

**MEMORANDUM**

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: RESOLUTION PLACING LIENS ON SPECIFIC PROPERTIES AS A RESULT OF NUISANCE ABATEMENT

DATE: October 19, 2022

Background

As a part of the City's nuisance abatement program, the City may have to abate nuisances and assess the property for the costs of abatement. If the property owner does not pay the assessment within 30 days the City places a lien on the property. The attached Resolution places liens on three properties resulting from nuisance abatement performed by the City.

The three abated properties from 2022 are all owned by separate and distinct owners. The property owners were notified by first class mail and direct posting on the properties that a nuisance was declared and they were required to abate it. When that date passed with no contact or action by the owner the City abated the property using City crews. The abatement followed the issuance of Administrative Warrants. The cost of each abatement is shown in the Resolution.

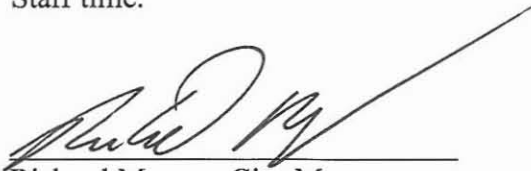
The property owners were then sent a notice of assessment including an invoice for the abatement by Certified and First Class Mail. The total amount was due within 30 days from the date of the assessment letter. The 30 days have past and no payment has been made. It is now appropriate for Council to consider a resolution to place a lien against the properties.

Recommendation

That the Resolution be adopted.

Cost

Staff time.

  
Richard Meyers, City Manager

  
Eric Mongan, City Planner

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING AND PLACING A CITY LIEN ON SPECIFIC PROPERTIES  
AS A RESULT OF NUISANCE ABATEMENT

WHEREAS, Title 8 of the Cottage Grove Municipal Code provides regulations for the Health and Safety including nuisances; and

WHEREAS, Chapter 8.12 of the Cottage Grove Municipal Code specifically details various types of nuisances and procedures for abatement; and

WHEREAS, the City operates a tall grass, noxious and hazardous vegetation program each summer between May 15<sup>th</sup> and November 1<sup>st</sup> based on the provisions of Chapter 8.12 and more specially Sections 8.12.030 – 8.12.095; and

WHEREAS, the City operates a nuisance abatement program year round; and

WHEREAS, the City followed the abatement procedures as detailed in Section 8.12.160 – 8.12.210; and

WHEREAS, the City in 2022 from May 15<sup>th</sup> to November 1<sup>st</sup>, 2020 conducted a tall grass, noxious and hazardous vegetation program and found violations on several specific properties; and

WHEREAS, notice was sent to property owners based on Lane County records in accordance with the provisions of Section 8.12.160- 8.12.210 or was sent to an owner pursuant to ORS 87.093; and

WHEREAS, these properties did not abate the nuisance identified in the notices requiring the City to use their own crews to abate the nuisance on those properties after obtaining administrative warrants; and

WHEREAS, the City sent invoices to the owners of the these properties that were abated and gave them 30 days to pay the amount due; and

WHEREAS, no payment or appeals were filed by the owners of these properties the City is placing a City lien on pursuant to Chapter 8.12.210.

NOW, THEREFORE, BE IT RESOLVED that the liens set forth below shall be entered in the docket of City liens, and when so entered it shall constitute a lien on the property from which the nuisance was removed or abated.

<u>OWNER</u>	<u>MAP NO. &amp; TAX LOT</u>	<u>LIEN AMOUNT</u>
Clarence Kreamier	20-03-28-44-05104	\$293.70
E&D Development, LLC	20-03-29-14-00700	\$448.66
Anthony Holmgren	20-03-29-43-00900	\$399.49

BE IT FURTHER RESOLVED this resolution shall take effect immediately upon its passage.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 24<sup>TH</sup> DAY OF OCTOBER, 2022.

APPROVED:

\_\_\_\_\_  
Jeffrey D. Gowing, Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Richard Meyers, City Manager

Date: \_\_\_\_\_