

BUREAU APPROVAL
Bureau:
Buildings
Prepared By: <i>Arlan H. Barreth</i> Date: 05-08-81
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Roger B. Kelsay</i>
Roger B. Kelsay, Manager

CALENDAR
Consent <input checked="" type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer