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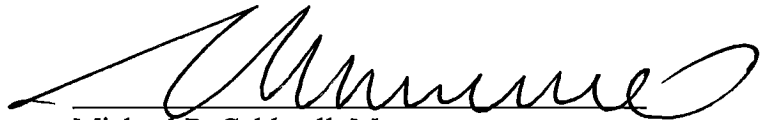
E# 3273132 PG 1 OF 7  
Leann H. Kilts, WEBER COUNTY RECORDER  
13-Feb-23 0322 PM FEE \$0.00 DEP SLW  
REC FOR: OGDEN CITY  
ELECTRONICALLY RECORDED

**ORDER OF THE MAYOR OF OGDEN CITY, UTAH  
TO COMPLETE DEMOLITION WORK  
AT 1956 S. WASHINGTON BOULEVARD, OGDEN, UTAH**

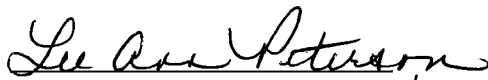
I, Michael P. Caldwell, Mayor of Ogden City, Utah, under the authority of the Ogden City Code for the Abatement of Dangerous Buildings, Chapter 8, Title 16 of the Ogden Municipal Code, based on the Findings and Conclusions adopted after due consideration and notice to the parties, I do hereby order that Steve Patrick, Building Official of Ogden City, proceed with the demolition of the of the two story masonry block structure known as the Budget Inn, located at **1956 S. Washington Boulevard**, and the removal of any remaining personal property and that the costs of demolition may be recovered by placing a tax lien on the property, or by such other means as available by law.

Actual demolition is stayed for 180 days from the date this order. Owner must, pursuant to the terms of a valid building permit: 1) correct all conditions and/or deficiencies in the structure that render it a dangerous building; 2) complete all interior renovation within the units to clear and satisfy all Ogden City code violations; 3) provide verifiable evidence of the owner's financial capacity to complete the work within the 180-day period; and 4) obtain a Certificate of Occupancy from the Ogden City Building Official establishing completion of the project. Demolition may commence after 180 days unless all four conditions are satisfied.

Dated this 10th day of February, 2023.

  
Michael P. Caldwell, Mayor

Attested:

  
City Recorder - Chief Deputy



Approved as to form:

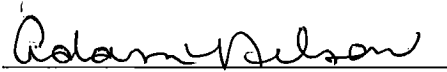
  
City Attorney

## NOTICE OF RIGHT TO JUDICIAL REVIEW

This final administrative decision is final on the date it is signed. Both Utah Code § 10-3-703.7 and the Ogden Municipal Code § 16-8D-3 allow any person adversely affected by this decision to petition the district court for a review of the mayor's order. The petition may only allege that the order of the mayor was arbitrary, capricious, or illegal. The petition shall be filed within thirty (30) days following the date this order executed. Notwithstanding your right to petition the district court, and subject to the 180-day stay period mentioned above, Ogden City intends to immediately proceed with the demolition authorized by this order unless a Certificate of Occupancy is obtained within said 180-day period.

Certificate of Mailing Demolition Order

I, Adam Nelson do hereby certify that a true and correct copy of the above order was mailed to Hassan Namazi, at PO Box 425, Hooper, Utah 84315, which is the last known mailing address appearing on the last assessment rolls for the property which is the subject of the demolition order, on file in the Weber County Assessor's Office, via first class mail, postage prepaid, this 13<sup>th</sup> day of February 2023.



Senior Code Services Officer

**ADMINISTRATIVE PROCEEDINGS OF THE MAYOR OF OGDEN CITY  
FINDINGS AND CONCLUSIONS IN SUPPORT OF DEMOLITION ORDER**

**SUBJECT:** Petition of the Building Official for Demolition of the buildings and structures at **1956 S. Washington Boulevard, Ogden, Utah**, pursuant to the Ogden City Code for the Abatement of Dangerous Buildings.

Property Owner of Record: **Hassan Namazi  
PO Box 425  
Hooper, Utah 84315**

I, Michael P. Caldwell, the Mayor of Ogden City, a Utah Municipal Corporation, under authority of the Ogden City Code for the Abatement of Dangerous Buildings, Chapter 8, Title 16, Ogden City Municipal Code (the “Code”), make the following findings and conclusions in response to the Building Official’s petition to the Mayor for the City to proceed with demolition of buildings and structures at 1956 S. Washington Boulevard.

1. On November 8, 2022, Steve Patrick, the Building Official of Ogden City, petitioned the Mayor to hold a hearing and order the property owner to show cause why Ogden City should not abate the dangerous buildings declared to be a public nuisance under Chapter 8, Title 16, of the Ogden Municipal Code. Pursuant to the petition, the hearing was to be held December 9, 2022, the owners be notified of such hearing, and that the hearing be heard before the Mayor.
2. From May 24, 2021 to present, the property owner and the address, according to the records of the Weber County Recorder’s Office, was Hassan Namazi, PO Box 425, Hooper, Utah 84315.
3. Notice of the hearing was sent to Hassan Namazi, PO Box 425, Hooper, Utah 84315 via first-class mail, postage prepaid, on November 8, 2022
4. At the Mayor’s Administrative Review Meeting (“MARM”) on December 9, 2022, Hassan Namazi, Tony (Homey) Namazi, and Doug Jones appeared on behalf of the property owner. They reported that construction plans to rehabilitate and/or renovate the property, thus resolving the dangerous building issue, have been submitted and are currently under review. The construction plans must be approved prior to issuance of a valid building permit. They committed to revising plans in efforts to obtain a building permit prior to the February 2023 MARM. The order to show cause hearing was tabled to February 10, 2023, to review progress on the construction plans.

