

COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet

Policy Analyst

DATE: September 15, 2020

RE: Demolition Ordinance Updates

Item Schedule:

Briefing: Sept 15, 2020 Set Date: Sept 15, 2020 Public Hearing: Oct 6, 2020 Public Hearing: Oct 20, 2020 Potential Action: Oct 20, 2020

ISSUE AT-A-GLANCE

The Council will receive a follow-up briefing on changes to the City's Demolition and Boarded Building ordinance. The proposed changes are intended to streamline the process for demolitions on commercial and residential properties, remove the requirement for a replacement use, landscape plan and bond, and provide clarity to the enforcement process for boarded buildings. Chapters 18.84, 18.64 and 2.21.030 will be amended as part of this petition. The Council was first briefed on these amendments on January 8, 2019.

In March 2016 the Council adopted a legislative action, requesting the Administration review the City's Demolition Ordinance. At that time, the Council Office had received feedback that the current demolition ordinance has unintentionally created blight and nuisance issues in some City neighborhoods and was difficult to navigate and administer. The intent was for the Administration to review the ordinance and come back to the Council with recommendations for amendments.

The Council was originally briefed on this proposed ordinance in January 2019. At that briefing, the Council asked a few questions and the administration provided written answers to those questions. However, another briefing was not scheduled until now.

Goal of the briefing: To review the proposed text amendment, determine if the Council supports moving forward with the amendments and potentially direct staff to prepare for a public hearing.



POLICY QUESTIONS

- 1. The proposed ordinance would eliminate public notice requirements if there is a net loss of residential units caused by a demolition (finding of residential impact). Instead Chapter 18.97 (mitigation of residential housing loss) would apply.
 - The administration is currently reviewing that ordinance for potential updates.
 - The Council may wish to ask the administration for an update on the drafting of potential changes to that ordinance.
- 2. The proposed changes would streamline the process for demolition of commercial and residential properties. This could result in more vacant lots, but also quicken redevelopment of some properties.
 - The Council may wish to discuss what would be considered bigger nuisance to a neighborhood boarded and vacant buildings or vacant lots.

ADDITIONAL INFORMATION

In 2012 the Council adopted an ordinance significantly changing the demolition ordinance. This was done in part due to some large properties being demolished and then left vacant for a long time. At that time, the council was concerned about the impact of vacant lots on the community and neighborhood fabric. The Council made changes to the ordinance to ensure a demolition would not occur without a reuse plan.

Then in 2016, the Council initiated a review of the demolition ordinance because they received lots of complaints from residents and developers that the current demolition ordinance unintentionally created blight and nuisance issues in some City neighborhoods and was difficult to navigate and administer.

Based on their review, the administration's proposed ordinance is very similar to the one that predated the current ordinance (adopted December 2012).

Reponses to Council Questions from January 8, 2019 Briefing

The proposed demolition ordinance was first briefed in January 2019. During that briefing, the following questions were raised, and the Administration provided written responses to them a few weeks later.

- 1. How does this impact the demolition process for historic districts / structures?
 - Unless a structure needs to be demolished due to an emergency, all other demolitions shall be processed in the Planning Division and heard/approved or disapproved by the Historic Landmark Commission under the guidance of 31A.34.020(M).
- 2. Please give background/explanation why bonds are difficult to track and enforce?
 - The Building Services Division does not currently have a process for tracking bonds. Due to the number of demolition permits issued, we would need additional staff to adequately track and execute a bonding and recovery process. In addition, the bonds that are currently being accepted for landscaping on early demolitions are not bonds that can easily be captured and utilized by the City. We believe that vacant lots due to demolition can be easily maintained free of weeds through our currently running weed abatement process. We believe that the City is better served with a vacant lot than a possible nuisance structure and all the disproportionate calls for service that a nuisance structure encourages. So, we are in favor of a simplified process for owners to accomplish voluntary

demolition in all cases that don't require Historic Landmark Committee action. Lastly, because the City does not have a Professional Landscape Contractor team (nor is one on contract), it is very difficult to get outside professional contractors to install landscaping/irrigation on sites that fail to install the landscaping in the required time-frame. Bonds generally do not cover the cost of installation of landscaping over an extended period of time. Note that once again, even those properties that do provide for the required landscaping, generally, the landscaping is neglected and unmaintained – ostensibly ending-up requiring city enforcement at some point in time.

Summary of Key Changes

The administration's Transmittal letter provided the following outline summarizing the key changes to the ordinance.

