



The City of
EL RENO
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Planning and
Development Services

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El Reno, Oklahoma 73036

To: Mayor and Council

From: Emily Richey, Development Services Director

Date: August 11, 2026

Subject: (CE 2025-2719) Discussion, consideration, action, and/or possible amendments regarding an untimely appeal by Damani Rivers of the Administrative Code Hearing Officer's findings that the structure located at 100 E. Foreman Drive is dilapidated, constitutes a public nuisance, and should be removed in accordance with §246-1(C)(31) of the El Reno City Code of Ordinances.

Dear Mayor and Council,

Presented for your consideration is the attached resolution regarding an untimely appeal of the Administrative Code Hearing Officer's Order to Proceed with Demolition for the structure located at 100 E. Foreman Drive.

Please note that Mr. Rivers did not timely submit an appeal to the City Clerk. As such, after consulting with the City Attorney, staff was instructed to prepare a discussion item and not a public hearing item. Before a public hearing can be held (at the next regular meeting), the City Council must determine whether the untimely appeal will be allowed to proceed to a public hearing.

Item Overview

This item concerns an untimely appeal of the Administrative Code Hearing Officer's Order to Proceed with Demolition for the structure located at 100 E. Foreman Drive.

Before initiating condemnation proceedings, staff delayed issuance of a Notice of Violation after the property owner repeatedly represented that meaningful rehabilitation would soon begin. The property owner indicated that financing, asbestos abatement, architectural plans, permit applications, and contractor coordination were underway and would allow rehabilitation to proceed.

Based on those representations, staff allowed additional time before initiating condemnation in an effort to encourage voluntary compliance and preserve the structure. When the property owner did not demonstrate meaningful progress toward rehabilitation, staff initiated condemnation proceedings through the issuance of a Notice of Violation.

After condemnation proceedings began, staff continued working toward voluntary compliance throughout the administrative hearing process. Staff conducted inspections and consultations, held multiple administrative hearings, granted repeated continuances, reviewed development plans, explained zoning and building code requirements, coordinated with Okie Safety, the City's contracted commercial building inspection and plan review consultant, and provided repeated opportunities for the property owner to demonstrate measurable progress toward compliance.

While staff acknowledges that some work was completed during the enforcement process, including asbestos abatement, the property remained in violation of multiple provisions of the International Property Maintenance Code and the El Reno City Code of Ordinances. Substantial progress toward correcting the unsafe conditions was not achieved.

As progress diminished and major life-safety concerns remained unresolved, staff advised the property owner that condemnation would continue unless meaningful progress was demonstrated. The administrative hearing process was intended to provide continued oversight through regular hearings while allowing additional opportunities for voluntary compliance. After approximately one year of enforcement efforts and repeated opportunities to comply, the Administrative Code Hearing Officer determined that the structure remained an unsafe public nuisance and issued an Order to Proceed with Demolition.

The demolition order was mailed to the property owner's address of record in accordance with applicable law. The property owner did not file an appeal within the required 10-day timeframe. This matter was placed on the agenda by Chief Brown at the request of Councilwoman Brothers.

The issue before Council is not whether the property owner intends to rehabilitate the structure, market the property for sale, or whether a future purchaser may eventually undertake redevelopment. Rather, Council is asked to determine whether the property owner's untimely attempt to appeal should be allowed to proceed to a public hearing to determine whether the Administrative Code Hearing Officer's decision was supported by the administrative record and substantial evidence available at the time the Order to Proceed with Demolition was issued.

Although the property owner listed the property for sale before the demolition order was issued, listing the property does not correct the unsafe conditions identified during the enforcement process, eliminate the public nuisance, or change the evidence considered by the Administrative Code Hearing Officer. At the time this report was prepared, City staff had not received an executed purchase agreement, redevelopment plan, or other documentation demonstrating that the violations forming the basis of the demolition order would be corrected.

