

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 10/13/2016

Action Requested By:
Community
Development

Agenda Item Type
Resolution

Subject Matter:

Request to authorize the demolition of an unsafe structure

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the demolition of an unsafe building constituting a public nuisance located at 1610 Cavalry St., NW (a.k.a. 1610 Calvary St., NW)

Note: If amendment, please state title and number of the original

Item to be considered for: Select...

Unanimous Consent Required: Select...

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The above referenced property was cited August 3, 2016 under § 11-40-30 et seq., Code of Alabama (1975), as a public nuisance. This is the state law allowing Community Development to sell said property at tax sale if the owner does not pay costs of demolition. The owners were issued a notice to demolish the structure. No work has been done. Property was inspected by an independent contractor and they determined the structure was not economically feasible to repair. Notice, photos and evaluation are attached.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 10/4/2016

RESOLUTION NO: 16- _____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected the property situated at 1610 Cavalry (a.k.a. 1610 Calvary St., NW) St NW in Huntsville, Alabama, and has determined that the structure, including any and all accessory structures, is unsafe; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, did on the 3rd day of August, 2016, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 16-3726PNS, a copy of which is attached hereto as EXHIBIT "A", being substantially similar in words to that document identified as "NOTICE OF PUBLIC NUISANCE", a copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville; and

WHEREAS, any structure located on said property has not been demolished as required by said notice, and no appeal having been taken therefrom as by law provided; and

WHEREAS, photographs showing the condition of the property are attached hereto as EXHIBIT "B"; and

WHEREAS, independent contractors have inspected the structure(s) and determined that the cost of repair and rehabilitation is not economically feasible and is of the opinion that the structure(s) should be demolished, and has given a written statement to that effect, a copy of which is attached hereto as EXHIBIT "C"; and

WHEREAS, in the judgement of the Director of the Department of Community Development of the City of Huntsville, Alabama, the structure(s) in question cannot be reasonably repaired, and that demolition of the structure, including any and all accessory structures, is necessary to protect the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that upon the expiration of ten (10) days from today's date, the Director of the Department of Community Development, City of Huntsville, Alabama, is authorized to proceed, pursuant to § 11-40-30 et seq., Code of Alabama (1975), to demolish and remove the structure(s) and contents, if any, at 1610 Cavalry (a.k.a. 1610 Calvary St., NW) St NW more particularly described as follows to-wit:

**PT OF NW 1/4 OF SEC 35 BEG E 482.5 FT & S 6 DEG E 60 FT FR NW COR
OF SEC 35 TH W 105.7 FT THE S 60 FT THE E 113.9 FT THE N 6 DEG W
60.9 FT TO BEG SEC 35 T3 R1W**

and to assess the reasonable costs for demolition and removal of debris against said property.

RESOLUTION NO: 16-_____

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to take all lawful and necessary actions to accomplish the foregoing.

ADOPTED this the 13th day of October, 2016.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 13th day of October, 2016.

Mayor of the City of Huntsville, Alabama

**Department of Community Development
Code Enforcement Division**

Michelle G. Jordan, Director, Community Development



120 Holmes Avenue E.
P.O. Box 308
Huntsville, AL 35804

Phone: (256) 427-5400, FAX: (256) 427-5431

Area: 3 CT: t12 CD: 5

PV: 0

Insp.: kew/rfa

FINAL: 9/2/2016

OFFICIAL NOTICE NO. 16-3726PNS

Clarence Ragland (Deceased) and Emma Gean Ragland (Deceased)
1610 Cavalry Street
Huntsville, AL 35816

Re: 1610 Cavalry (a.k.a. 1610 Calvary St., NW) St NW

PPIN: 21044 PARCEL: 14-07-35-2-001-011.000

Legal Description: PT OF NW 1/4 OF SEC 35 BEG E 482.5 FT & S 6 DEG E 60 FT FR NW COR OF SEC 35 TH W 105.7 FT THE S 60 FT THE E 113.9 FT THE N 6 DEG W 60.9 FT TO BEG SEC 35 T3 R1W

Date Inspected: 7/26/2016

Notice Issued: 8/3/2016

DEMOLISH BY: 9/2/2016

In accordance with Sec. 11-40-30 et seq., Code of Alabama (1975), the Housing Official of the City of Huntsville, Alabama has determined that the structure located on the property described above is unsafe and constitutes a public nuisance due to the following conditions:

VIOLATIONS

- ♦ Unit lacks direct-wired electrical smoke detector(s) (must have on-board battery back-up).
- ♦ Electrical system not operational.
- ♦ Column missing:
- ♦ Sanitary facilities not operational.
- ♦ Exterior door hardware damaged:
- ♦ Bathroom sink missing:
- ♦ Bathroom sink faucet missing:
- ♦ Electrical outlet damaged:
- ♦ Electrical outlet not properly installed:
- ♦ Electrical outlet has bare exposed electrical wiring:
- ♦ Electrical switch damaged:
- ♦ Electrical switch not properly installed:
- ♦ Electrical switch has bare exposed electrical wiring:
- ♦ Light fixture damaged:
- ♦ Light fixture not properly installed:
- ♦ Light fixture has bare exposed electrical wiring:
- ♦ Interior floor has hole:
- ♦ Interior floor incapable of bearing load:
- ♦ Interior floor collapsed:
- ♦ Interior floor not in good repair:
- ♦ Interior wall has hole:
- ♦ Interior wall not in good repair:
- ♦ Interior ceiling has hole:
- ♦ Interior ceiling not in good repair:
- ♦ Splice in electrical wiring must be in approved junction box:
- ♦ Interior ceiling collapsed:
- ♦ Bathtub missing:
- ♦ Bathroom lacks electrical outlet (must be ground-fault circuit interrupter (GFCI) protected):
- ♦ Electrical service panel cover missing:
- ♦ Exterior wall has hole:

OFFICIAL NOTICE NO. 16-3726PNS (Cont.)

- ♦ Exterior siding loose:
- ♦ Trim missing:
- ♦ Soffit rotted:
- ♦ Soffit has hole:
- ♦ Trim lacks paint:
- ♦ Window pane broken:
- ♦ Window sill rotted:
- ♦ Window trim lacks paint:
- ♦ Step damaged:
- ♦ Step protective railing missing:
- ♦ Porch ceiling rotted:
- ♦ Porch ceiling lacks paint:

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 9/2/2016

Demolition permits must be obtained from the City of Huntsville Inspection Department and work commenced and completed by the specified date.

Failure to comply with this notice by the specified date may result in the property being presented to the City Council as a public nuisance for demolition by the City of Huntsville. If the City of Huntsville demolishes the structure, all costs incurred will be assessed against the property and will be added to the tax bill of the property. Failure to pay the assessment will result in foreclosure and the property being sold.

REQUEST FOR HEARING: Any person, firm, or corporation having an interest in the building or structure may file a written request for a hearing to the City Council of the City of Huntsville, Alabama. The written request must be received by the City Council of the City of Huntsville prior to 8/24/2016. The written request must contain the objections to the finding by the Housing Official that the building or structure is unsafe to the extent of being a public nuisance. The request may be mailed or delivered to:

CITY COUNCIL OF THE CITY OF HUNTSVILLE
P.O. BOX 308
308 FOUNTAIN CIRCLE
HUNTSVILLE, AL 35801

Your cooperation will be appreciated. For questions related to this notice, please call Kim Webster, Housing Specialist, at (256) 427-5415.

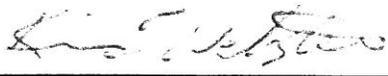
cc: Tenya Ragland Woods
6015 Grizzard Rd., NW
Huntsville, AL 35810

Donell Ragland, Sr. (Deceased) & Barbara Ragland
6015 Grizzard Rd
Huntsville, AL 35810

Lisa Harris
6015 Grizzard Rd
Huntsville, AL 35810

Tracie Ragland
6015 Grizzard Rd
Huntsville, AL 35810

Donnell Ragland, Jr.
6015 Grizzard Rd
Huntsville, AL 35810



Kim Webster, Housing Specialist
Phone: (256) 427-5415

OFFICIAL NOTICE NO. 16-3726PNS (Cont.)