• Section 2.21.030 HAAB Powers and Authority

Hear and decide appeals from 18.48. This is a change from "Conduct Abatement Hearings"

Amend Section 18.48 - Dangerous Building Code

- o Scope: Provide a just, equitable, and practicable method to require the repair, vacation, or temporary boarding of buildings and a means to remedy dangerous buildings.
- o Goals/Intent:
 - Ensure accessibility by codifying applicable provisions of the most recent version of the Uniform Code for the Abatement of Dangerous Buildings.
 - Relocate the provisions related to emergency demolition of dangerous building to 18.64.
 - Authority to Enforce: Clarify that the building official/designee has the authority to enforce the provisions of the Code.
 - Make clear the procedures, action, and noticing upon the building official's determination of a violation.
 - Clarify the City's role and authority to abate a building that is declared dangerous and unsafe to occupy.
 - Establish a means for the City to recover costs of any abatement when such abatement work is done by the City.
 - Clarify the process(es) in which a property owner can appeal decisions of the building official and costs of abatement.
 - Improve language in the Code pertaining to:
 - the provisions for and permitting of any person ordered to board a building;
 - notification requirements;
 - the manner in which a building shall be boarded; and
 - the way property shall be maintained and/or landscaped while boarded.

Amend Section 18.64 – Demolition

- Purpose statement is changed to "promote responsible reuse of existing housing where practical and provide an orderly process for demolition"
 - It no longer cites the following purposes:
 - o avoid demolition of buildings in a manner that disrupts the character of established neighborhoods
 - o avoid demolition until a complete building permit is submitted
 - o avoid the creation of vacant sites with minimal or no landscaping
 - Eliminates performance bond requirements

- Eliminates landscaping requirements
- Eliminates public notice requirements if there is a net loss of residential units caused by a demolition (finding of residential impact).
 - $\circ~$ Instead Chapter 18.97 (mitigation of residential housing loss) would apply
- Eliminates HAAB hearing process after a finding of residential impact (net loss of residential units)
- Eliminates requirement to complete demolition work "diligently" or the bond may be forfeited
- Move Emergency Demolitions section from 18.48-Dangerous Buildings to 18.64- Demolition
 - o Outlines rules and procedures of emergency meeting
 - o Appeal process to be heard by the Mayor or Mayor's designee
 - o Demolition process for Extreme Emergencies
 - o Procedures for City to recoup costs from property owner for emergency demolitions



ORION GOFF, CBO Building Services and Civil Enforcement

Council Briefing Outline – Title(s) 18.64, 18.48 and 2.21.030

Honorable Councilmembers:

The Administration along with former Councilmember Lisa Adams and other Councilmembers have been in vocal support of changes to the current demolition ordinance for a few years. Their support is based on feedback that they have received from many constituents, developers, property owners and city staff. The transmittal now being considered for codification is a good representation of those ideas and suggestions.

In the Purpose and Intents section of the proposed changes (included below) we have emphasized that the changes are specifically intended to create an orderly and predictable process for constituents enabling them to reasonably deal with properties that are at a high risk of falling into the category that may make them candidates for demolition or boarding. Ultimately, it would be most desirable to keep them in the condition that encourages occupancy long term and keeps them in our housing stock. On properties where this is not to be, the path will be clear for demolition and eventual re-use.

There is room for debate on whether it is more desirable to have a vacant nuisance building or a vacant lot. Experience has shown that the impact to adjacent homeowners and other citizens as well as disproportionate impact on law enforcement and fire safety personnel, favors a vacant lot rather than the possible blight of an unoccupied nuisance building, which attracts unauthorized occupancy and all the issues that go along with that situation.

18.64.005: PURPOSE AND INTENT:

- A. The purpose of the provisions in this chapter is to:
 - 1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;
 - 2. Provide an orderly and predictable process for demolition of buildings and structures when appropriate;
 - 3. Ensure demolition occurs safely;
 - 4. Protect utilities and other infrastructure from damage during demolition;

JACKIE BISKUPSKI Mayor



ORION GOFF, CBO Building Services and Civil Enforcement

- 5. Provide for enforcement of timely completion of demolition and for improvement of property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;
- 6. Provide for enforcement and maintenance of property to avoid purposeful demolition by neglect; and
- 7. Encourage preservation of the city's housing stock where appropriate.
- B. A primary intent of the city council with respect to this chapter is to promote responsible re-use of existing housing stock where practical and provide an orderly process for demolition where it is not practical or cost efficient to rebuild/reuse. Accordingly, the council finds that it is in the public interest to require existing buildings to be maintained in a manner that does not constitute a public nuisance until replaced by new construction, except as otherwise permitted by this code.

The impact to the other two Titles that are involved with this transmittal: Title 18.48 and 2.21 are minimal. Title 18:48 Article 1 has been eliminated and is now covered in Title 18.64. The definitions have been clarified and the attempt made to be in compliance with State law and State Statute definitions – specifically on what constitutes a nuisance.

In Title 2.21, the changes are minor. They are clarifying that the current HAAB Board has responsibility for: Hearing and deciding appeals from Title 18:48. And not just for making judgements on emergency demolitions and giving their opinion on possible changes needed to the code.