History of Staff Efforts Toward Voluntary Compliance

From the outset of this case, staff's goal was to achieve voluntary compliance through rehabilitation of the structure rather than demolition. Recognizing the historical significance of the former Irving School and the property owner's stated intent to restore the building, staff sought to provide reasonable opportunities for rehabilitation while ensuring compliance with applicable health and safety requirements.

Before initiating condemnation proceedings, staff delayed issuance of a Notice of Violation after the property owner repeatedly represented that rehabilitation efforts were progressing and that financing, asbestos abatement, architectural plans, contractor coordination, and permit applications would soon allow construction to begin. Based on those representations, staff allowed additional time before initiating condemnation in an effort to encourage voluntary compliance and preserve the structure.

When meaningful progress toward rehabilitation was not demonstrated, staff initiated condemnation proceedings through issuance of a Notice of Violation. Even then, staff continued working toward voluntary compliance throughout the administrative hearing process.

During the course of the proceedings, staff:

- Conducted site inspections and consultations with the property owner and his representatives;
- Held multiple administrative hearings and supported repeated continuances to allow additional time for compliance;
- Reviewed preliminary development plans and coordinated plan review and inspections with Okie Safety, the City's contracted commercial building inspection and plan review consultant;
- Explained applicable zoning, building code, and permitting requirements;
- Identified revisions necessary before permits could be issued; and

- Remained available to answer questions and assist the property owner in moving the project toward compliance.

Staff acknowledges that some work was completed during the enforcement process, including asbestos abatement and limited cleanup activities. However, significant structural, electrical, plumbing, weatherproofing, utility, and life-safety violations remained unresolved, and the work completed did not correct the conditions that resulted in the enforcement action.

Despite extensive assistance, repeated continuances, and approximately one year of opportunities to demonstrate measurable progress, rehabilitation ultimately stalled. Communication became increasingly limited, substantial compliance was not achieved, and the Administrative Code Hearing Officer determined that the structure remained an unsafe public nuisance and issued an Order to Proceed with Demolition.

Property Details

Property Owner: Damani Rivers

Address: 100 E. Foreman Drive

Zoning of property: R-2, Combined Residential District

Size of property: 2.54 acres, more or less

Size of structure: Approximately 13,626 square feet

The property was issued a Notice of Violation on October 31, 2025 for the following violations:

- 506.2 IPMC- Sewer shall function properly
- §246-1(D)- Dilapidated building
- 304.1 IPMC- Unsanitary
- 108.1.5.6 IPMC- The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy
- 308.1 IPMC- Accumulation of rubbish and garbage
- 505.1 IPMC- No water utilities
- 604.3 IPMC- Electrical system hazards
- 304.6 IPMC- Exterior walls shall be free from holes and weatherproof
- 304.1.1.8 IPMC- Roof shall function properly

**Please note that references to “IPMC” are to the International Property Maintenance Code. At the time of this writing the City of El Reno has adopted the 2018 edition. The violations beginning with “§” refer to the provisions of the El Reno City Code of Ordinances.*

The property was issued a Notice of Violation on May 11, 2026, for the following violation:

- §246-1(C) (25)- Weeds, including, but not limited to, poison ivy, poison oak, or poison sumac, and all vegetation at any state of maturity which exceeds a height of 12 inches, except healthy trees, shrubs, or produce for human consumption when grown in a tended and cultivated garden, unless such trees, shrubbery, or produce by their density or location constitute a detriment to the health, safety, or welfare of the public, or create a fire or traffic hazard, or harbor, conceal, or invite deposits or accumulations of trash, or harbor or invite rodents or vermin, or is dead and deceased.

The property was not brought into compliance within the required notice period. As a result, the City hired a contractor to abate the vegetation on May 26, 2026.

The property again exceeded the maximum allowable vegetation height, requiring a summary abatement by the City on June 24, 2026.

