

1 Section 3. If there is a failure of compliance with the provision of Section 2
2 herein, the City of Albuquerque shall proceed to remove said building,
3 structure or premises and abate said unsafe condition and the cost thereof
4 shall constitute a lien against such property so removed and against said lot
5 or parcel of land from which such removal be made, all as required and
6 allowed by law.

7 Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
8 clause, word or phrase of this resolution is for any reason held to be invalid or
9 unenforceable by any court of competent jurisdiction, such decision shall not
10 affect the validity of the remaining provisions of this resolution. The Council
11 hereby declares that it would have passed this resolution and each section,
12 paragraph, sentence, clause, word or phrase thereof irrespective of any
13 provisions being declared unconstitutional or otherwise invalid.

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CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM (DATE) December 11, 2020

TO: Cynthia Borrego, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: Resolution of Nuisance Abatement of a Substandard Building at: 6816 Ina Dr. NE Albuquerque NM 87109

The attached resolution requests that the building located at 6816 Ina DR NE Albuquerque, New Mexico 87109, be abated and removed. Council approval is required according to N.M.S.A. Section 3-18-5, 1978.

In the event that the owners fail to demolish the condemned structure, the Planning Department will contract for the demolition and place a lien on the property. The estimated cost for demolition is \$14,500.

I am submitting this resolution to the City Council for their consideration and action.

Resolution of Nuisance Abatement of a Substandard Building at: 6816 INA DR NE
Albuquerque, New Mexico 87109

Approved:

Approved as to Legal Form:

DocuSigned by:



3/15/2021 | 3:29 PM MDT

Sarita Nair

Date

Chief Administrative Officer

DocuSigned by:



3/15/2021 | 11:57 AM MDT

Esteban A. Aguilar, Jr.

Date

City Attorney

Recommended:

DocuSigned by:



3/15/2021 | 11:39 AM MDT

Brennan Williams

Date

Director

FISCAL IMPACT ANALYSIS

TITLE: Address 6816 Ina Dr Ne Albuquerque NM 87109 R: X O: _____
 Legal description 005 007JADE PARK MOBILE HOME SUB UNIT 9 FUND: 110 _____
DEPT: Planning _____

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

		2021	Fiscal Years 2022	2023	Total
Base Salary/Wages					-
Fringe Benefit	30.440%		-	-	-
Subtotal Personnel		-	-	-	-
Operating Expenses			-		-
Property			-	-	-
Indirect Costs	%				-
Total Expenses		\$ -	\$ -	\$ -	\$ -
[] Estimated revenues not affected					
[X] Estimated revenue impact					
Total Revenue		\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS :

Structure poses an extreme hazard and is substandard and a nuisance to the neighborhood surrounding community and to inquisitive minors. The structure will continue to dilapidate causing life safety issues. This is a substandard and a nuisance property.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

Debbie Dombroski
FISCAL ANALYST

APPROVED:

Brennon Williams 02/OCT/2020
DIRECTOR (date)

REVIEWED BY:

DocuSigned by:
UNDA CUTLER PADILLA
EXECUTIVE BUDGET ANALYST

DocuSigned by:
Lawrence J. Davis 3/18/2021 | 2:35 PM
BUDGET OFFICER (date)

DocuSigned by:
Christopher Bunker
CITY ECONOMIST

Cover Analysis

1. What is it?

A substandard, nuisance structure located at 6816 Ina Dr. Ne and legally described as, 005 007JADE PARK MOBILE HOME SUB UNIT 9, in the City of Albuquerque.

2. What will this piece of legislation do?

Enable the removal of an unsafe, substandard, nuisance structure by a City Agency.

