



# CITY OF CONCORD

*New Hampshire's Main Street™*

## REPORT TO THE MAYOR AND CITY COUNCIL

**FROM:** Carlos P. Baía, Deputy City Manager for Development  
**DATE:** June 30, 2022  
**SUBJECT:** Proposed City Demolition of 107-109 South Main Street

### **Recommendation:**

Accept this report and set the attached appropriation resolution for public hearing to authorize the City to carry out the demolition of the hazardous building at 107-109 South Main Street using FY 23 dollars.

### **Background:**

In 2016, the building at 107-109 South Main Street, owned by Comain, LLC, was posted as “uninhabitable” pursuant to the City’s Housing and Maintenance Code because it constituted a hazard. Despite multiple efforts by City staff to have the property owner rectify the situation, the site continued to be a hazardous building into 2021. On July 12, 2021, City Council adopted a resolution—pursuant to the authority granted under the City’s Code of Ordinances 26-8 and NHRSA Chapter 155-B—ordering the property owner to—within 30 days—commence demolition of the building and removal all materials and existing debris from the property.

### **Discussion:**

The property owner failed to comply with the Council’s 2021 order. Staff made multiple attempts to contact the owner and seek his compliance without success. The City Council voted to appropriate \$32,100 to demolish, remove and dispose of the hazardous building at its June 13, 2022 meeting. Unfortunately, the Merrimack County District Court subsequently advised the City that it would not be able to hear the City’s Motion for Summary Enforcement before the end of fiscal year 2022 on June 30<sup>th</sup>. This was a necessary step prior to demolition. This new appropriating resolution replaces the original and relies on FY 23 dollars.

The City’s selected contractor is still available to do the work but due to the current inflationary environment, he has advised that he is unable to hold his original April quote and is now pricing the work at \$34,600. The attached resolution would authorize this expenditure and allow the

City to have the building demolished and site debris removed. All costs associated with this effort will be accounted for in a lien which will be recorded at the Merrimack County Registry of Deeds against this property.

As this appropriation is for a purpose not included in the Fiscal Year 2023 adopted budget, Section 37 of the City Charter requires a two-thirds vote of the City Council.