



## Legislation Text

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**File #:** RLH RR 18-41, **Version:** 5

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Making finding on the appealed nuisance abatement ordered for 2096 REANEY AVENUE in Council File Nos. RLH RR 17-52 and RLH RR 17-28. (Public hearing continued from November 28)

### **AMENDED 12/5/18**

WHEREAS, the City Council adopted RLH RR 17-28 on July 19, 2017 which granted 180 days to abate the nuisance conditions at 670 Western Avenue North; and

WHEREAS, the Legislative Hearing Officer reviewed this case on January 30, 2018 to determine if the owner and/or responsible party abated the nuisance conditions and found these conditions were not abated; however, an additional grant of 180 days was recommended as the following conditions were met by February 16:

1. An additional \$5,000 performance deposit was posted with the Department of Safety and Inspections;
  2. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work was provided;
  3. Documentation of financing sufficient to execute the above work plan was demonstrated;
- However, the condition that the property must be maintained was not met, as 5 summary abatement orders for property maintenance have been issued in 2018; Now, therefore, be it

WHEREAS, the Legislative Hearing Officer reviewed this case again on August 28, 2018 and September 11, 2018 to determine if the owner and/or responsible party abated the nuisance conditions and found these conditions were not abated; however, a workplan has been approved by the Legislative Hearing Officer and the Code Enforcement Manager which would complete the project within 45 days and based on this plan they recommend the Council grant 45 days for the completion of the nuisance abatement at this property;

WHEREAS, the Legislative Hearing Officer reported to the City Council on October 24, 2018 the Certificate of Code Compliance had not yet been issued, signifying that the nuisance condition remained unabated, but asked that the Council continue the matter to November 7, 2018 to resolve the nuisance; and

WHEREAS, the Legislative Hearing Officer reported to the City Council on November 7, 2018 the Certificate of Code Compliance had not yet been issued, signifying that the nuisance condition remained unabated, but asked that the Council continue the matter to November 14, 2018 to resolve the nuisance; and

WHEREAS, the Legislative Hearing Officer recommended on November 14, 2018 that the City Council continue this matter to November 28, 2018 and forfeit \$2,500 for this deadline failure (and each subsequent failure) of the \$10,000 performance deposit to recover City costs if the Code Compliance Certificate was not issued by November 14, 2018;

WHEREAS, the Legislative Hearing Officer requested on November 28, 2018 that the City Council continue the matter to December 5, 2018, as the Certificate of Code Compliance had not yet been issued, signifying that the nuisance condition remained unabated; and

WHEREAS, the Certificate of Code Compliance was issued by December 3, 2018; now, therefore, be it

FURTHER RESOLVED, that the Saint Paul City Council adopts the finding of the legislative hearing officer that the nuisance condition was been abated as of December 3, 2018, but given the exhaustive City resources dedicated to this nuisance abatement, above and beyond those covered by the vacant building program fee and other cost recovery measures, the City Council directs the Department of Safety and Inspections to forfeit \$5,000 of the \$10,000 performance deposit.