Administrative Code Hearing Dates:

- November 10, 2025
- December 8, 2025
- January 12, 2026
- February 9, 2026
- March 10, 2026
- April 13, 2026
- May 11, 2026
- June 8, 2026

Inspections

During the enforcement process, staff and Okie Safety conducted inspections and consultations regarding the condition of the structure and required rehabilitation work.

Electrical work was observed being performed without the required permits or inspections. Okie Safety conducted the necessary inspection and subsequent reinspection to verify compliance.

The property owner attempted to establish water service before completing required plumbing inspections. Staff advised that water service could not be activated until a hydrostatic pressure test and required plumbing inspections were completed to ensure the system was safe for operation.

Okie Safety also conducted a courtesy walk-through consultation to identify life-safety concerns and provide general guidance regarding applicable code requirements.

Because the project did not progress to the stage where additional inspections could be performed, no further building inspections were conducted beyond those associated with the unpermitted electrical work and courtesy consultation.

Case Overview

The property located at 100 E. Foreman Drive consists of the former Irving School building, a historic structure that the property owner initially stated he intended to rehabilitate into a single-family residence. Due to the age, size, and former use of the structure, rehabilitation requires compliance with applicable provisions of the International Property Maintenance Code, adopted building codes, zoning regulations, and permitting requirements.

The property became the subject of code enforcement action due to deteriorated conditions, unsafe building conditions, and multiple violations affecting the health, safety, and welfare of the public. Identified violations included unsafe occupancy conditions, electrical hazards, plumbing deficiencies, lack of functioning utilities, structural deterioration, weatherproofing deficiencies, unsanitary conditions, accumulation of debris, and excessive vegetation.

Prior to initiating condemnation proceedings, staff allowed additional time for voluntary compliance after the property owner represented that rehabilitation efforts were progressing. The property owner indicated that financing, asbestos abatement, architectural plans, contractor coordination, and permit applications would allow the project to move forward. When meaningful progress toward correcting the identified conditions was not demonstrated, the City initiated enforcement proceedings through issuance of a Notice of Violation.

Throughout the enforcement process, the property owner continued to express his intent to rehabilitate the structure. Staff provided additional time, technical guidance, plan review assistance, and opportunities to demonstrate progress toward compliance through the administrative hearing process. Staff also coordinated with Okie Safety regarding building code requirements, plan review, and inspections.

Although some work was completed during the enforcement process, including asbestos abatement and cleanup activities, the conditions that resulted in the enforcement action remained unresolved. After approximately one year of enforcement efforts, multiple administrative hearings, and repeated opportunities for compliance, the Administrative Code Hearing Officer determined that the structure remained an unsafe public nuisance and issued an Order to Proceed with Demolition.

Procedural History & Timeline

The following timeline summarizes the significant administrative actions taken regarding the property:

Prior to October 31, 2025

Before initiating condemnation proceedings, Development Services worked with the property owner after he represented that rehabilitation efforts were progressing. The property owner indicated that financing, asbestos abatement, architectural plans, contractor coordination, and other preliminary steps were underway. Based on those representations, staff allowed additional time for voluntary compliance before issuing a Notice of Violation.

October 31, 2025

A Notice of Violation was issued to the property owner identifying code violations requiring correction.

November 10, 2025

Initial Administrative Code Hearing. The Hearing Officer continued the matter to allow the property owner additional time to begin rehabilitation efforts. The owner was directed to provide a comprehensive rehabilitation plan and proposed timeline before the next hearing.

December 8, 2025

Continued Administrative Code Hearing. Additional time was granted based on the owner's continued representations that rehabilitation was progressing. The owner was directed to demonstrate completion of asbestos-related work and submit plans prepared by a qualified design professional outlining the proposed rehabilitation.

January 12, 2026:

Continued Administrative Code Hearing. The matter remained open to allow continued rehabilitation efforts. The owner was directed to submit architectural plans before the next hearing.