There are a couple of issues that we believe should be discussed with City Council for policy guidance:

- A requirement for the material used to board buildings (plywood) be required to match the color of the existing house or trim on that house.
- The addition of an old requirement in previously in 18.48.100: Notice and order for emergency boarding to be done by City Contractor when property owners are being recalcitrant. The owner(s) would be given the opportunity to pay for the work and if non-payment is the result, a lien would be placed on the title.

Thank your consideration and we will be happy to attempt to answer all questions during the Study Session.



JACKIE BISKUPSKI Mayor

ORION GOFF, CBO
Building Services and Civil Enforcement

1 2	SALT LAKE CITY ORDINANCE No of 2020
3 4 5	(Amending Section 2.21.030; Repealing Chapter 18.48 and Enacting Chapter 18.48, Articles I and II; Amending Chapter 18.64, Article I and Enacting Chapter 18.64, Article II)
6 7	An ordinance amending Section 2.21.030, repealing Chapter 18.48 and enacting Chapter
8	18.48, Articles I & II, and amending Chapter 18.64, Article I and enacting Chapter 18.64, Article
9	II of the Salt Lake City Code; and
10	WHEREAS, it is proposed that Section 2.21.030 of the Salt Lake City Code relating to
11	appeals, be amended to clarify the appeals authority of the Housing Advisory and Appeals
12	Board;
13	WHEREAS, it is proposed that Chapters 18.48 and 18.64 of the Salt Lake City Code
14	relating to dangerous buildings and demolition be amended to modify the requirements for
15	boarding, abatement, and demolition of dangerous buildings and structures, adequately describe
16	what constitutes a dangerous and/or boarded building, and what constitutes emergency
17	demolition;
18	WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 28
19	2018 at which the planning commission voted in favor of forwarding a positive recommendation
20	to the Salt Lake City Council on said application; and
21	WHEREAS, after a public hearing on this matter, the city council has determined that
22	adopting this ordinance is in the city's best interests.
23	NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

24	SECTION 1. Amending the Text of Salt Lake City Code Section 2.21.030. That Section
25	2.21.030, of the Salt Lake City Code (Administration and Personnel: Housing Advisory Appeals
26	Board: Powers and Authority) shall be amended to read as follows:
27	2.21.030: POWERS AND AUTHORITY:
28	HAAB shall have the power and authority to:
29 30	A. Apply the provisions of <u>*Title 5</u> , <u>eChapter 5.14</u> and <u>*Title 18</u> , <u>eChapter 18.50</u> of this code
31 32 33	B. Hear and decide appeals as specified in-t <u>T</u> itle 5, e <u>C</u> hapter 5.14 and t <u>T</u> itle 18, e <u>C</u> hapter 18.50 of this code;
34 35 36 37 38	C. Modify the impact of specific provisions of <u>*Title 5</u> , <u>eChapter 5.14</u> and <u>*Title 18</u> , <u>eChapter 18.50</u> of this code, where strict compliance with the provisions is economically or structurally impracticable and any approved alternative substantially accomplishes the purpose and intent of the requirement deviated from;
39	D. Conduct housing impact hearings pursuant to <u>‡Title 18</u> , <u>eChapter 18.64</u> of this code;
40 41 42	E. Recommend new procedures to the building official and new ordinances regarding housing to the city council; and
43 44 45 46	F. Conduct abatement hearings pursuant to Hear and decide appeals as specified in <u>t</u> Title 18 eChapter 18.48 of this code.
47	SECTION 2. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,
48	Article I. That Chapter 18.48, Article I, of the Salt Lake City Code (Buildings and Construction;
49	Dangerous Buildings; Code Adoption and Administration) shall be and hereby is repealed in its
50	entirety and replaced as follows:
51	Article I. Code Adoption And Administration
52 53 54	18.48.010: Uniform Code For The Abatement Of Dangerous Buildings Adopted 18.48.020: City Council As Governing Body 18.48.030: Housing Inspection Fees
55	18.48.060: Performance Of Abatement Work
56	18.48.070: Recovery Of Cost Of Repair Or Demolition
57	18 18 080. Public Nuisancas. Administrativa Raviow And Limitations

58 59	18.48.010: UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS ADOPTED:
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61	The uniform code for the abatement of dangerous buildings, 1994 edition, hereinafter
62	sometimes referred to as "UCADB", is adopted by Salt Lake City as the ordinances, rules
63	and regulations of the city, subject to the amendments and exceptions thereto as set out in
64	this chapter; three (3) copies of said code shall be filed for use and examination by the public
65	in the office of the city recorder. The purpose of this code is to provide minimum
66 67	requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of buildings within the city, and providing for
68	correction of violations thereof. Hereafter, all references in this code to the uniform code for
	the abatement of dangerous buildings, 1988 edition, adopted by this section, or its successor,
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70	are amended and deemed to read the uniform code for the abatement of dangerous buildings, 1994 edition.
71	1994 Edition.
72	18.48.020: CITY COUNCIL AS GOVERNING BODY:
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74	All references to a governing body in the uniform code for the abatement of dangerous
75	buildings, 1994 edition, as adopted by section 18.48.010 of this chapter, or its successor, are
76	amended to refer to the city council of Salt Lake City, hereinafter "city council", except as
77	specifically amended.
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79	18.48.030: HOUSING INSPECTION FEES:
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81	The fee shown on the Salt Lake City consolidated fee schedule for an existing single-family
82	dwelling housing unit inspection shall not exceed the amount shown on the Salt Lake City
83	consolidated fee schedule. An additional fee shown on the Salt Lake City consolidated fee
84	schedule shall be charged for every additional dwelling unit on the premises.

