

TOWN OF SAN ANSELMO  
RESOLUTION NUMBER 3251

A RESOLUTION OF THE TOWN OF SAN ANSELMO DECLARING THE PREMISES AND BUILDING LOCATED AT 14 OAK KNOLL AVENUE, SAN ANSELMO, CALIFORNIA, 94960, TO BE A PUBLIC NUISANCE AND ORDERING THE REHABILITATION OF THE PROPERTY AND PREMISES THEREOF

WHEREAS, numerous violations of the San Anselmo Municipal Code, the Uniform Housing Code, and the Uniform Code for the Abatement of Dangerous Buildings have been documented in the October 15, 1993 Notice and Order, the October 25, 1993 Special Inspection Report for Uniform Housing Code, the October 25, 1993 Memo from the Fire Chief to the Public Works Director, and the October 25, 1993 County of Marin Department of Health and Human Services Environmental Health Services Housing Official Inspection Report,

WHEREAS, the property owner of record has been duly notified of the problems associated with the house and property according to Municipal Code procedures, and has received the abovementioned documents,

WHEREAS, the health, fire and life safety violations outlined in the October 15, 1993 Notice and Order have not been corrected within the 60 day time frame; the building and premises were found to be substandard, to create a public hazard, and to constitute a public nuisance as set forth in the San Anselmo Municipal Code, the Uniform Housing Code, and the Uniform Code for the Abatement of Dangerous Buildings,

WHEREAS, the following documents were introduced and made part of the official record as follows:

Exhibit "A"	October 15, 1993 Notice and Order
Exhibit "B"	October 25, 1993 Special Inspection Report for Uniform Housing Code
Exhibit "C"	October 25, 1993 Memo from the Fire Chief to the Public Works Director
Exhibit "D"	October 25, 1993 County of Marin Department of Health and Human Services Environmental Health Services Housing Official Inspection Report,

WHEREAS, the following persons were duly sworn in and testified: Wayne Bush, Chief Building Official of the Town of San Anselmo, Ron Zeise, Fire Chief of the Ross Valley Fire Department, Dave Smail of Marin County Environmental Health Department; the above individuals testified that the building and premises are a health and safety hazard to the public because of the condition of the structural, electrical, plumbing and mechanical systems, and fire hazards from debris and flammables on and in the premise,

THEREFORE, IT IS HEREBY RESOLVED:

(1) The dwelling located at 14 Oak Knoll Avenue in San Anselmo, in the Town of San Anselmo, by reason of its health, sanitation, fire and life safety hazards as delineated in the above documents is a public nuisance;

There are attractive nuisances throughout the yard which may prove detrimental to children such as abandoned appliances, lumber, trash, debris or vegetation, and hazardous substances such as gasoline, kerosine, antifreeze, paint and paint thinner which may prove a hazard for inquisitive minors. The owner has fourteen (14) days to abate this condition.

There are abandoned vehicles on the premises. The owner has fourteen (14) days to abate this condition.

There is a lack of adequate garbage and rubbish removal. Flammable debris was found throughout the house and all over the yard. The owner has fourteen (14) days to abate this condition.

There is a dampness of habitable rooms as evidenced by water soaked plaster on the ceiling and walls. The owner has sixty (60) days to abate this condition.

There is a general dilapidation or improper maintenance of the entire structure. The owner has sixty (60) days to abate this condition.

The foundation appears to be inadequate, as some deteriorated wood columns are not supported by concrete. The chimney appears to be unreinforced and is separated from the building. The owner has sixty (60) days to abate this condition.

There is a lack of adequate heating facilities, as there is only one heater for each floor, and each habitable room cannot be heated to 70 degrees. The owner has sixty (60) days to abate this condition.

There is deteriorated roofing and flooring. One room has direct exposure to the elements through a hole in the ceiling. Rotting floorboards sag under normal loading. The owner has sixty (60) days to abate this condition.

Electrical wiring has not been maintained in good condition and is not being used in a safe manner. There are bare wires and exposed splices in the garage, an unweatherproofed extension cord servicing the garage, bare splices at the service disconnect, the service disconnect is not adequately accessible. There are numerous electrical cords lying on the upstairs floor in the path of foot travel. The owner has sixty (60) days to abate this condition.

There is deteriorated, crumbling or loose plaster. The owner has sixty (60) days to abate this condition.

There is deteriorated or ineffective waterproofing. The owner has sixty (60) days to abate this condition.

There is defective weather protection for exterior walls. There are broken, rotten, split or buckled exterior wall or roof coverings. The owner has sixty (60) days to abate this condition.

Portions of the building being used for purposes they were not intended. There is a water heater in the bathroom. The owner has sixty (60) days to abate this condition.

There is an abandoned well in the back yard covered with a cooking pot. The owner has sixty (60) days to abate this condition.

(2) The owner is directed to perform the actions and repairs required in the above documents within the prescribed time frames from the passage of this Resolution in a manner satisfactory to the Director of Public Works, Town of San Anselmo. Actions include, but are not limited to, provide a structural report on the foundation and chimney from a qualified individual or firm and abide by the recommendations, repair the plumbing, electrical and mechanical systems with the appropriate permits, perform the necessary repairs and weatherproofing to the walls, flooring and roofing remove all debris from the yard, seal the well as prescribed by Town and County requirements;

(3) Upon failure of the owner to remove and maintain the property free of the fire, life safety sanitation and health hazards within the prescribed timeframe, the Town Council directs staff to return this matter to a noticed public hearing before the Town Council for determination as to what action is necessary in order to remove the public nuisance,

(4) The Town Administrator is directed to cause to be conspicuously posted a copy of this Resolution on the subject property and to mail a copy of the Resolution to the owner;

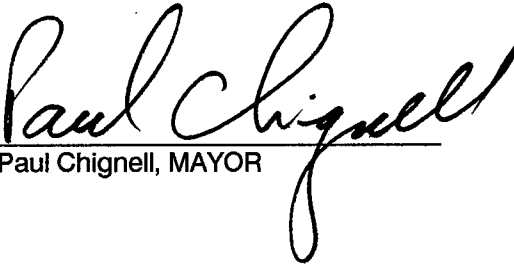
(5) The owner or other interested person wishing to contest the validity of these proceedings in a court of law must do so within thirty (30) days after passage of this Resolution or all objections shall be deemed waived and all legal actions thereafter barred.

I hereby certify that Resolution Number 3251 was duly passed and adopted at a regular meeting of the Town Council held on January 11, 1994 by the following vote:

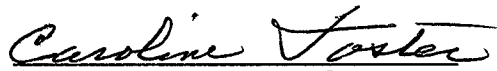
AYES: Chignell, Yarish, Zaharoff, Breen

NOES: None

ABSENT: Kroot

  
Paul Chignell, MAYOR

ATTEST:

  
Caroline M. Foster, Town Clerk