3. Why is this project needed?

Council approval is required for demolition of a Nuisance structure according to N.M.S.A. Section 3-18-5, 1998 and City Ordinance

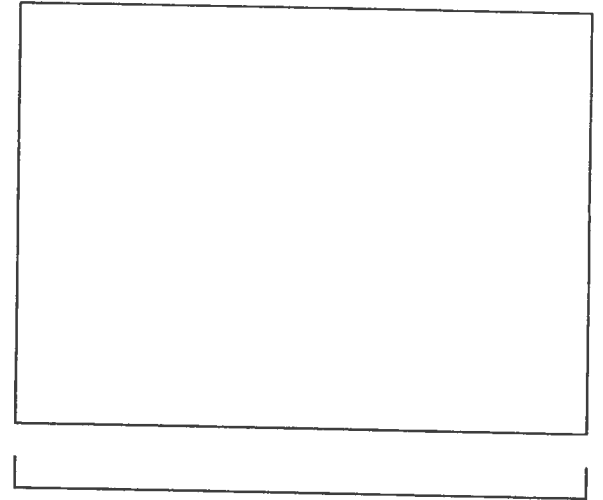
4. How much will it cost and what is the funding source?

The estimated cost is \$14,500 from the General Fund. Upon completion of demolition, a lien will be filed which includes a demand for payment addressed to said owner(s).

5. Is there a revenue source associated with this Plan? If so, what level of income is projected?

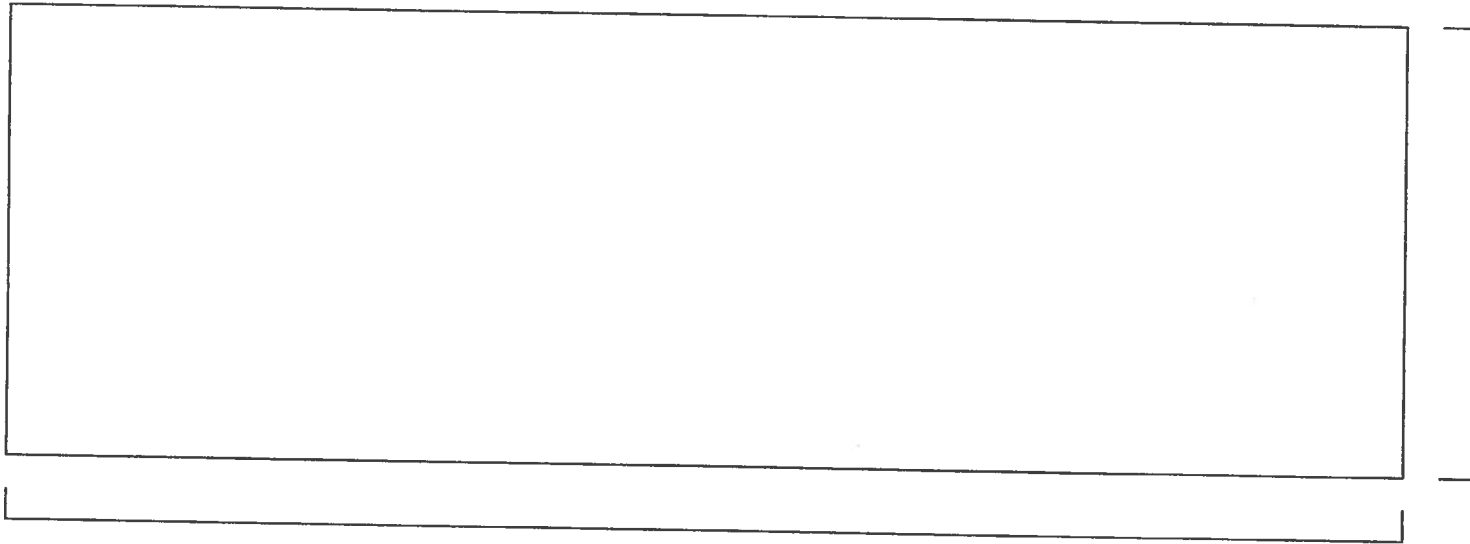
None

Address: 6816 Ina Dr NE
87109 _ Legal
Description: _ * 005
007JADE PARK MOBILE
HOME SUB UNIT 9



1
3
'
f
t

34' ft



18' ft

68' ft

CLAIM OF LIEN FOR BOARDING, CLEANUP OR REPAIR

The City of Albuquerque claims and establishes a lien on the property described below for the costs of boarding, cleaning a parcel of property or securing of a structure. The lien is provided by Ordinances numbered § 14-3-5-3(A)(2)(c)(4), 14-3-5-6(A)(3)(c) and 14-3-5-7 ROA. The filing, enforcement and priority of this lien are governed by New Mexico statutes § 3-36-1 ET. Seq. Pursuant to NMSA §§ 3-36-2, 3-36-6(M) and 3-36-7, once filed this lien attains a super-priority status with respect to all other interests in the property other than ad valorem property taxes or other special assessment liens.