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87 88 18.48.060: PERFORMANCE OF ABATEMENT WORK:

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Chapter 6 of the uniform code for the abatement of dangerous buildings, 1994 edition, relating to procedures for conduct of hearing appeals, shall be amended as follows:

91 92 PROCEDURES FOR CONDUCT OF

HEARING APPEALS

93 94

Section 601 UCADB. Hearing.

95 (a) Petition For Hearing. When any abatement work of repair or demolition is to be done
96 or requested by the city pursuant to the enforcement provisions of this code, except in
97 emergency situations, the building official shall petition the mayor to hold a hearing and
98 order the property owner(s) to show cause why the city should not abate by repair or
99 demolition a substandard or dangerous building or structure constituting a public
100 nuisance.

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Notwithstanding the provision of any other ordinance pertaining to hearings before the mayor, said hearings may be held either before the mayor or the mayor may direct the matter to be heard before a panel of hearing examiners of HAAB to conduct such hearings to determine the facts and make recommendations and findings to the mayor.

(b) Panel Of Hearing Examiners. In the event the mayor may direct a panel of hearing examiners from HAAB to act as hearing examiners in abatement proceedings, HAAB shall select at least three individual members of its board to act as the panel of hearing examiners and designate one as acting chairperson. The mayor or said panel of hearing examiners shall have the power and authority to call, preside at, and conduct hearings to consider whether or not structures are dangerous or substandard buildings under this code constituting a public nuisance to be abated by the city by demolition or repair, including the power to issue subpoenas, administer oaths, examine witnesses, receive evidence, compel attendance of witnesses and/or the production of witnesses or evidence; and based upon the evidence presented, prepare for the approval of the mayor, findings of fact, conclusions of law and proposed orders for said board. Hearings shall be conducted as provided in this code. The owner(s) shall have the right to appear at said hearing in person or by counsel or both, present evidence and oral argument, cross-examine witnesses, and in all proper ways defend the owner(s)' interest.

 (c) Notice Of Abatement Hearing. Reasonable notice (not less than ten [10] days) of the time and place of said hearing together with a petition for abatement setting forth the nature of the complaint against the property sufficient to reasonably inform the owner(s) and enable them to answer the charges of the complaint, shall be served upon the owner(s) personally or by mailing a copy to the owner(s) at their last known address appearing on the last assessment rolls for the property on file in the county assessor's office.

 (d) Action By Hearing Examiners. Within thirty (30) days of the conclusion of abatement hearings held before HAAB's panel of hearing examiners as provided in (a) and (b) above, said panel shall submit to the office of the mayor a report of written findings of fact, conclusions, recommendations and proposed order based upon and supported by the evidence presented at the hearing. A copy of such findings, conclusions, recommendations and order shall be mailed or delivered to each party on the date they are filed with the office of the mayor.

(e) Consideration Of Report. The office of the mayor shall fix a date, time and place to consider the panel of hearing examiners' report and proposed recommendations. Notice thereof shall be mailed to each party to the action not less than ten (10) days prior to the date fixed unless otherwise stipulated by all parties.

 (f) Exceptions To Report. Not later than two (2) days before the date set to consider said report, any party may file with the city recorder two copies of written exceptions, proposed additional or alternative findings to any part or all of the hearing examiners' report and may attach thereto a proposed decision together with written argument in

