

TITLE 9
BUILDING REGULATIONS

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CHAPTER 1
DANGEROUS BUILDINGS

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9-1-1: **DEFINITIONS:** As used in this chapter, the following terms shall mean:

DANGEROUS BUILDING:

A. A structure that, for lack of proper repairs, or because of age and dilapidated condition, or of poorly installed electrical wiring or equipment, defective chimney, gas connection, or heating apparatus, or for any other reason, is liable to cause fire, and which is situated or occupied in a manner that endangers other property or human life.

B. A structure containing combustible or explosive materials or inflammable substances liable to cause fire or danger to the safety of the building, premises or to human life.

C. A structure that is in a filthy or unsanitary condition liable to cause the spread of contagious or infectious disease.

D. A structure in such weak, dilapidated or deteriorated condition that it endangers a

person or property because of the probability of partial or entire collapse.

PERSON: Every natural person, firm, partnership association or corporation. (Ord. 59, 5-14-1991)

9-1-2: NUISANCE DECLARED: Every building found by the city council to be a dangerous building is declared to be a public nuisance and may be abated by the procedures specified in this chapter or by a suit for abatement brought by the city. (Ord. 59, 5-14-1991)

9-1-3: INITIAL ACTION: When a city official determines that there is a dangerous building, the official shall report it to the city council. The council shall, within a reasonable time, fix a time and place for a public hearing. (Ord. 59, 5-14-1991)

9-1-4: NOTICE AND HEARING:

A. Notice:

1. Mailed Notice:

a. The city recorder-manager shall notify the owner of the building and, if not the same person, the owner of the property on which the building is situated. The notice shall state:

(1) That a hearing will be held concerning the nuisance character of the property; and

(2) The time and place of the hearing.

b. A copy of this notice shall be posted on the property.

2. Published And Posted Notice: Ten (10) days' notice of the hearing shall be published in a newspaper of general circulation in the city or by posting notices in three (3) public places in the city.

B. Hearing:

1. At the hearing, the owner or other persons interested in the dangerous building shall have a right to be heard.

2. The council may inspect the building and may consider facts observed in determining if the building is dangerous.

3. If the council determines that the building is dangerous, the council may, by resolution:

a. Order the building to be abated; or

b. Order the building to be made safe and prescribe what must be done to make it safe. (Ord. 59, 5-14-1991)

9-1-5: **COUNCIL ORDERS; NOTICE:** Five (5) days' notice of the city council's findings and any orders made by the council shall be given to the owner of the building, the owner's agent or other person controlling it. If the orders are not obeyed and the building not made safe within the time specified by the order (not less than 5 days), the council may order the building demolished or made safe at the expense of the property on which it is situated. (Ord. 59, 5-14-1991)

9-1-6: **ABATEMENT; COST ASSESSMENT:**

A. Abatement By City: If the city council orders are not complied with, the council may:

1. Specify the work to be done;

2. File a statement with the recorder-manager.

B. Assessment: The council shall determine the probable cost of the work and assess the cost against the property upon which the building is situated. The assessment shall be declared by resolution. (Ord. 59, 5-14-1991)

C. Summary Abatement: The procedures of this chapter need not be followed if a building is unmistakably dangerous and imminently endangers human life or property. In this instance, the chief of the fire department, the fire marshal, the chief of police or the Grant County sheriff's department may summarily demolish the building. (Ord. 59, 5-14-1991; amd. 2007 Code)

9-1-7: **ERRORS IN PROCEDURES:** Failure to conform to the requirements of this chapter that do not substantially affect a legal right of a person does not invalidate a proceeding under this chapter. (Ord. 59, 5-14-1991)