



## Legislation Details (With Text)

**File #:** RLH RR 22- 39 **Version:** 10

**Type:** Resolution LH Substantial Abatement Order **Status:** Passed

**In control:** City Council

**Final action:** 3/15/2023

**Title:** Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71.

**Sponsors:** Russel Balenger

**Indexes:** Substantial Abatement Orders, Ward - 1

**Code sections:**

**Attachments:** 1. 575 595 Park St.Viggiano R-R Ltr.6-9-22.pdf, 2. 575 595 Park St.Viggiano R-R Ltr.7-1-22, 3. 575 595 Park St.Viggiano R-R Ltr.7-28-22, 4. 595 Park St.updated work plan.7-29-22, 5. 575 & 595 Park St-Progress status email from Nathan Bruhn.pdf, 6. 575 595 Park St.Viggiano R-R Ltr.8-12-22, 7. 575 595 Park St.Flores update.8-12-22, 8. 575 595 Park St.Zimny email.8-24-22, 9. 575 & 595 Park.Zimny email.9-7-22, 10. 575 Park St.Affidavit of Available Fund 9-14-22.pdf, 11. 575 Park St.Zimny email.9-28-22, 12. 575 Park St.Zimny email.10-5-22, 13. 575 Park St.Viggiano R-R Ltr.11-2-22, 14. 575 Park St.Viggiano R-R Ltr.11-9-22, 15. 575 Park St.Viggiano R-R Ltr.11-28-22, 16. 575 Park St.Zimny email.1-5-23, 17. 575 Park St.Zimny email.1-18-23, 18. Percentage of Completion for properties.pdf, 19. 575 Park St.Viggiano R-R Ltr.1-27-23, 20. 575 Park St.Viggiano R-R Revised Ltr.1-30-23, 21. 575 Park St.Viggiano R-R Ltr.2-17-23, 22. 575 Park St.Viggiano R-R Ltr.2-24-23

Date	Ver.	Action By	Action	Result
3/16/2023	10	Mayor's Office	Signed	
3/15/2023	10	City Council	Adopted As Amended	
2/28/2023	9	Legislative Hearings	Referred	
2/14/2023	9	Legislative Hearings	Laid Over	
1/24/2023	9	Legislative Hearings	Laid Over	
1/18/2023	9	City Council	Referred	
1/11/2023	8	City Council	Continue Public Hearing	
1/4/2023	8	City Council	Continue Public Hearing	
11/22/2022	7	Legislative Hearings	Referred	
11/8/2022	7	Legislative Hearings	Laid Over	
11/2/2022	7	City Council	Referred	
10/12/2022	6	City Council	Continue Public Hearing	Pass
9/28/2022	5	City Council	Continue Public Hearing	Pass
9/14/2022	4	City Council	Continue Public Hearing	Pass
9/7/2022	4	City Council	Continue Public Hearing	Pass
8/9/2022	3	Legislative Hearings	Referred	
7/27/2022	2	City Council	Referred	

7/26/2022	2	Legislative Hearings	Referred
6/28/2022	1	Legislative Hearings	Referred

Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71.

### **AMENDED 3/15/23**

WHEREAS, the City Council adopted RLH RR 21-26 May 26, 2021 which gave a grant of 180 days to repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance Report at 575 Park Street; and

WHEREAS, the City Council adopted RLH 21-71 on December 22, 2021 which granted an additional 180 days to repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance Report at 575 Park Street; and

WHEREAS, the Legislative Hearing Officer reviewed this case on June 28, 2022 and August 9, 2022 to determine if the owner and/or responsible party abated the nuisance conditions and found these conditions were not abated; however, conditions were/were not met in order to receive a recommendation for an additional grant of time to complete the rehabilitation or removal of this property therefore, the Legislative Hearing Officer recommends that the City Council forfeit \$2500 and continue the public hearing to September 21, 2022 for owner to receive its code compliance certificate and if not received, forfeit the remaining \$2500; and

WHEREAS, the City Council considered this matter at public hearings held July 27, September 7, September 14, September 28, October 12, November 2, 2022, and January 11 and January 18, 2023, receiving reports from the Hearing Officer on the lack of progress in completing the project and testimony from the property owner on expected progress; and

WHEREAS, the Council forfeited \$2,500 of the performance deposit for failure to abate the nuisance condition in the time granted September 21, 2022; and

WHEREAS, the Certificate of Code Compliance has not been issued as of ~~September 28~~ October 12, 2022 January 10, 2023; and

WHEREAS, the Legislative Hearing Officer recommends that the remaining \$2,500 be forfeited November 1, 2022 if the Code Compliance Certificate has not been issued; and

WHEREAS, the Legislative Hearing Officer recommends an additional \$5,000 performance deposit must be posted by January 11, 2023 in order that any extension be granted to receive the Certificate of Code Compliance; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council authorize the Department of Safety and Inspections to abate the nuisance condition if the Certificate of Code Compliance is not issued by February 1, 2023; now, therefore, be it

RESOLVED, the City Council finds that the nuisance condition of the building was abated as of February 28, 2023 when the Department of Safety and Inspections issued a Conditional Certificate of Code Compliance; and be it

RESOLVED, that the Saint Paul City Council adopts the finding of the legislative hearing officer that the nuisance condition was not abated until a Conditional Certificate of Code Compliance was issued February 28, 2023; and therefore, ~~\$2,500 effective September 21 and the remaining balance of \$2,500 September 28,~~

~~2022 November 1, 2022 forthcoming. the entire \$5,000 performance deposit posted April 21, 2021 is forfeited; and be it further~~

~~RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the resolution compliance date or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It~~

~~FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).~~