Temekia Ragland
6015 Grizzard Rd
Huntsville, AL 35810

Arrie Vaughn
6015 Grizzard Rd
Huntsville, AL 35810

Fannie B. Ragland
6015 Grizzard Rd
Huntsville, AL 35810

EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)



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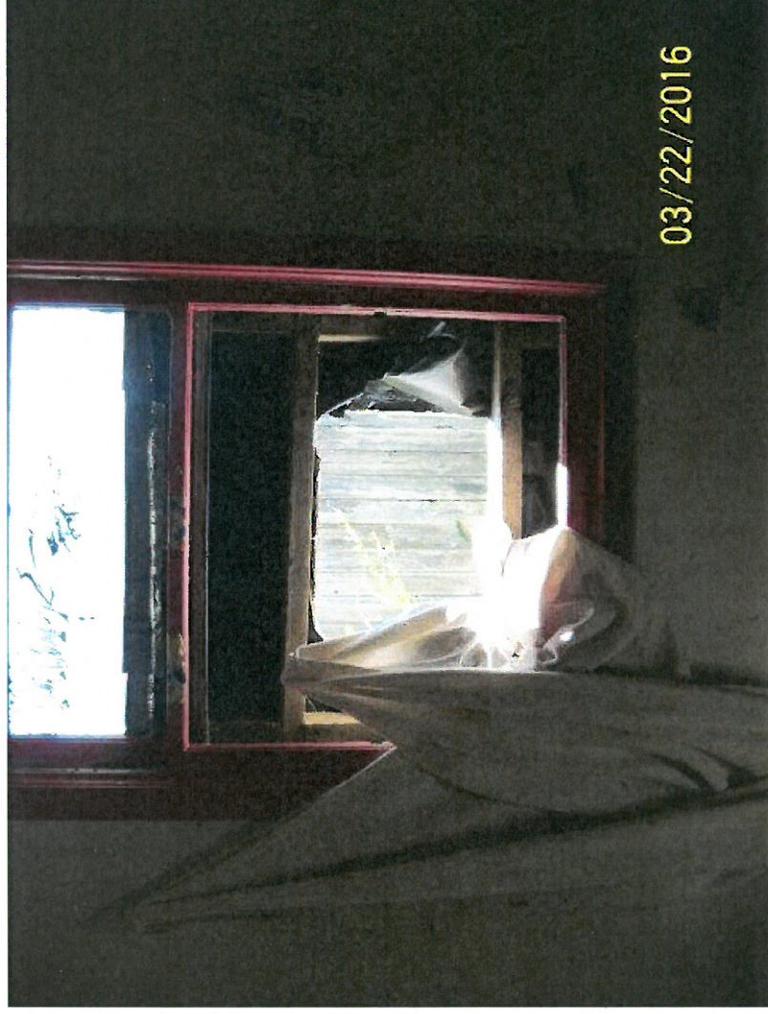


EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)

