

Memorandum

TO: City Council
FROM: Niki Hill, AICP , Assistant Community Development Director
DATE: December 1, 2025
SUBJECT: Nuisance Abatement - 542 Emil Avenue
ITEM NUMBER: 10.a
SECTION: GENERAL BUSINESS

REQUESTED MOTION

To adopt Resolution No. 25-91, approving the abatement of multiple public nuisances for property located at 542 Emil Avenue.

INTRODUCTION

The City Council is being asked to order an abatement of public nuisances for property located at 542 Emil Avenue. The Council has the authority to declare and abate nuisances on private property that do not comply with the city's property maintenance standards.

DISCUSSION

During the SHINE inspections, the property was found to have multiple vehicle-related violations. The first notice was sent on September 11, 2025, following the initial SHINE inspection and required re-inspections. No contact was received from the property owner in response to either the SHINE process or the initial notice.

A re-inspection was completed on September 23, 2025, and the property remained out of compliance. A second notice was sent. The third re-inspection was completed on October 3, 2025, at which time a final notice was issued due to continued non-compliance. No contact was received from the property owner. The fourth re-inspection was conducted on October 15, 2025. Conditions remained unchanged, and an administrative citation was issued.

After the required 14-day response period, staff located an email address for the property owner and sent a message requesting contact to avoid abatement proceedings. The current resident, identified as the property owner's father, called to report there were no violations. He stated all vehicles were operable and parked on approved surfaces. Staff was unable to reach him again following this call. A second email was sent to the property owner on November 20, 2025, with the abatement notice attached due to the lack of further communication. The abatement notice was also mailed to both the property address and the listed mailing address for the owner. Staff requested that a time be scheduled to verify that all vehicles are operable.

No contact has been made as of November 24, 2025.

Listed below is the section of the code and the violations that have been documented:

- City Code Section 28-2 (a) – Inoperable Vehicle: Multiple vehicles have not moved from their current location for several years. Additionally, the fourth vehicle appears to be in disrepair with visible dismantled parts.
- City Code Section 28-2 (c)(1) – Number of Vehicles: From the street vantage point and confirmed through aerial photography, five to six vehicles have been consistently parked at the property.
- City Code Section 28-2 (c)(1) – Parking Location: Multiple vehicles have been parked in the backyard or on unapproved surfaces.

Section 22-24 - Abatement Procedure

The conditions identified above are defined as a public nuisances in the City's Code.

Abatement notices are posted on the property and also sent via mail to the property owner of record. The notice specifies that the nuisance vehicles and parking locations must be remedied within five (5) working days, and if that nuisance remains, the city council will hold a hearing to order the abatement of the nuisance. The notice also identifies the time and date of the hearing scheduled before the City Council. The property owner has the right to appear at the hearing.

If the Council orders the abatement, the city will abate the nuisance and the cost of the abatement, including administrative costs, will be charged to the property owner and certified against the property for collection with taxes if the bill is not paid. Staff has prepared Resolution 25-91 ordering the abatement of the public nuisance conditions, for consideration by the City Council.

The Abatement Hearing Notice/Correction Notice has been mailed to the property owner, requiring the property be brought into compliance. If the abatement is ordered, the staff will work to correct the conditions. The cost of correcting the public nuisance condition will be recovered by the City either by a lien against the property, by obtaining a judgment against the owner, or by special assessment.

Included with this report is a resolution to order the abatement of the nuisances on the property at 542 Emil and documentation showing photographs of the property.

RECOMMENDATION

The property owner has been notified on numerous occasions regarding the code violations. Staff recommends the City Council conduct the required hearing and adopt Resolution No. 25-91 approving the abatement of the nuisance at 542 Emil Avenue. The order specifies the corrections required to bring the property into compliance with the city's Property Maintenance Codes and would permit the city to abate the conditions. If the Council approves the motion, staff will move forward with abatement of the nuisance conditions if they are not corrected within 30 days.

ATTACHMENTS

Location Map

542 Emil Avenue Abatement Packet

Resolution 25-91 - Nuisance Abatement - 542 Emil Avenue