Legal description: *005 007JADE PARK MOBILE HOME SUB UNIT 9
Address of Lien: 6816 INA DR NE

Owner & Owner's Address: HOUSE THOMAS RICHARD
10240 BELNAP PL NE
Albuquerque, NM 87114

Certificate of Substandard Costs: \$250.00

Private Contractor Costs:

Title Search:

Posting & Publishing Fees:

Filing Fees:

PRINCIPAL AMOUNT OF LIEN: \$250.00

CDBG Fund 205:

The principal amount of this lien shall bear interest at twelve percent (12%) per annum from date of filing. NMSA § 3-36-2(C)

WITNESS my hand and seal this 21 day of June, 2013

Doc# 2013070711
06/24/2013 03:34 PM Page: 1 of 1
LIEN R: \$25.00 M Toulouse Oliver, Bernalillo County

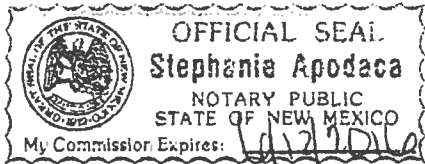
[Signature]
City Clerk
City of Albuquerque
Bernalillo County, New Mexico

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

On this 21 day of June, 2013, before me appeared to me personally known, who being by me duly sworn or affirmed did say that she is the Clerk of the City of Albuquerque, County of Bernalillo, State of New Mexico, and that said instrument was signed and sealed on behalf of said City of Albuquerque, and said acknowledged said instrument to be the free act of Claim of Lien of said City of Albuquerque.

[Signature]
Notary Public

My commission expires _____.





City of Albuquerque
Planning Department
600 2nd Street NW, Suite 500
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

CERTIFICATION OF SUBSTANDARD

In accordance with City Housing Code, which is City Ordinance Enactment No. 34-1986 and Codified at 14-3-1-1 et. seq. ROA 1994, the City of Albuquerque certifies that the property described below is a substandard building and that the owner(s) has/have been so notified.

Owner's Address

HOUSE, THOMAS RICHLARD
10240 BELNAP PL NE
ALBUQUERQUE, NM 87114

Doc# 2013068511

06/19/2013 10:30-AM Page 1 of 5
CERT R: \$25.00 M. Toulouse Oliver, Bernalillo County

Address of substandard building/Legal Description:

DR NE, ALBUQUERQUE, NM 87109
005 007 JADE PARK MOBILE HOME SUB UNIT 9 LOT 5, BLOCK 7, SUBDIVISION JADE PARK MOBILE HOME UNIT 7, ALBUQUERQUE, NEW MEXICO

The property described above is in violation of the Uniform Housing Code as described in the Notice and Order dated 05-SEP-2012.

FINDINGS

The Code Enforcement Section has found the units to be substandard under the provisions of the Code. The findings of the inspection area listed below:

Description of Violation(s) found on the property located at
6816 INA DR NE:

Section: 14-3-2-1 (C)(2): Each water closet stool shall be located in a clear space not less than 30 inches in width and clear space in front of the water closet stool of not less than 24 inches shall be provided.

Section: 14-3-2-1 (D)(3): Every efficiency unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front.

Section: 14-3-2-2 (B)(1): Required exterior openings for natural light and ventilation shall open directly onto a street or public alley or a yard or court located on the same lot as the building.

Section: 14-3-2-2 (C): In bathrooms, water closet compartments, laundry rooms and similar rooms a mechanical ventilation system connected directly to the outside shall be provided.

