



## Legislation Details (With Text)

**File #:** RLH VO 14-6 **Version:** 4  
**Type:** Resolution LH Vacate Order **Status:** Passed  
**In control:** City Council  
**Final action:** 4/2/2014

**Title:** Appeal of William Bigler to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 328-330 NINTH STREET EAST.

**Sponsors:** Dave Thune

**Indexes:** Fire C of O Letter, Order to Abate Nuisance, Ward - 2

**Code sections:**

**Attachments:** 1. 328-330 Ninth St E.appeal.2-6-14, 2. 328-330 Ninth St E.Fire C of O Ltr.12-11-13, 3. 328-330 Ninth St E.Fire C of O Ltr.12-20-13, 4. 328-330 Ninth St E.Photos.3-29-13, 5. 328-330 Ninth St E.Photos.5-15-13, 6. 328-330 Ninth St E.Photos.12-6-13, 7. 328-330 9th St E.Occupant Listing.Jan 2014, 8. 328-330 9th St E.Violations by Severity.1-22-14, 9. 328-330 9th St E.Fuel Burning Equipment Test.April 2013, 10. 328-330 Ninth St E.Abatement Orders Rate over Time.1-22-14, 11. 328-330 Ninth St E.Bigler Ltr.2-11-13, 12. 328-330 Ninth St E.Erickson Proposal.12-13-13, 13. 328-330 Ninth St E.Proposal for decivel level testing email.2-10-14, 14. 328-330 Ninth St E.Ron Erickson email to Bartholow.2-10-14, 15. 328-330 Ninth St E.Timeline for Compliance.Submitted 2-11-14, 16. 328-330 Ninth St E.Ltr 2-12-14, 17. 328-330 Ninth St E.Revised Ltr 2-12-14, 18. 328-330 9th St E.Timeline of City Interactions w Bldg Owners.2-11-14, 19. 328-330 Ninth St E.Moermond Recommendation Letter, 20. 328-330 Ninth St E.Work Plan.2-25-14, 21. 328-330 Ninth St E.Hoffman Email.2-19-14, 22. 328-330 Ninth St E.Chain of Emails.3-4-14, 23. 328-330 Ninth St E.Schurmeier Lofts Ltr to Owners.3-21-14, 24. 328-330 Ninth St E.Board Meeting.3-15-14, 25. 328-330 Ninth St E.Work Plan.3-18-14, 26. 328-330 9th St E.LHO Corrections Grid, 27. 328-330 9th St E.Schurmeir Lofts Photos.2-19-14

| Date      | Ver. | Action By            | Action             | Result |
|-----------|------|----------------------|--------------------|--------|
| 4/7/2014  | 4    | Mayor's Office       | Signed             |        |
| 4/2/2014  | 4    | City Council         | Adopted As Amended | Pass   |
| 4/1/2014  | 4    | Legislative Hearings | Referred           |        |
| 3/18/2014 | 3    | Legislative Hearings | Referred           |        |
| 3/5/2014  | 3    | City Council         | Referred           | Pass   |
| 2/25/2014 | 2    | Legislative Hearings | Referred           |        |
| 2/19/2014 | 2    | City Council         | Referred           | Pass   |
| 2/11/2014 | 1    | Legislative Hearings | Referred           |        |

Appeal of William Bigler to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 328-330 NINTH STREET EAST.

Did not state reason

January 28, 2014

Sean Westenhofer

Current recommendation is to deny the appeal. Will ask for 2 week layover if permits currently pulled (a/o

2/25/14) are finalized by Wednesday 3/5/14. Layover will allow for the development of detailed work plans and documentation of financing to execute the repairs.

**AMENDED 4/2/14**

WHEREAS, in the matter of Appeal of William Bigler to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 328-330 NINTH STREET EAST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer's recommendation is to deny the appeal,

- 1) granting to May 1, 2014 to complete work on the life safety items enumerated in the attached table "328-330 9<sup>th</sup> St E.LHO Corrections Grid" or vacate the building by June 1, 2014.
- 2) Residential units may not be re-occupied if currently vacant.
- 3) If the May 1<sup>st</sup> deadline is met, a work plan must be developed to complete the balance of the items by September 1, 2014.; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.