February 9, 2026:

Continued Administrative Code Hearing. The property owner notified staff in advance that he would be unable to attend but remained in communication regarding the project. Based on those continued representations, the Hearing Officer granted additional time for compliance. The owner was directed to continue communicating with Development Services and to submit architectural plans to Okie Safety before the March hearing.

March 10, 2026:

Continued Administrative Code Hearing. The property owner and "project manager" attended. Staff identified additional revisions necessary before plan review could proceed, including revised plans demonstrating compliance with applicable residential building code requirements. Additional time was granted for the owner to continue working toward compliance.

April 13, 2026

Continued Administrative Code Hearing. The property owner's designated representative attended on his behalf. Additional time was granted for rehabilitation efforts. The Hearing Officer directed that roof repairs be addressed without further delay and ordered the property to remain properly maintained, including mowing and weed control.

Approximately April 24, 2026:

The property owner listed the property for sale while the enforcement case remained pending and prior to the issuance of the Order to Proceed with Demolition.

May 11, 2026:

Continued Administrative Code Hearing. Prior to the hearing, the owner's designated representative, Casey Trejo, notified Ms. Richey that she would be unable to attend. Ms. Richey acknowledged receipt of the email and advised that, because prior hearing orders remained outstanding, she did not know what the Hearing Officer's recommendation would be, but that the written findings would be provided to the property owner. The Hearing Officer allowed additional time for compliance, and all previously issued orders remained in effect.

***A separate Notice of Violation was also issued on this date for excessive weeds and vegetation.

May 26, 2026:

Because the property was not brought into compliance within the required notice period, the City retained a contractor to abate the vegetation, which cost the City roughly \$2,000.00 because of the size of the property,

June 8, 2026:

Continued Administrative Code Hearing. After considering approximately one year of enforcement history, repeated continuances, inspection findings, staff testimony, and the administrative record, the Hearing Officer determined that the structure remained an unsafe public nuisance and issued the Order to Proceed with Demolition.

June 16, 2026:

The Order to Proceed with Demolition was mailed to the property owner's address of record.

June 24, 2026:

The City completed a summary abatement for tall grass and weeds.

July 8, 2026:

The property owner filed an appeal of the Order to Proceed with Demolition after expiration of the applicable appeal period.

The procedural history reflects repeated opportunities for voluntary compliance, extensive communication between staff and the property owner, and numerous continuances granted to facilitate rehabilitation before demolition was ultimately recommended.

Violations and Property Conditions

The structure located at 100 E. Foreman Drive was determined to be dilapidated and in an unsafe condition due to numerous violations of the International Property Maintenance Code and the El Reno City Code of Ordinances.

Conditions identified during inspections and throughout the enforcement process affected the structural integrity, safety, habitability, and maintenance of the structure. These conditions included, but were not limited to, unsafe building conditions, electrical hazards, plumbing deficiencies, lack of functioning utilities, deterioration of exterior building components, roof deficiencies, unsanitary conditions, accumulation of debris, and overgrown vegetation.

The property owner was provided notice of these violations and given repeated opportunities to correct the identified conditions. Although some limited work was completed, including asbestos abatement and cleanup activities, the work performed did not demonstrate substantial progress toward correcting the conditions that resulted in the enforcement action.

Of particular concern was electrical work performed without the required permits and inspections. Staff advised the property owner that all electrical work was required to proceed through the applicable permitting and inspection process to ensure compliance with adopted codes and to verify that the electrical system was safe for operation. Okie Safety conducted inspections related to the unpermitted electrical work and verified the corrective work completed.

The property also required City intervention for ongoing exterior maintenance issues. The property owner failed to complete required vegetation maintenance within the required timeframe, resulting in City abatement of the property. The City incurred approximately \$2,300 in costs associated with mowing and vegetation abatement.

The continued presence of these conditions, combined with the lack of substantial progress toward rehabilitation after approximately one year of enforcement efforts, supported the Administrative Code Hearing Officer's determination that the structure remained unsafe for use and occupancy and constituted a public nuisance.