.47	support of such decision. Such exception must also indicate whether or not the party
.48	desires to present oral argument, which may be heard only with the consent of the mayor
.49	and said argument shall be confined to the issues set forth in the written exceptions or as
.50	otherwise limited by the mayor.
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.52	(g) Disposition By The Mayor. The mayor may adopt the report of findings as the basis
.53	for its action in the abatement proceedings, or upon filing its own statement of the legal
.54	or substantial basis in the record therefor, it may:
.55	(i)Reject all or any portion of the report's findings and remand the same back to the
.56	same panel of hearing examiners for further hearing and findings on specific issues;
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.58	(ii) Disregard any portion of the report's findings and proceed to take action upon the
.59	remainder of the findings;
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.61	(iii) Substitute alternative or additional findings of fact on the issues presented to the
.62	examiners, if the substituted findings are supported by a preponderance of the
.63	evidence in the record.
.64	Upon remand of any portion of the panel's reported findings, the same panel of
.65	examiners shall conduct further hearing proceedings to the extent necessary to make
.66	findings on the issues remanded for further hearing. Upon remand, the panel of
.67	examiners shall prepare and submit its revised report and findings as provided in (d)
.68	above. Consideration of the revised report by the mayor shall comply with (e) - (g)
.69	above.
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.71	(h) Order Of The Mayor. Upon disposition, the decision of the mayor shall be made in
.72	written order supported by findings of facts, which may be those submitted by the panel
.73	of hearing examiners if approved and adopted by said board or as the report may be
.74	modified, reversed or rejected by the mayor. A copy of the decision shall be mailed to
.75	parties in interest or their counsel. All orders entered by the mayor shall be final and shall
.76	be effective as of the date stated in such written order. Said order shall specify the
.77	manner in which the expense of any abatement work ordered shall be charged and
.78	collected from the owner(s) as an individual obligation, a special assessment, and/or as a
.79	certified property lien as provided below.
.80	Section 801 UCADB. Abatement Work.
.81	(a) Procedure To Accomplish Abatement Work. Upon the order of the mayor to complete
.82	abatement work by demolition or repair, the building official shall cause the work to be
.83	accomplished by city personnel or by private parties under his direction. Plans,
.84	specifications, bidding proposals, etc. therefor, may be prepared by the building official
.85	or his designee, or said official may employ such appropriate professional assistance that
.86	he may deem reasonably necessary.
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.88	(b) Expense To Be Charged To Owner. The expense of such work, including costs of

189	professional assistance, shall be paid from the repair and demolition abatement fund and
190	charged against the property and/or its owner(s), placed as a special assessment on city
191	tax rolls, and/or certified directly to the county treasurer as a certified property tax lien,
192	whichever the mayor shall determine is appropriate at the time the order is entered.
193	Section 802 UCADB. Repair And Demolition Abatement Fund.
194	(a) Use Of Fund. The city council shall establish a special revolving fund to be
195	designated as the repair and demolition abatement fund and shall oversee its
196	administration. Recommendations to the mayor for the use of the fund may be made by
197	HAAB. Upon the order of the mayor for the building official to proceed with abatement
198	work, the building official may make demand for disbursements to be made out of said
199	fund to defray costs and expenses which may be incurred by the city in doing or causing
200	to be done the necessary abatement work as ordered.
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202	(b) Revolving Fund. The city council may, at any time, transfer to said repair and
203	demolition abatement fund, out of any money in the city's general fund or such other
204	sources that may be available, such sums as it may deem necessary in order to expedite
205	the performance of abatement work. Such sums, though transferred to the fund, may be
206	deemed a grant, or at the option of the city council, may be deemed a loan to said fund
207	which may be repaid out of the proceeds of collection as hereinafter provided for. All
208	funds collected under the proceedings hereinafter provided for, shall be paid to the city
209	treasurer who shall credit the same to the repair and demolition abatement fund.
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211	18.48.070: RECOVERY OF COST OF REPAIR OR DEMOLITION:
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213	Chapter 9 of the uniform code for the abatement of dangerous buildings, 1994 edition, shall
214	be amended to read as follows:
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216	RECOVERY OF COST OF REPAIR OR DEMOLITION
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218	Section 901 UCADB. Account Of Expense And Filing Of Reports. Contents.
219	The building official shall keep an itemized account of expense incurred by the city in the
220	abatement by work authorized by an order of the mayor under this code. Within ten days
221	of the completion of the abatement work of demolition or repair as ordered by the mayor,
222	said building official shall prepare and file with the city recorder a report specifying the
223	work done, the itemized and total cost of the work to be reimbursed, a description of the
224	real property upon which the building or structure is or was located, and the name and
225	addresses of the property owner(s) joined as parties in the abatement proceeding or
226	otherwise entitled to notice pursuant to this code.
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228	Concurrently, the building official shall file three copies of the account with the county
229	treasurer and mail a fourth copy of the account to the named property owner(s)
230	demanding payment within twenty days of the date of mailing by certified or registered

mail to the last known address of the property owner, or the address shown on current property tax rolls.

Section 903 UCADB. Protests And Objections. How Made.

Any property owner(s) or interested parties affected by the proposed charge who desire to protest the amount or method of collection, shall file a written protest or objection with the city recorder within twenty days of the date of the demand and mailing of the report. Each such protest or objection shall contain a description of the property involved and state the grounds of such protest or objection. The city recorder shall endorse on every such protest or objection the date it was received in the recorder's office and shall present such protest or objections to the office of the mayor to be set for hearing and no other protest or objection shall be considered. The office of the mayor shall fix a time, date, and place for hearing of said objection and shall cause the city recorder to prepare notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the city, and served by certified mail, postage prepaid, addressed to the owner(s) of the property at the address as it appears on the building official's report or on the address submitted on the protest. Such notice shall be given at least seven (7) days prior to the date set for hearing and shall specify the date, hour and place when the mayor will hear and pass upon the building official's report, together with the objections and protests that have been filed.