5. Based on city records regarding this matter, and evidence presented at the show cause hearing, I hereby make the following findings:
  - a. Steve Patrick, the Ogden City Building Official, by Notice and Order (the "Notice") signed October 6, 2022, declared the two-story masonry block structure, known generally as the Budget Inn, to be a dangerous building and a public nuisance under Title 16 of the Code.
  - b. The Notice was sent to the owner of record on October 6, 2022. A copy of the Notice was also posted on the property October 6, 2022. On October 21, 2022, the Notice was recorded with Weber County as required by ordinance.
  - c. The Notice required the owner to obtain the proper permits and commence to completion with reasonable diligence the repair or demolition of the building not later than fifteen (15) days from the date of the Notice.
  - d. During the time the building/business was closed, the owners obtained a roofing permit, but did nothing to address the overall dangerous and/or hazardous state of the building.
  - e. On December 9, 2022, the owner appeared for the order to show cause hearing and requested a stay on the demolition, as they had submitted construction plans to the Building Official and applied for a building permit.
  - f. During the order to show cause hearing, it was disclosed by code services that over 1,400 calls for emergency services (i.e., police, fire, or paramedic) had been recorded from March 1, 2016 through September 16, 2022; 627 of these calls for service were made after the business license was revoked and the business closed.
  - g. The owner has indicated the desire to renovate the building, resolve the structural issues, and reopen as a motel.
  - h. The owner requested additional time to resolve the deficiencies in the construction plans to enable issuance of a valid building permit.
  - i. The order to show cause hearing was continued to February 10, 2023, at which time a valid building permit must be issued.
6. The Mayor finds that city staff has attempted to work with the owner to gain and maintain compliance, both prior to and after closure of the business, but sufficient construction and structural plans to obtain a building permit and rectify the dangerous and/or hazardous conditions at the property.
7. The conditions of the building and property making it a public nuisance at the time the Notice was issued include:

- a. The balcony on the second floor is crumbling and the railing is detached from the structure.
  - b. The structural integrity of the building was such that any access to the second story would risk severe injury or death.
  - c. The building has been vacant for well over one year.
  - d. Utilities to the building have been shut off.
  - e. The building was not secured against intrusion or trespass, thereby providing a haven for vagrancy and criminal activities.
  - f. Access to the property was not restricted until a temporary construction fence was erected within the past 60 days.
  - g. The building and surrounding lot are an attractive nuisance for the neighboring community.
  - h. Over 1,400 calls for service at the building since March 2016, 627 of which occurred after the building was closed.
8. Based upon the above information, the building is dangerous and a public nuisance as defined in the Ogden Municipal Code.
  9. Demolition of the structure is authorized pursuant to Section 16-8A10.A.2 of the Code, which provides that a building declared a dangerous building "shall be demolished...[if] the owner has failed to repair within a reasonable period of time."
  10. The Ogden City Building Official has complied with the procedural requirements of the Code, resulting in a final Notice and Order under which the City may pursue demolition, or other abatement work, and has continually provided notice to the owner of subsequent proceedings pursuant to such Notice and Order.
  11. It is Ogden City's responsibility to keep the public safe from dangerous, unsafe buildings in these situations. The City must take into consideration the health and safety of the community, particularly since the building continues to be an attractive nuisance, uninhabitable, and a dangerous/hazardous structure.
  12. The owner has provided construction plans that have been approved by competent structural engineering review. The construction plans allow owner to obtain a building permit for the renovation and rehabilitation of the property.
  13. Without further action, a building permit is valid for 180 days.
  14. The Mayor has determined that, due to the length of time this property has been a dangerous building, a nuisance for the community, and a haven for vagrancy and

illegal activities, the demolition order shall be stayed for 180 days. Pursuant to the terms of the demolition order, owner must complete the renovation and rehabilitation of the property within those 180, to the extent that a Certificate of Occupancy is granted.

- 15. Beyond the 180 day stay on demolition, the Mayor finds that the owner of the property has not shown a valid reason why the City should not proceed with demolition of the building.

Conclusion:

The building in question is a dangerous building and public nuisance as defined by the Ogden City Municipal Code and the owners have failed to timely abate such nuisance after service of Notice and Order in accordance with ordinance requirements and have shown no reasonable basis for the City not to proceed with the demolition of the building. A copy of the findings and conclusions shall be mailed to the parties of interest.

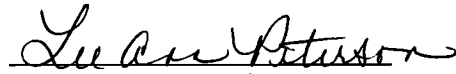
Decision:

Subject to the 180-day stay, the decision is to proceed with the demolition process. By separate order, the Building Official will be authorized to proceed with the demolition of all structures and any remaining personal property located at **1956 Washington Boulevard**, and that the cost of such demolition shall be recovered by a tax lien on the property.

Dated this 10<sup>th</sup> day of February, 2023.


  
 Michael P. Caldwell, Mayor of Ogden City

Attest:

  
 City Recorder - Chief Deputy



Approved as to form:

  
 City Attorney

**Certificate of Mailing for Findings & Conclusions**

I, Adam Nelson do hereby certify that a true and correct copy of the above findings and conclusions was mailed to Hassan Namazi, PO Box 425, Hooper, Utah 84315, which is the last known mailing address, appearing on the last assessment rolls for the property which is the subject of the order, on file in the Weber County Assessor's Office, via first-class mail, postage prepaid, this 13<sup>th</sup> day of February, 2023.

Adam Nelson

**Senior Code Services Officer**