

OAKLAND CITY COUNCIL

[Signature]
City Attorney

OFFICE

2007 JUN 07 PM 1:47

RESOLUTION No. 80732 C.M.S.

Introduced by Councilmember _____

RESOLUTION CONFIRMING ADMINISTRATIVE HEARING THAT DANGEROUS AND INSANITARY CONDITION EXISTS AT THE BUILDING SERVING THE PROPERTY KNOWN AS 3843 MARTIN LUTHER KING JR. WAY

WHEREAS, pursuant to the provisions of Chapter 13.08.240 of the Oakland Municipal Code, (OMC) the Director of the Public Works Agency, on March 20, 2007, ordered the abatement of the dangerous and insanitary sewer conditions which exist at the building sewer serving the property known as 3843 Martin Luther King Jr. Way; and

WHEREAS, the owner of record, Peter P. Consos Jr., of said property failed or neglected to comply with the order to abate; and

WHEREAS, on March 21, 2007, the Director of the Public Works Agency duly notified the owner or person in possession of said property of an Administrative Hearing scheduled for April 4, 2007; and

WHEREAS, on April 4, 2007, an Administrative Hearing was held; and

WHEREAS, findings were rendered that a dangerous and insanitary condition(s) exists at the building sewer on said premises; and

WHEREAS, pursuant to Section 13.08.270 of the OMC, said findings were presented to the City Council for confirmation, now, therefore, be it

RESOLVED: That the findings and reports of the Director of the Public Works Agency that a dangerous and insanitary condition exists at the building sewer serving the property known as 2110 47th Avenue are hereby confirmed; and be it

FURTHER RESOLVED: That the Director of the Public Works Agency is hereby directed to file a lien with the Recorder of the County of Alameda for the parcels delineated in said REPORT OF ASSESSMENT; and be it

FURTHER RESOLVED: That this Council hereby directs the abatement of said dangerous and insanitary condition in accordance with Section 13.08.270 of the OMC. In the event that owners or occupants do not do so within the time allowed by the law, the Director of the Public Works Agency shall, at the owners' expense, cause the same abated. All sums, which may be necessarily expended by the Director of the Public Works Agency in abating, said sewer conditions shall be paid by owners.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2007, 20

PASSED BY THE FOLLOWING VOTE:

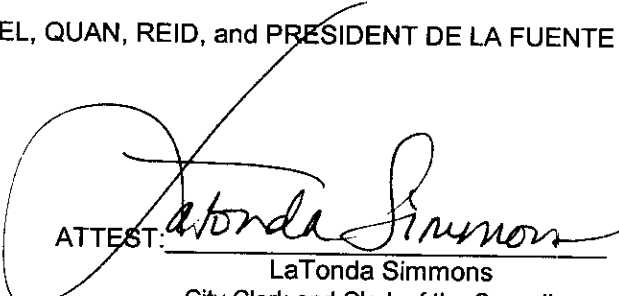
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California