Section 904 UCADB. Hearing Of Protest And Approval Of Report.

Upon the day and hour fixed for hearing, the mayor shall hear and pass upon the report of the building official together with objections made thereto. The mayor may make such revision, correction, or modification in the report or the charge as deemed just. When the mayor is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge shall be affirmed or rejected. The decision of the mayor on the report and the charge, and all protests, and objections thereto shall be final and conclusive.

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If no objections to the items of the report are so filed or made within twenty (20) days of the date of the mailing of such report by the building official, the city recorder shall so certify upon the report which shall be deemed to be approved by the mayor. In the event the abatement order of the mayor directed the charge to be certified to the county treasurer as a certified lien to be included upon the county tax rolls, the recorder shall send a copy of the approved report to the city treasurer and certify the same as a lien to the county treasurer and the board of county commissioners.

Section 905 UCADB. Method Of Collection.

(a) Selection Of Method: The mayor, in its order of abatement work as provided herein or in its order as it may be modified upon a hearing and protest, may order that the charge of any abatement work shall be made a personal obligation of the property owner, a special

city assessment against the property involved, and/or be placed as a certified lien on the assessment rolls of the county.

- (i) Personal Obligation. If the mayor orders that the charge to be made a personal obligation of the property owner, it shall direct the city attorney to collect the same on behalf of the city by use of all appropriate legal remedies.
- (ii) Special City Assessment. If the mayor orders the charge to be assessed as a special city assessment against the property, it shall confirm the assessment and direct the city recorder to transmit the building official's report to the city treasurer to be recorded on the special assessment roll on the city tax rolls, and thereafter said assessment shall constitute a special assessment against and a lien upon the property.
- (iii) Certified lien against property to be collected with property taxes. If the mayor orders abatement by demolition and orders the charge for such expense, in addition to being assessed as a special assessment against the property, to be certified to the county treasurer for placement upon its appropriate rolls to be collected by the county treasurer at the same time and in the same manner as general property taxes, then the city recorder at the expiration of demand period (twenty days from the date of the mailing of the itemized statement from the building official) if no objections are filed within said period, or upon the action of the mayor following the hearing of an objection or protest, shall submit the county treasurer's office a certification that the amount approved as a special assessment is to be placed as a certified lien against the property for the improvement of real property.

(b) Action By County Treasurer Upon Certified Lien. Upon the receipt of the itemized statement in triplicate from the building official, and the certification from the city recorder relating to the costs of abating such structure by demolition, the county treasurer shall forthwith mail one copy to the owner(s) of the land from which the same were removed, together with notice that objection in writing may be made within thirty days to the whole or any part of the statement so filed with the board of county commissioners. The county treasurer shall at the same time deliver a copy of the statement to the clerk of the board of county commissioners and the city recorder. If objections to any statement are filed with said County Commissioners within thirty days, the objections shall be set for hearing, giving notice thereof to the owner(s) of the property involved and the protestant, together with a copy thereof to the county treasurer, the building official and city attorney. The board of county commissioners, upon the hearing of the same, shall fix and determine the actual cost of abating said structures and report their findings to the county treasurer. If no objections to the statement so filed are made within thirty days of the date of the mailing of such itemized account by the county treasurer, said treasurer shall enter the amount of said statement upon the assessment rolls of the county in the column prepared for the proposed certified liens; and likewise, within ten days from the board of county commissioners' action upon objections filed, shall enter in the prepared column upon tax rolls the amount found by the board of county commissioners as the cost of such abatement work. If current tax notices have been mailed for the year, said certified lien may be carried over on the rolls of the county treasurer to the following