Section: 14-3-2-3 (C)(2): All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

Section: 14-3-2-3 (D): Water closet compartments in dwellings shall be finished with approved nonabsorbent materials. Bathroom floor surface shall be maintained so as to be reasonably impervious to water.

Section: 14-3-2-3 (E): All accessories such as grab bars, towel bars, paper dispensers and soap dishes

and the like, provided on or within walls, shall be installed and sealed to protect structural elements from moisture.

Section: 14-3-3-1 (A): Structural components of buildings shall be capable of resisting any and all forces and loads to which they may be subjected. All structural elements shall be proportioned and joined in accordance with the stress limitations and design criteria as specified in the Building Code.

Section: 14-3-3-1 (B): Every building shall be weather protected so as to provide shelter for the occupants against the elements and to exclude dampness.

Section: 14-3-3-1 (C): All wood shall be protected against termite damage and decay as provided in the Building Code.

Section: 14-3-3-2 (A)(1)(a): Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of 70 degrees F at a point 3 feet above the floor in all habitable rooms. A permanent, approved source of heat shall be installed to all bedrooms and habitable spaces in dwelling unit.

Section 14-3-3-2 (A)(1)(b) Unvented fuel-burning heaters shall not be permitted. All heating devices or appliances shall be of an approved type. A licensed contractor shall inspect, repair and or replace all heat sources to include water heater with all required permits being attained and all required inspections conducted.

Section: 14-3-3-2 (A) (2) (a): All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.

- All electrical wiring and wiring components shall be inspected by a licensed contractor and all necessary repairs shall be made or replace.
- Must provide a break box panel cover per manufacturing specifications.

Section: 14-3-3-2(A)(2)(b): Every habitable room shall contain at least two supplied electric convenience outlets or one such convenience outlet and one supplied electric light fixture. Every water closet compartment, bathroom, laundry room, furnace room and public hallway shall contain at least one supplied electric light fixture.

- All electrical wiring and wiring components shall be inspected by a licensed contractor and all necessary repairs shall be made or replace.
- Replace all damaged and non-working electrical outlets.

Section: 14-3-3-3 (A)(1): Every dwelling unit or guest room shall have access directly to the outside or to a public corridor. Provide a clear and accessible path to all exits.

Section: 14-3-3-3 (A)(2): All buildings or portions thereof shall be provided with exits, exit ways and appurtenances as required by Chapter 33 of the Building Code.

Section: 14-3-3-3(A)(3): Every sleeping room, below the fourth story, shall have at least one operable window or exterior door approved for emergency escape or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

- Entry door and sliding glass door locks and guide shall be repaired or

replaced so that doors operate smoothly without the use of extreme force or separate tools.

- *Provide a clear and accessible path to all exits.*

Section: 14-3-3-3 (A)(4): *All escape or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches. These windows shall have a finished sill height not more than 44 inches above the floor.*

Section: 14-3-4-1: *Any building or portion thereof, including any dwelling unit, guest room, or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety or welfare of the public, or the occupants thereof shall be deemed and declared a SUBSTANDARD BUILDING.*

Section: 14-3-4-10: *Faulty materials of construction includes all materials or construction except those which are specifically allowed or approved by this Code and the Building Code, and which have been adequately maintained in good and safe condition.*

Section: 14-3-4-11: *Inadequate maintenance includes any building or portion thereof which is determined to be an unsafe building in accordance with Section 203 of the Uniform Administrative Code.*

Section: 14-3-4-13: *Inadequate fire-protection includes all buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code and the Chief of the Fire Department.*

Section: 14-3-4-2 (C): *Inadequate sanitation includes lack of, or not properly operative kitchen sink. Make necessary repairs as required.*

Section: 14-3-4-2(E): *Inadequate sanitation includes lack of hot and cold running water to plumbing fixtures in a dwelling unit. A licensed contractor shall inspect, repair and or replace water heater with all required permits being attained and all required inspections conducted.*

Section: 14-3-4-2 (F): *Inadequate sanitation includes lack of adequate heating facilities. Dwelling shall be provided with an approved, adequate and permanent source of heat.*

Section: 14-3-4-2 (G): *Inadequate sanitation includes lack of, or improper operation of required ventilating equipment.*