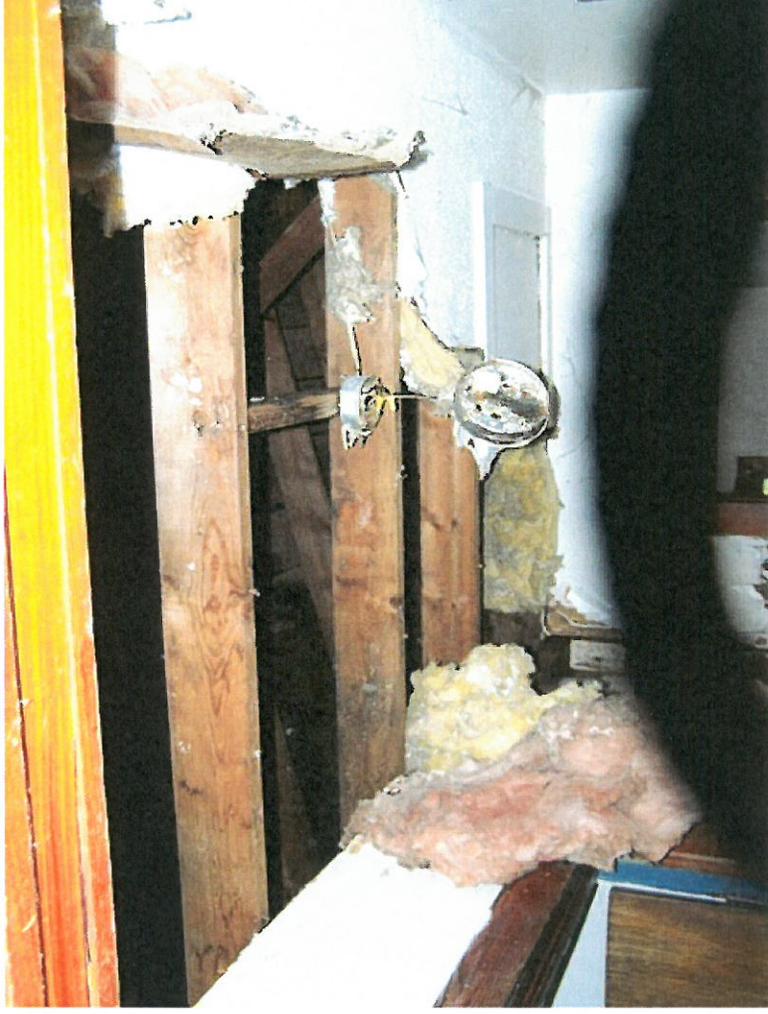


EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)

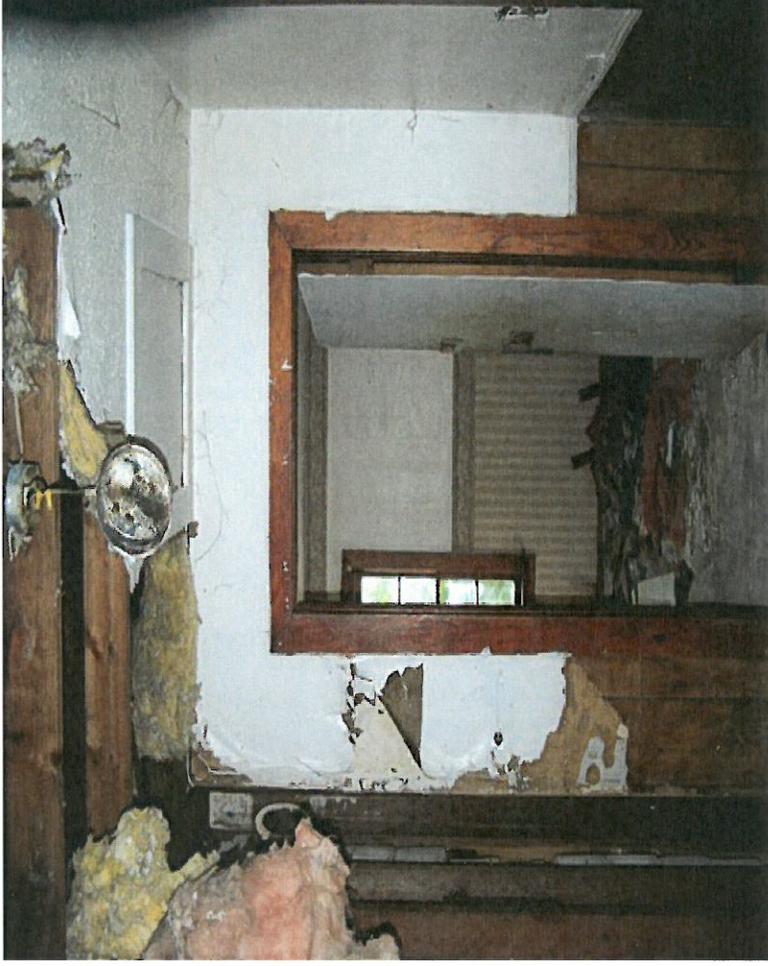


EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)