314	year. After the entry by the county treasurer of the costs for such abatement work, the
315	amount so entered shall have the force and effect of a valid judgment of the district court,
316	and shall be a lien upon the property involved and shall be collected by the county
317	treasurer at the time of the payment of general taxes. Upon payment thereof, receipt shall
318	be acknowledged upon the general tax receipt issued by the county treasurer and the
319	funds shall be reimbursed back to the city treasurer and credited to the repair and
320	demolition abatement fund.
321	Section 906 UCADB. Contest - Time Limitation.
322	The validity of any assessment made under the provisions of this chapter shall not be
323	contested in any action or proceeding unless the same is commenced in a court of
324	competent jurisdiction within thirty days after the assessment is placed upon the
325	assessment rolls provided herein. An appeal from a final judgment in such action or
326	proceeding must be perfected within thirty days after the entry of such judgment.
327	Section 907 UCADB. Authority Or Installment Payment Of Assessments With Interest.
328	The mayor, in his/her discretion, may determine that assessments which are special
329	assessments on city tax rolls in amounts of \$500 or more, may be payable in not to
330	exceed five equal annual installments. The mayor's determination to allow such
331	assessments to be paid in installments, the number of installments, and whether they shall
332	bear interest and the rate thereof, shall be specified in the order of abatement, or any
333	order issued as a result of a protest or objection to the building official's report. Said
334	authority to allow installment payments of assessments with interest, shall only be
335	allowed on special assessments placed on the city tax rolls, and shall not apply to any
336	assessments which are directed to be placed as a certified tax lien on county tax rolls.
337	Section 908 UCADB. Lien Of Assessment.
338	(a) Priority. Immediately upon its being placed on the assessment rolls of either the city
339	treasurer's office or the county treasurer's office, the assessment shall be deemed to be
340	complete, the several amounts shall be payable, and the assessments shall be liens against
341	the lot or parcels of land assessed respectively. The liens shall be subordinate to all
342	existing special assessment liens previously imposed upon the same property, and shall
343	be paramount to all other liens, except for state, county and municipal taxes with which it
344	shall be upon a parity. The lien of the special assessment placed on the special tax
345	assessments of the city treasurer's office, shall continue until the assessment and all of
346	the interest due and payable thereon are paid. The lien of any special assessment certified
347	and placed upon the tax rolls of the county treasurer's office, shall continue until the
348	assessment and all interest due and payable thereon are paid or otherwise collected in the
349	same manner as general taxes or are sold pursuant to the general law and taxes.
350	
351	(b) Interest. All such assessments appearing on the city treasurer's assessment rolls which
352	remain unpaid after thirty days from the date of recording on the assessment rolls, shall
353	become delinquent and shall bear interest at the rate of seven percent (7%) per annum

354	from and after said date. All such assessments which remain unpaid after the date of
355	recording on the assessment roll within the county treasurer's office, shall become
356	delinquent and shall bear interest as provided by the laws affecting the collection of
357	general taxes.
358	Section 909 UCADB. Report To Assessor And Tax Collector; Addition To Assessment Of
359	City Tax.
360	After confirmation of the building official's report, certified copies of the assessment
361	shall be given by the city recorder to the city assessor and the city treasurer, who shall
362	add the amount of the assessment as a special assessment to the next regular tax bill
363	levied against the parcel for municipal purposes. A certified copy of the assessment and
364	all assessments for the special assessments for charges made from the repair and
365	demolition abatement fund, may be filed by the city treasurer with the County Auditor on
366	or before August 10. The descriptions of the parcels reported shall be those used for the
367	same parcels on the County Assessor's map book for the current year.
368	Section 911 UCADB. Collections Of Assessments; Penalties For Foreclosure.
369	The amount of the special assessment shall be collected at the same time and in the same
370	manner as the ordinary municipal taxes are collected; and shall be subject to the same
371	penalties and procedure and sale in case of delinquency as provided for ordinary
372	municipal taxes. All laws applicable to the levy, collection and enforcement of municipal
373	taxes shall apply to such assessments which appear upon the rolls of the city assessor and
374	treasurer.
375	
376	If the mayor has determined that the charge shall be placed as an assessment upon the
377	city tax rolls, and that said assessment shall be paid in installments, each installment and
378	any interest thereon shall be collected in the same manner as ordinary municipal taxes in
379	successive years. If any installment is delinquent, the amount thereof is subject to the
380	same penalties and procedure for collection as provided for ordinary municipal taxes.
381	Section 912 UCADB. Repayment Of Repair And Demolition Fund.
382	All money recovered by payment of the charge or assessment or from the sale of the
383	property at foreclosure sale shall be paid to the city treasurer who shall credit the same to
384	the repair and demolition abatement fund.
385	1
386	18.48.080; PUBLIC NUISANCES; ADMINISTRATIVE REVIEW AND
387	LIMITATIONS:
388	A. Public Nuisance Structures: Any structure which has been boarded and/or vacant over
389	two (2) years is declared to be a public nuisance as detrimental to the safety and public
390	welfare of the residents and property values of this city.

391	B. Administrative Review And Time Limitation: Any aggrieved property owner or other
392	interested party may seek review of HAAB's decision by filing a written petition for
393	review, together with advertising costs, requesting a public hearing before the office of
394	the mayor within thirty (30) days of HAAB's written decision. The petitioner shall be
395	responsible for all costs of advertising. On review, the office of the mayor shall determine
396	from the minutes whether or not HAAB's decision was reasonably related to the
397	information provided and, if so, shall sustain its action. Only if the office of the mayor
398	should find HAAB's decision to be unreasonable or arbitrary insofar as it is unsupported
399	by the facts and evidence presented in HAAB, shall it reverse or modify HAAB's
400	decision. Any party which fails to request a review as provided herein, shall be deemed to
401	have waived such review.
402	Article I. Repair, Vacation, or Boarding of Dangerous Buildings
403	
404	18.48.010: Title:
405	18.48.020: Purpose and Scope:
406	18.48.030: Definitions:
407	18.48.040: Authority to Enforce:
408	18.48.050: Procedure Upon Determination of a Violation:
409	18.48.060: Notice to Vacate:
410	18.48.070: Extension of Time to Perform Work:
411	18.48.080: Appeals:
412	18.48.090: City's Abatement of Property:
413	18.48.100: Recovery of Costs:
414	18.48.110: Applicability of Building Code:
415	18.48.120: Public Nuisances:
416	
417	
418	18.48.010: TITLE:
419	
420	This chapter and the provisions included herein constitute Salt Lake City's Dangerous
421	Building Code, and will be referred to hereinafter as "the Dangerous Building Code" or "this
422	Code." This Code is modeled after the Uniform Code for the Abatement of Dangerous
423	Buildings, 1997 Edition, and has only been adopted as stated herein.
424	
425	18.48.020: PURPOSE AND SCOPE:
426	
427	It is the purpose of the Dangerous Building Code to provide just, equitable, and practicable
428	methods to require the repair, vacation, or temporary boarding of buildings or structures that
429	endanger the life, limb, health, morals, property, safety, or welfare of the general public or
430	their occupants. The provisions of this Dangerous Building Code are cumulative and in
431	addition to any other remedy provided by law.
432	
433	18.48.030: DEFINITIONS:

