

No. _____

89-0r- 120

Date _____

1st Reading 12/16/88

AN ORDINANCE

Date to Mayor _____

Ref. to PH&S Comm.

of the

Date Returned _____

Public Hearing 1/30/89

CITY OF

Date Resubmitted
to Council _____

2nd Reading & Final
Passage 2/10/89

MINNEAPOLIS

Hilary _____

presents the following ordinance:

Amending Title 12, Chapter 242 of the Minneapolis Code of Ordinances
relating to Housing: Appeals.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 242.50 of the above entitled ordinance be
amended to read as follows:

242.50. Duties and responsibilities of board. The housing board of
appeals shall hear and act upon all appeals except as its jurisdiction has
been limited by section 242.80. The board may modify or sustain or quash all
or any portion of any order, interpretation, requirement, decision or other
determination made by a duly authorized representative of the city in matters
of enforcement of the housing maintenance code and all other city codes
affecting existing buildings.

In acting upon such appeals the board shall broadly utilize its reasoned
discretion in the framework of all relevant facts presented to it for
consideration at the hearing of such appeal. Such facts may include, but not
by way of limitation: Past, present and future occupancy of the building;
practical economic life of the building in its present use and/or any
practicable alternative use; architectural characteristics of the building;
existing and/or probable future characteristics of the surrounding
neighborhood; and any other matter or matters useful to a reasoned balancing
between the public objectives underlying the codes being enforced and the
probable economic and social consequences to all persons directly or
indirectly concerned if such order or other determination is sustained,
modified or quashed.

Section 2. That Section 242.80 of the above entitled ordinance be amended by adding a new paragraph (g) thereto to read as follows:

242.80. Limitations on jurisdiction of board.

- (g) To quash or modify any order or decision enforcing the Minneapolis Building Code with respect to any building or portion thereof.

RECORD OF COUNCIL VOTE

Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.	Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.
Dziedzic	X						Scallion	X					
O'Brien	X						Niemiec				X		
Hilary	X						Cramer	X					
White	X						Schulstad	X					
Coyte	X						Johnson				X		
Carlson				X			Pres. Rainville				X		
Savie, Bolton	X												

X INDICATES VOTE — N.V. - Not Voting Abs. — Absent Ovrd. - Vote to Override Sust. - Vote to Sustain

FEB 10 1989

PASSED. _____ 19 _____

APPROVED

~~NOT APPROVED~~ FEB 16 1989 19 _____

~~VETOED~~

ATTEST Mary Keefe

City Clerk

Tom Smith
VICE PRESIDENT OF THE COUNCIL
AND PRESIDENT PRO TEM

Don Hase
Mayor