Building Plans, Permitting, and Zoning Review

Throughout the enforcement process, the property owner consistently stated that he intended to rehabilitate the former school building into a single-family residence. In response, staff worked with the owner and his design professionals to explain the applicable zoning, building code, and permitting requirements necessary to move the project forward.

As part of those efforts, staff coordinated with Okie Safety and reviewed preliminary architectural plans submitted by the owner's design team. During review, staff identified inconsistencies between the owner's stated development intent and the occupancy classifications reflected in the submitted plans.

Specifically, the submitted plans identified the project as an R-2/E occupancy. Staff explained that the property's R-2 zoning designation is different from a Residential Group R-2 occupancy classification under the International Building Code. Although the zoning designation addresses what types of uses may be allowed on the property, the building occupancy classification determines the applicable construction and life-safety requirements for the structure.

On February 26, 2026, staff provided written guidance explaining the available paths forward. The owner was advised that he could either:

1. Submit revised plans demonstrating compliance with the applicable requirements for a single-family dwelling; or
2. Pursue appropriate zoning changes if a different type of occupancy was intended.

Staff also explained that additional construction documents would be required before plan review could proceed, including documentation necessary to demonstrate compliance with applicable building, life-safety, structural, mechanical, electrical, plumbing, and energy code requirements.

The owner was further advised that temporary occupancy of only a portion of the structure while the remainder of the building was under construction would not be permitted for the proposed single-family residential conversion unless specifically approved by the City.

Following those comments, the owner advised staff that the occupancy classification shown on the plans was the result of a miscommunication with his architectural team and that the project would remain intended as a single-family residence. Staff acknowledged this clarification and advised that revised plans consistent with the intended use would be required before the project could proceed through plan review.

The administrative record demonstrates that staff did not prevent rehabilitation of the property. Rather, staff identified applicable code requirements, reviewed preliminary plans, communicated necessary revisions, and remained available to assist throughout the process. The requirements identified by staff were the same

requirements that would apply to any property owner seeking to rehabilitate the structure, change its use, or obtain construction permits. Despite these efforts, complete plans demonstrating compliance with the adopted codes were not submitted before the Administrative Code Hearing Officer issued the Order to Proceed with Demolition.

Administrative Code Hearing Officer's Findings

At the conclusion of the June 8, 2026 Administrative Code Hearing, the Administrative Code Hearing Officer reviewed the evidence presented, prior hearing history, inspection information, correspondence, and the administrative record developed throughout the enforcement process.

The Administrative Code Hearing Officer's role was to determine whether the structure constituted a public nuisance and whether an Order to Proceed with Demolition was appropriate under the applicable provisions of the International Property Maintenance Code and the El Reno City Code of Ordinances.

After consideration of the administrative record, the Administrative Code Hearing Officer determined that the structure remained in violation of applicable codes and continued to present unsafe conditions affecting the health, safety, and welfare of the public. The determination was based on the continued presence of code violations, the deteriorated condition of the structure, unresolved life-safety concerns, and the lack of substantial corrective progress despite repeated notices, administrative hearings, and opportunities for compliance.

The Administrative Code Hearing Officer considered the property owner's stated intent to rehabilitate the structure and acknowledged the work completed during the enforcement process, including asbestos abatement and cleanup activities. However, the Hearing Officer determined that the owner's future plans, including marketing the property for sale, did not eliminate the existing unsafe conditions or demonstrate that compliance would be achieved within a reasonable timeframe.

Based upon the condition of the structure, the unresolved violations, the enforcement history, and the lack of substantial progress toward compliance after approximately one year of enforcement efforts and repeated opportunities to correct the conditions, the Administrative Code Hearing Officer concluded that the structure constituted a public nuisance and that an Order to Proceed with Demolition was the appropriate remedy under the applicable provisions of the International Property Maintenance Code and the El Reno City Code of Ordinances.