Section: 14-3-4-2 (H): *Inadequate sanitation includes lack of minimum amounts of natural light and ventilation required by this Code.*

Section: 14-3-4-2(I): *Inadequate sanitation includes lack of required electrical lighting.*

Section: 14-3-4-2(L): *Inadequate sanitation includes general dilapidation or inadequate maintenance.*

- *All weeds, trash, debris, litter, and excessive storage shall be removed from property and dwelling.*
- *This includes any inoperable vehicles on property.*

Section: 14-3-4-3 (J): Every inside and outside stair, every porch, and every appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon.

Section 14-3-4-3 (K) Every interior wall and ceiling is free of holes and large cracks. Every interior wall and ceiling is free of loose plaster and other structural material, the collapse of which might constitute an accident hazard.

All missing, fallen, and rotted drywall shall be repaired or replaced to include tape, texture and paint. As required.

Section: 14-3-4-4: Any nuisance as defined in this code.

Due to the violations listed in this Notice and Order, it has been determined that the dwelling is Substandard. Dwelling has been in a dilapidated state for an extended period of time with in adequate maintenance and is creating a nuisance to the neighborhood and surrounding community.

Section: 14-3-4-5: Hazardous wiring includes all wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

Prior to unit being occupied power must be restored by PNM electrical services.

Section: 14-3-4-6: Hazardous plumbing includes all plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross-connections and siphonage between fixtures.

Prior to unit being occupied water services shall be reactivated by the Albuquerque Bernalillo County Water Utility Authority and provide both hot and cold water to faucets.

Section: 14-3-4-7: Hazardous mechanical equipment includes all mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in a good and safe condition. **Prior to unit being occupied gas fuel must be restored by NM Gas Company.**

Section: 14-3-4-8(A): Faulty weather protection includes deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows, doors and basement hatchways.

All broken and missing windows and doors shall be repaired or replaced.

Section: 14-3-4-8(B): Faulty weather protection includes defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

Section: 14-3-4-8(C): Faulty weather protection includes broken, rotted, split or buckled exterior wall coverings or roof coverings.

Section: 14-3-5-12: All buildings or portions thereof which are determined to be substandard as defined in this code, are hereby declared to be nuisances and shall be abated by repair, rehabilitation, demolition, removal, or securing all accessible openings and entrances to building in accordance with the procedure as provided herein. Any building that has been determined to be substandard and which has been abated by securing all accessible openings and entrances shall be repaired, rehabilitated, demolished, or removed within 12 months of being secured. The failure to repair, rehabilitate, demolish or remove such

building within 12 months shall be prima facie evidence that the building is a menace to the public comfort, health, peace, or safety and should be condemned. At the first City Council meeting following the 12 month period the administration shall present City Council with a Resolution of Condemnation as provided for in Section 3-18-5 NMSA 1978 and proceed with condemnation as provided for under that statute.

***** Due to the violations listed in this Notice and Order, it has been determined that the dwelling is Substandard and shall not be occupied, only work shall be preformed during the hours of 8am thru 6pm daily.**

CERTIFIED MAIL

Brennon Williams

(Signature)

Brennon Williams, Code Compliance Manager
Code Enforcement Division
Planning Department

The foregoing instrument was acknowledged before me this 12 day of June 2013 by

Brennon Williams

(Printed Name)



[Signature]

Notary Public
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

My commission expires 1/14/15

Unofficial COPY



DO NOT ENTER
SUBSTANDARD
BUILDING
DO NOT OCCUPY
This building is in violation of the City of Mississippi health and safety codes. Occupancy of this building is prohibited until it is brought into compliance with the applicable codes. For more information, contact the City of Mississippi at 601-975-1000.

6816





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DO NOT ENTER
SUBSTANDARD
BUILDING
UNSAFE TO OCCUPY











6816

DO NOT ENTER
SUBSTANDARD
BUILDING
UNSAFE TO OCCUPY
D. J. HAYES
505 S. W. 191ST
City of Albuquerque





PRIVATE
PROPERTY

