

Patrick Tass
City Attorney

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK

2007 JUN 29 PM 1:47

RESOLUTION No. 80731 C.M.S.

Introduced by Councilmember _____

RESOLUTION CONFIRMING ADMINISTRATIVE HEARING THAT DANGEROUS AND INSANITARY CONDITIONS EXIST AT THE BUILDING SERVING THE PROPERTY KNOWN AS 4100 TERRACE AVENUE

WHEREAS, pursuant to the provisions of Chapter 13.08.240 of the Oakland Municipal Code, (OMC) the Director of the Public Works Agency, on September 8, 2006, ordered the abatement of the dangerous and insanitary sewer conditions which exist at the building sewer serving the property known as 4100 Terrace Avenue; and

WHEREAS, the owner of record, K. V. Hoffman, 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 6, 2007; and

WHEREAS, on April 6, 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 4100 Terrace Street 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 to be 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:

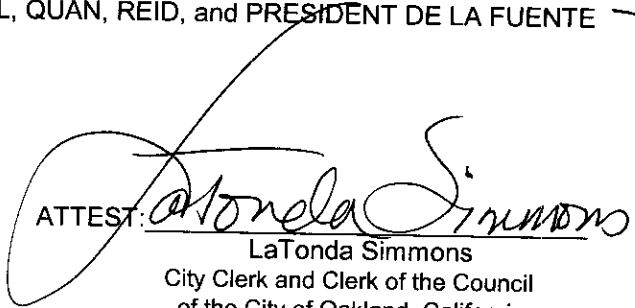
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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