Basis of the Appeal (*Appellant's Claims*)

The property owner submitted an appeal of the Administrative Code Hearing Officer's Order to Proceed with Demolition after expiration of the applicable appeal period. The appeal did not identify specific legal or factual challenges to the Hearing Officer's findings. Instead, the appeal requested additional time for the City Council to consider the matter.

The property owner initially requested that the appeal be placed on the July 2026 City Council agenda. Because the request was received only three business days before the meeting, there was insufficient time for staff review and preparation of the required agenda materials. The matter was therefore scheduled for the August 2026 City Council meeting.

The appeal did not provide documentation demonstrating that the structure had been brought into compliance, that outstanding violations had been corrected, or that a specific plan existed to address the conditions identified during the enforcement process.

Staff Analysis & Response to Appeal

Staff has reviewed the appeal, the administrative record, inspection documentation, correspondence, photographs, and the Administrative Code Hearing Officer's findings. Based on that review, staff finds that the appeal is untimely and does not present new evidence or information that would alter the Hearing Officer's decision.

The appeal primarily focuses on the property owner's intent to sell the property and allow a future purchaser the opportunity to rehabilitate the structure.

While the property owner has the right to market the property, the issue before Council is not whether the property may eventually be sold or rehabilitated by a future owner. The issue before Council is whether the Administrative Code Hearing Officer's decision was supported by the administrative record and substantial evidence at the time the Order to Proceed with Demolition was issued.

The following sections address the primary issues raised regarding the property's listing for sale, claimed buyer interest, and the evidence supporting the Administrative Code Hearing Officer's decision:

Property Listed for Sale

Prior to the June 8, 2026 Administrative Code Hearing and before the issuance of the Order to Proceed with Demolition, the property owner elected to list the property for sale.

While the property owner has the right to market the property, listing the structure for sale did not correct the unsafe conditions, eliminate the public nuisance, or demonstrate that the violations forming the basis of the demolition order would be corrected within a reasonable timeframe.

The issue before Council is not whether the property may eventually be sold or rehabilitated by a future owner. Rather, Council's review is limited to whether the Administrative Code Hearing Officer's decision was supported by the administrative record and substantial evidence available at the time the Order to Proceed with Demolition was issued.

At the time this report was prepared, City staff had not received an executed purchase agreement, redevelopment plan, or other documentation demonstrating a committed purchaser or plan to bring the property into compliance.

Claimed Buyer Interest

The property owner and the listing agent have represented that there has been significant interest in the property. City staff has received limited inquiries regarding the property; however, those inquiries have not resulted in documentation demonstrating a committed purchaser, a rehabilitation plan, or a path toward correcting the conditions that resulted in the demolition order.

One individual identified by the listing agent as a "serious buyer" stopped by the Development Services office unscheduled to discuss potential uses for the property. During that discussion, the individual sought general information regarding what uses might be permitted rather than presenting a specific redevelopment proposal.

The individual indicated that he wished to use the building as a single-family residence while also operating businesses within the structure. When asked to elaborate, he identified uses including a Segway obstacle course and painting classes.

Staff explained that those proposed uses could require additional zoning review and, depending on the final occupancy classification, additional building and life-safety requirements, including fire sprinklers. The individual stated that he did not wish to install a fire sprinkler system. Staff advised that any future redevelopment would require plans prepared by a design professional and compliance with all applicable zoning, building, and life-safety requirements.

While staff routinely provides this type of guidance to prospective property owners, this discussion did not demonstrate that the property had a committed purchaser with a defined plan to bring the structure into compliance.

Substantial Evidence Supporting Demolition

The Administrative Code Hearing Officer's decision was not based solely on the property owner's inability to complete rehabilitation. Rather, it was based on the continued unsafe condition of the structure, the unresolved code violations, and the lack of substantial progress toward compliance after approximately one year of enforcement efforts.

