

ORDINANCE NO. 152921

An Ordinance declaring the building at 5280 N.E. 46th Place 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:

Section 1. The Council finds:

1. That the Director of the Bureau of Buildings has determined that the building at 5280 N.E. 46th Place, more particularly described as TL# 2 of Lot 16, ALMO ACRES, in the City of Portland, Multnomah County, Oregon is a dangerous building as indicated in the report from the Bureau of Buildings dated December 22, 1981.
2. That the owners, Deedholder: Ruth E. Dyvig, 154 W. Yucca Street, Oxnard, California 93030; Contract Buyers: Daniel K. Kaiser & Gayle M. Harding, 5280 N.E. 46th Place, Portland, Oregon 97218 (last known address), of said building were notified of the condition of said building on March 31, 1981 but have failed and refused to repair or remove said building.
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 building constitutes a public nuisance; said hearing was held in the Council Chamber of the City Hall on February 10, 1982 at 9:30 a.m.
4. That due notice of said hearing, a copy of which was posted on the building, was mailed to the owners of said building 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 building described in paragraph 1 hereof is a dangerous building 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 is endangered because:
 - a. Dwelling is open to entry, creating an attractive nuisance for children and a harbor for vagrants and criminals.

- b. Building has been vacant for more than six months, creating a nuisance and a hazard to the public.
- c. Gutters and downspouts are defective or missing.
- d. Inadequate clearance from wood members to grade with rot in lower support members.
- e. Addition at rear of dwelling lacks foundation and is sitting on grade with rot and in lower support members, showing settlement.
- f. Front porch is sitting on grade, showing rot and settlement.
- g. Front porch decking is loose and broken.
- h. Lower support members of the garage are rotted and settling.
- i. Ceiling joists have been removed, affecting the stability of the roof.
- j. Damaged wall and ceiling cover.
- k. Floors are deflected, indicating failure of the support system.
- l. Wood floor of addition is leaning out of plumb due to rot and settlement.
- m. North wall of addition is leaning out of plumb due to rot and settlement.
- n. Defective or missing plumbing fixtures.
- o. Improper electrical wiring throughout buildings.
- p. Evidence of moisture penetration through roof.
- q. Attic lacks proper ventilation.

NOW, THEREFORE, The Council directs:

- a. The building located at 5280 N.E. 46th Place, more particularly described as TL# 2 of Lot 16, ALMO ACRES, 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.

ORDINANCE No.

- 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 building.

A contract to demolish said building may be entered into by soliciting bids without advertising.

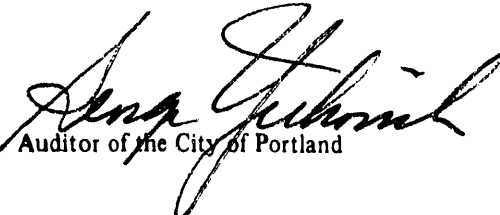
When so razed, removed and abated, the Director of the Bureau of Buildings shall file a statement of the cost thereof with the City Auditor in the manner provided in Sections 24.55.120 and 24.55.140 of the Code of the City of Portland, Oregon, and upon receipt of such statement the City Auditor shall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

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

Passed by the Council, **MAR 3 1982**

Order of Council
 February 11, 1982
 Arlan H. Barreth:krf

Attest:


 Auditor of the City of Portland

Calendar No. ⁵²⁷~~456~~

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Title

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FEB 24 1982

PASSED TO SECOND READING MAR 3 1982

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	1	
LINDBERG		1
SCHWAB	1	
STRACHAN	1	
IVANCIE	1	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed FEB 17 1982

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Russell*
Deputy

INTRODUCED BY
Order of Council

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>PLDS (NR)</i>
Works

BUREAU APPROVAL
Bureau:
Buildings
Prepared By: <i>Arlan H. Barreth</i> Date: 02-11-82
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Monty K. Anderson</i>
Monty K. Anderson

CALENDAR	
Consent XXXXX	Regular

NOTED BY
City Attorney
City Auditor
City Engineer