

CITY OF CONCORD

In the year of our Lord two thousand and twenty-one

RESOLUTION: ORDERING THE ELIMINATION OF A HAZARDOUS BUILDING AT 107-109 SOUTH MAIN STREET IN CONCORD, NH

The City of Concord resolves as follows:

WHEREAS, the building located at 107-109 S. Main Street, Map 28, Block 1, Lot 10 (the “Property”) is owned by Comain, LLC, which is a single member limited liability company owned by Timothy Boisvert of Hooksett, New Hampshire (“Property Owner”); and

WHEREAS, on October 4, 2016, the Code Administration Division posted the building on the Property as “uninhabitable” pursuant to the City of Concord’s Housing and Maintenance Code because it constitutes a hazardous building; and

WHEREAS, the building on the Property continues to exist in hazardous condition in violation of City of Concord Code of Ordinances Article 26-8, Hazardous Buildings and Structures and New Hampshire RSA Chapter 155-B Hazardous and Dilapidated Buildings; and

WHEREAS, the Property Owner, to date, has not corrected the hazardous building on the Property despite numerous notices of violation; and

WHEREAS, in the interest of public safety and pursuant to Code of Ordinances Article 26-8 and RSA 155-B, the City Council may order the owner of the hazardous building to raze or remove the structure;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- A. Comain, LLC, owner of the Property, is hereby ordered to:
1. The Property Owner shall demolish the building at the Property, and remove all materials and existing debris on the Property in accordance with this Resolution and all applicable laws;
 2. Within twenty (20) days of this Resolution, the Property owner shall file a completed demolition permit with the Code Administration Division. All applicable requirements of Article 26-9, Demolition Review, must be completed prior to the issuance of a demolition permit.
 3. Demolition of the building on the Property shall commence within thirty (30) days of the effective date of the demolition permit issued to the Property Owner.

Said demolition and removal of all materials and debris shall be completed within sixty (60) days of the commencement date for the demolition of the building.

- B. The City Council hereby Orders the building at the Property be razed and removed pursuant to the authority granted under City of Concord Code of Ordinances 26-8 and RSA chapter 155-B.
- C. This Order shall be served upon the owner as specified in RSA 155-B:4.
- D. The City Council states a Motion for Summary Enforcement of this Order will be made to the Concord District Court unless the demolition occurs in accordance with this Resolution or an answer is filed within the time specified in RSA 155-B:6. Any costs, attorney's fees, or expenses incurred by the municipality may be enforced as a lien against the Property and any other property owned by the Property Owner in the state pursuant to RSA 155-B:9, II.
- E. The City Manager is hereby directed to take all other actions provided for under RSA 155-B.
- F. This Resolution shall take effect upon its passage.