The administrative record demonstrates that the City provided notice of the violations, held multiple administrative hearings, granted repeated continuances, provided technical guidance, reviewed preliminary plans, and assisted the property owner throughout the rehabilitation process, and gave numerous opportunities for voluntary compliance.

Although the property owner completed some work, including asbestos abatement and cleanup activities, the conditions that resulted in the enforcement action remained unresolved. The structure continued to present unsafe conditions affecting its use, occupancy, and maintenance.

Based on the condition of the structure, the unresolved violations, and the enforcement history, staff believes the Administrative Code Hearing Officer's Order to Proceed with Demolition was supported by substantial evidence and should be upheld.

Timeliness of Appeal

The Administrative Code Hearing Officer issued the Order to Proceed with Demolition following the June 8, 2026 Administrative Code Hearing. The order was mailed to the property owner's address of record on June 16, 2026, in accordance with applicable law.

Pursuant to the El Reno City Code of Ordinances, an appeal must be filed within the prescribed appeal period (10 days from date of hearing order). The property owner's appeal was not filed within that timeframe and is therefore untimely.

Procedural Compliance

The administrative record demonstrates that the City followed the procedures required by the El Reno City Code of Ordinances throughout the enforcement process.

Documentation supporting procedural compliance, including notices, proof of mailings, administrative hearing records, and the Administrative Code Hearing Officer's findings, is included with this report as attachments.

Staff Recommendation

Staff recommends approval of the Resolution, denying the untimely appeal and upholding the Administrative Code Hearing Officer's Order to Proceed with Demolition for the structure located at 100 E. Foreman Drive.

Staff Rationale

The Administrative Code Hearing Officer determined that the structure located at 100 E. Foreman Drive was dilapidated, unsafe for use and occupancy, and constituted a public nuisance in accordance with applicable provisions of the El Reno City Code of Ordinances and the International Property Maintenance Code.

The City followed the required enforcement procedures, including providing notice of violations, conducting administrative hearings, allowing the property owner an opportunity to be heard, and providing repeated opportunities to correct the identified conditions.

- City staff worked with the property owner for approximately one year to achieve voluntary compliance, including granting continuances, providing technical guidance, reviewing preliminary plans, and assisting with the rehabilitation process.

- Although the property owner completed certain work, including asbestos abatement and cleanup activities, substantial progress toward correcting the conditions that resulted in the enforcement action was not achieved, and significant violations remained unresolved.
- The property owner's decision to list the property for sale did not correct the identified violations, eliminate the public nuisance, or provide documentation demonstrating that the structure would be brought into compliance within a reasonable timeframe.
- Based on the condition of the structure, unresolved violations, and enforcement history, the Administrative Code Hearing Officer's Order to Proceed with Demolition was supported by substantial evidence and should be upheld.

Possible Council Options

Council may take any action authorized under the El Reno City Code of Ordinances, including:

- Uphold the Administrative Code Hearing Officer's Order to Proceed with Demolition.
- Allow untimely appeal to proceed and allow a public hearing at the September regular meeting.

Fiscal Impact

The City will incur upfront costs associated with demolition. These costs may be eligible for recovery through placement of a lien on the property and any subsequent lien enforcement, as provided by law.

This property has also required significant City resources throughout approximately one year of enforcement efforts, including inspections, administrative hearings, staff correspondence, coordination with consultants, plan review assistance, nuisance abatement, vegetation maintenance, and ongoing case management.

The City has incurred approximately \$2,300 in costs associated with mowing and vegetation abatement due to the property's failure to remain in compliance with maintenance requirements.

Attachments

Attached to this report are the following:

- Notice of Violation
- Code Enforcement Officer Staff Report
- Photographs
- Administrative Hearing Findings
- Proof of Mailings
- Letters from Property Owner
- Correspondence regarding zoning, occupancy, and plan review
- Appeal Request
- Resolution

Staff is available to answer any questions regarding the untimely appeal, the administrative record, or the recommended action.



Emily Richey
Development Services Director