



## Legislation Details (With Text)

**File #:** RLH RR 22- 46 **Version:** 5

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

**In control:** City Council

**Final action:** 4/5/2023

**Title:** Ordering the removal of the structures at 1600 SEVENTH STREET WEST within fifteen (15) days after the August 24, 2022, City Council Public Hearing. (Amend to remove within 30 days)

**Sponsors:** Chris Tolbert

**Indexes:** Substantial Abatement Orders, Ward - 3

**Code sections:**

**Attachments:** 1. 1600 7th Street W.Summary, 2. 1600 7th St W.OTA 5-12-22, 3. 1600 7th St W.PH 6-24-22, 4. 1600 7th St W.SHPO Response 5-30-22, 5. 1600 7th St W.Photo 6-26-18, 6. 1600 7th St W.Photos 4-22-22, 7. 1600 Seventh St.BK R-R Ltr.7-28-22, 8. 1600 7th St W.L S 7-26-22.pdf, 9. 1600 7th St W.SHPO Letter 7-26-22.pdf, 10. 1600 7th St W.Zimny email to Moermond.8-24-22, 11. 1600 Seventh St W.Photo.8-24-22, 12. 1600 Seventh St W 2022 Property Tax Statement, 13. 1600 7th St W.Assessments 2018-present .pdf, 14. Burger King - Letter to Saint Paul City Council Regarding 1600 7th Street West 8-24-22, 15. 1600 7th st W.Vacant Building Performance Deposit, Code Compliance Forms and Checks 2022.08.29\_Redacted, 16. 1600 7th St W.CCIR.10-6-22, 17. 1600 Seventh St.R-R Steen Ltr.10-16-22, 18. 1600 Seventh St.Burger King - Long-Term Nuisance Abatement Plan.10-24-22, 19. 1600 Seventh St.Zimny email.10-27-22, 20. 1600 Seventh St.R-R Steen Ltr.12-19-22, 21. 1600 Seventh St.Zoning Enforcement Ltr.12-27-22, 22. 1600 Seventh St.Steen update email.1-4-23, 23. 1600 Seventh St.Zimny Steen email.1-4-23, 24. 1600 Seventh St.R-R Steen Ltr.1-11-23, 25. 1600 Seventh St W.Aerial Map.pdf, 26. 1600 Seventh St.R-R Steen Ltr.3-17-23

Date	Ver.	Action By	Action	Result
4/11/2023	5	Mayor's Office	Signed	
4/5/2023	5	City Council	Adopted As Amended	
3/14/2023	4	Legislative Hearings	Referred	
1/11/2023	4	City Council	Referred	Pass
1/4/2023	4	City Council	Continue Public Hearing	
12/13/2022	3	Legislative Hearings	Referred	
10/26/2022	3	City Council	Referred	
10/11/2022	2	Legislative Hearings	Referred	
9/13/2022	2	Legislative Hearings	Laid Over	
8/24/2022	2	City Council	Referred	Pass
7/26/2022	1	Legislative Hearings	Referred	

Ordering the removal of the structures at 1600 SEVENTH STREET WEST within fifteen (15) days after the August 24, 2022, City Council Public Hearing. (Amend to remove within 30 days)

### AMENDED 4/5/23

WHEREAS, the Department of Safety and Inspections has determined that 1600 SEVENTH STREET WEST

is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: PARK ADDITION SUBJ TO ST LOTS 7 THRU LOT 10 BLK 1; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of May 12, 2022: Burger King Corp 2920, PO 020783, Miami FL 33102-0783; Element Financial Corp, 655 Business Center Dr, Horsham PA 19044; CT Lien Solutions, PO Box 29071, Glendale CA 91209-9071; and West 7th/Fort Road Federation; and

WHEREAS, each of these parties was served a written order dated May 12, 2022 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by June 11, 2022; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by June 11, 2022; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on May 13, 2022 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by June 11, 2022, and therefore an abatement hearing was scheduled before the City Council on August 24, 2022 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the Legislative Hearing Officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearings on July 26, 2022, September 13, October 11 and December 13, 2022; March 14, 2023; and

WHEREAS, a public hearings ~~were~~ was held on August 24, 2022 and October 26, 2022, January 4, 2023, January 23, 2023 and April 5, 2023, and the City Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the Legislative Hearing Officer and any testimony at the hearing. Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 1600 SEVENTH STREET WEST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner.
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45.
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the Legislative Hearing Officer and Department of Safety and Inspections staff to repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days. And, Be It Further

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall raze and remove the structure(s) within 30 15 days after the City Council Public Hearing. 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).