

shall commence removing the structures, or file a written objection with the municipal clerk asking for a hearing before the governing body of the municipality; and

WHEREAS, the owner of the property filed a written objection to the Removal Resolution requesting a hearing before the City Council; and

WHEREAS, pursuant to Section 3-18-5 NMSA 1978, if such a written objection is filed, the Council shall:

- (1) fix a date for a hearing on its resolution and the objection; and
- (2) consider all evidence for and against the Removal Resolution at the hearing; and
- (3) determine if its resolution should be enforced or rescinded; and

WHEREAS, if the council acts to “pass” this resolution the Removal Resolution will be rescinded and the buildings or structures will be allowed to remain in place, or if the Council acts to “not pass” or otherwise fails to pass this resolution, the Removal Resolution will remain in full force effect, and the buildings or structures will be required to be removed.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

After a hearing during which all evidence presented for and against the Removal Resolution was considered, the Removal Resolution (R-20-05/Enactment No. R-2020-027) is hereby rescinded. However, the City shall prioritize continued monitoring of this property, and if any nuisance conditions return or continue to persist into the future, the Planning Department shall swiftly prepare a subsequent nuisance abatement resolution for Council Action, and shall act swiftly to complete any and all associated abatement measures including but not limited to removal of structures.

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