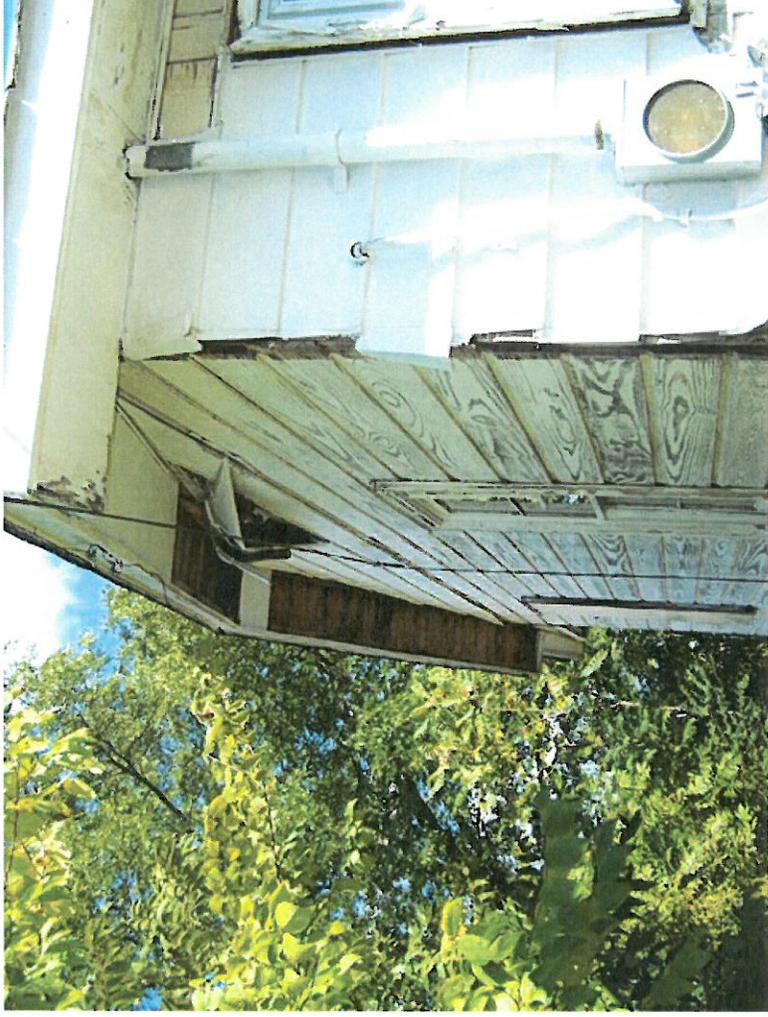
EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)



EXHIBIT "B"

1610 Cavalry St., NW
(aka 1610 Calvary St., NW)



STRUCTURAL EVALUATION REPORT

EXHIBIT "C"

ADDRESS OF STRUCTURE: 1610 CALVARY ST. Huntsville, AL. 35816
 INSPECTOR'S NAME: Dan Schrimsher TITLE: Co-Owner/Foreman
 COMPANY NAME: Bobby Schrimsher & Son's Gen. Contr., Inc. PHONE: 256-533-3560

NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1
 CONSTRUCTION: Wood Frame Frame/Veneer Masonry Other
 APPROXIMATE SIZE OF STRUCTURE: 34 ft. X 26 ft. = 884 s/f
 ** ASBESTOS SIDING or ROOFING: NO YES (Appx. S/F = _____)

COMPONENTS	PERCENTAGE REPLACEMENT REQUIRED										
<u>I. EXTERIOR</u>											
1) FOUNDATION:	0	1	2	3	4	5	6	7	8	9	10
2) FLOOR SYSTEM	0	1	2	3	4	5	6	7	8	9	10
3) FRAMING:	0	1	2	3	4	5	6	7	8	9	10
4) ROOF SYSTEM:	0	1	2	3	4	5	6	7	8	9	10
										EXTERIOR TOTAL =	<u>24</u>
<u>II. INTERIOR</u>											
1) INT. FLOORS	0	1	2	3	4	5	6	7	8	9	10
2) INT. WALLS	0	1	2	3	4	5	6	7	8	9	10
3) INT. CEILINGS	0	1	2	3	4	5	6	7	8	9	10
										INTERIOR TOTAL =	<u>30</u>
<u>III. UTILITY SYSTEMS</u>											
1) ELECTRICAL SYSTEM	0	1	2	3	4	5	6	7	8	9	10
2) HEATING SYSTEM	0	1	2	3	4	5	6	7	8	9	10
3) PLUMBING SYSTEM	0	1	2	3	4	5	6	7	8	9	10
										UTILITY SYSTEM TOTAL =	<u>30</u>
<u>IV. OTHER DEFICIENCIES (if applicable)</u>											
1) <u>windows & door units</u>	0	1	2	3	4	5	6	7	8	9	10
2) _____	0	1	2	3	4	5	6	7	8	9	10
										OTHER DEFICIENCIES TOTAL =	<u>10</u>
										GRAND TOTAL POINT RATING =	<u>94</u>

FEASIBILITY OF REPAIR: RATING 50 or MORE - REHAB NOT FEASIBLE ✓
 RATING 49 or LESS - REHAB FEASIBLE _____

REMARKS: Dwelling appears to have been VACANT for extended period of time and repairs have been neglected.

SIGNATURE: Samuel B. Schmidt DATE: 7/26/2016