

RESOLUTION 10564

A RESOLUTION CERTIFYING THE ABATEMENT OF A NUISANCE AND STATEMENT OF EXPENSE, ADDRESSED AS 613 9TH AVENUE SOUTH, IS COMPLETED.

WHEREAS, the City Commission adopted Resolution 10533 on February 20, 2024 declaring certain property located at 613 9th Avenue South, Lot 11, Block 498, Great Falls Original, Cascade County, Montana, a Nuisance, ordered the Nuisance abated, and authorized staff to force abatement if necessary; and

WHEREAS, James Welling Jr, property owner, did not complete the abatement as set forth in said Resolution; and

WHEREAS, said forceable abatement process was completed by the City; and

WHEREAS, the City incurred costs in the forced abatement of said Nuisance; and

WHEREAS, the City Commission wishes to certify that the subject Nuisance has been abated and finds it is in the public’s interest to reclaim the costs of said abatement, pursuant to the Official Code of the City of Great Falls 8.49.080; and

WHEREAS, the subject property owner was provided notice of the statement of expenses and the Commission’s consideration of this Resolution as set forth in Exhibit “A” attached hereto and by reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

1. The City Commission hereby confirms the statement of expenses as set forth in the invoice attached hereto as Exhibit “B” and the payment document attached hereto as Exhibit “C”; and
2. The method of forced abatement included securing the residential structure, temporary structure, and garage, removal of rubbish and exterior storage, and removal of three (3) non-compliant vehicles on the property. The owner of the subject property shall pay the total outstanding balance of \$9,450.00 within five (5) calendar days of the adoption of this Resolution to the Great Falls Finance Department, Civic Center Room 104, Park Drive South, Great Falls, MT 59401; and

3. If the balance is not paid as directed herein, the Great Falls Finance Department is directed to collect the same as a special assessment on the subject property; and

4. This Resolution shall be recorded in the official property file for the subject property at the Cascade County Clerk and Recorder's Office.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on November 6, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Rachel Taylor, Deputy City Attorney



Planning & Community Development
Room 112
2 Park Drive South (Civic Center)
Great Falls, MT 59401

CERTIFIED MAIL

OCTOBER 8, 2024

James Welling Jr
613 9th Avenue South
Great Falls, MT 59405

Re: 613 9th Avenue South, Great Falls MT 59405, James Welling Jr property

Dear James Welling Jr,

I am writing this letter to you as the legal owner of the above referenced property. If you no longer own this property, please advise me as soon as possible.

On February 20, 2024, the Great Falls City Commission adopted Resolution 10533. Resolution 10533 declared the above referenced property a nuisance and authorized City staff to force abatement of the Nuisance if necessary. The mandatory timeline for abatement pursuant to Resolution 10533 was not complied with, and the City commenced forced abatement of the property.

On September 5, 2024, the City, through its designated contractor, completed all work necessary to abate the nuisance at the subject property. Pursuant to the Official Code of the City of Great Falls (OCCGF) § 8.49.060, the City maintained an accounting of its expenses in abating the subject nuisance. Pursuant to OCCGF § 8.49.060, the City is hereby providing you its statement of expense, totaling Nine Thousand Four Hundred Fifty Dollars (\$9,450.00). Attached to this letter, and by reference incorporated herein, is documentation supporting the statement of expense.

You are hereby advised that the City Commission will consider Resolution 10564 on November 6, 2024, at 7:00 p.m. at the City Commission Chambers. Pursuant to OCCGF § 8.49.070, the City Commission will be requested to adopt Resolution 10564 confirming this statement of expense. Should the Commission adopt Resolution 10454, you are further advised that failure to pay the total balance of the City's expenses within five (5) calendar days will result in the City's expenses being collected as a special assessment against the subject property. Please disregard the previous City Commission date of November 5, 2024 which is incorrect due to it being Election Day.

Sincerely,

Brock Cherry
Planning and Community Development Director
Great Falls MT

cc: Greg Doyon, City Manager
Rachel Taylor, Deputy City Attorney
James Welling Jr, 613 9th Avenue South, Great Falls, MT 59405, 5405 Lower River Road (trailer 131), 1300 Central Avenue (Royal Motel Room #102)
Guardian Tax MT LLC, 920 S 107th Avenue Suite 250, Omaha, NE 68114-4719
Crowley Fleck PLLP (Eli Patten), PO Box 2529, Billings MT 59103



ALR Contracting LLC
513 9th ave sw.
Great Falls Mt. 59404
788-4742

Invoice

1711 1733

Date: 9/5/2024

Bill To:

Welling Abatement
613 9th ave so
Great Falls , Mt., 59404

Ship To:

| Description | Amount |
|---|------------|
| Secured the house garage and out buildings, and the debris removal. | \$9,450.00 |

| | |
|-----------------|-------------------|
| SubTotal | \$9,450.00 |
| 0.00% on \$0.00 | \$0.00 |
| 0.00% on \$0.00 | \$0.00 |
| Total | \$9,450.00 |

BEFORE THE ABATEMENT – 613 9TH AVENUE SOUTH



Behind residence



Front yard



Side yard



Alley and back area, and vehicles



Back area, temporary shelter, and vehicle



Back area, and vehicle

COMPLETED ABATEMENT – 613 9TH AVENUE SOUTH



Front yard



Behind residence, rear yard



Alley, and vehicle removed



Side yard



Back of side yard



Secured temporary shelter



Back yard next to temporary shelter



Secured garage