



**CITY OF JOHN DAY**  
**Request for Council Action**

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**Date Submitted:** June 27, 2023  
**Meeting Date:** June 27, 2023  
**To:** Mayor and City Council Members  
**From:** Rick Allen, Interim City Manager  
**Through:**  
**Subject:** Chris Emery Derelict Building Violation

**TYPE OF ACTION REQUESTED:**

- |  |  |
|--|--|
| <input type="checkbox"/> <b>Formal Action/Motion</b> | <input type="checkbox"/> <b>Public Hearing</b> (Enter Type)        |
| <input type="checkbox"/> <b>Ordinance</b>            | <input type="checkbox"/> <b>Resolution</b>                         |
| <input type="checkbox"/> <b>Consent Agenda</b>       | <input checked="" type="checkbox"/> <b>No Action - Report Only</b> |

**MOTION FOR COUNCIL CONSIDERATION:**

No Motion

**OVERVIEW:**

Staff gave council an update a month ago on the progress of the demo of the damaged buildings downtown. This update will discuss changes since that last update.

**STAFF ANALYSIS:**

City staff has been in contact with the building owner Chris Emery. He has placed ads for interested parties to contact him that would like to purchase the building. His plan is to take offers up in the first week of July. He has not found a realtor to work with him yet nor an attorney. All of the work is being handled by himself at this time.

Most tenants have removed personal property that was burned as much as possible from a safety standpoint to not risk additional collapse of the building. There was concerns by one tenant about the awnings coming down if they disturbed deeper into burned out debris piles.

The City did "record" the notice of a code violation at the Grant County Clerk's Office. This will assure any buyer who receives a title report that they will have responsibilities and it will include the Notice of Violation. That will need removed when the building demo has been completed.

**SUMMARY:**

At this time Staff recommends waiting for 30 days to see if any offers have been accepted so they can work with a potential buyer on compliance related issues. If no offers have been accepted the City has the ability to allow more time for the current owner to comply or move to the next level of enforcement per the Ordinance. The next step forward will require a formal process that involves hearings, appeals and additional legal costs. As with all code violations, compliance is the desired outcome.

**A. General Coordination:**

<b>Department Review</b>	<b>Reviewed By</b>	<b>Date</b>	<b>Not Required</b>
City Manager	Rick Allen		
Public Works			
City Attorney			
City Recorder			
Finance			
Community Development			
Sheriff			
Other			

**B. Fiscal Impact:**

At this time no estimated costs. There will be legal fees in moving forward with any compliance agreements with a new owner or the current owner. There is no insurance that will cover these expenses incurred by the City.

**C. Funding Source:**

- City General Fund

**D. Explanation of Impact:**

NA

**E. Supporting Documentation:**

**RECOMMENDATION:**

Work with Mr. Emery as he attempts to sell the property and work out an agreement with a buyer. If no buyer or agreement has moved forward by August 1<sup>st</sup>, the City Council should recommend to staff to move forward to the next level of enforcement as required by City Ordinance.