435	<u>A.</u>	BUILDING CODE: The International Building Code, or its successor, promulgated by	
436		the International Code Council, as adopted by the state.	
437		• •	
438	<u>B.</u>	BOARDED BUILDING: A building in which accessible openings, such as windows and	
439		doors, are secured by a secondary means against entry. Examples of securing a building	
440		by a secondary means includes, but is not limited to, boarding and fencing.	
441			
442	<u>C.</u>	DANGEROUS BUILDINGS: For the purpose of this Dangerous Building Code, any	
443		building or structure that has any or all of the conditions or defects hereinafter described	
444		may be deemed to be a dangerous building, provided that such conditions or defects exist	
445		to the extent that the life, health, property, or safety of the public or its occupants are endangered.	
446			
447			
448		1. Whenever any door, aisle, passageway, stairway or other means of exit is not of	
449		sufficient width or size or is not so arranged as to provide safe and adequate means of	
450		exit in case of fire or panic.	
451			
452		2. Whenever the walking surface of any aisle, passageway, stairway or other means of	
453		exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and	
454		adequate means of exit in case of fire or panic.	
455			
456		3. Whenever the stress in any materials, member or portion thereof, due to all dead and	
457		live loads, is more than one and one half times the working stress or stresses allowed	
458		in the Building Code for new buildings of similar structure, purpose or location.	
459			
460		4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or	
461		by any other cause, to such an extent that the structural strength or stability thereof is	
462		materially less than it was before such catastrophe and is less than the minimum	
463		requirements of the Building Code for new buildings of similar structure, purpose, or	
464		location.	
465			
466		5. Whenever any portion or member or appurtenance thereof is likely to fail, or to	
467		become detached or dislodged, or to collapse and thereby injure persons or damage	
468		property.	
469			
470		6. Whenever any portion of a building, or any member, appurtenance, or ornamentation	
471		on the exterior thereof is not of sufficient strength or stability, or is not so anchored,	
472		attached, or fastened in place so as to be capable of resisting a wind pressure of one	
473		half of that specified in the Building Code for new buildings of similar structure,	
474		purpose or location without exceeding the working stresses permitted in the Building	
475		Code for such buildings.	
476			
477		7. Whenever any portion of a building or structure has wracked, warped, buckled, or	
478		settled to such an extent that walls or other structural portions have materially less	
479		resistance to winds or earthquakes than is required in the case of similar new	
480		construction.	
			

481	9 When somethe healthing an atmost one and most in the most house of (i) dilamidation
482	8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or
483 484	instability of any portion of the ground necessary for the purpose of supporting such
	building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other
485 486	cause, is likely to partially or completely collapse.
486	cause, is likely to partially or completely collapse.
487	9. Whenever, for any reason, the building or structure, or any portion thereof, is
488 480	manifestly unsafe for the purpose for which it is being used.
489 490	mannestry unsafe for the purpose for which it is being used.
490 491	10. Whenever the exterior walls or other vertical structural members list, lean, or buckle
492	to such an extent that a plumb line passing through the center of gravity does not fall
493	inside the middle one third of the base.
494	inside the findere one time of the ouse.
495	11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or
496	more damage or deterioration of its supporting member or members, or 50 percent
497	damage or deterioration of its non-supporting members, enclosing or outside walls or
498	coverings.
499	
500	12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or
501	flood, or has become so dilapidated or deteriorated as to become an attractive
502	nuisance to children or as to enable persons to resort thereto for the purpose of
503	committing unlawful acts.
504	
505	13. Whenever any building or structure has been constructed, exists, or is maintained in
506	violation of any specific requirement or prohibition applicable to such building or
507	structure provided by the building regulations of this jurisdiction, as specified in the
508	Building Code or Housing Code, or of any law or ordinance of this state or
509	jurisdiction relating to the condition, location, or structure of buildings.
510	
511	14. Whenever any building or structure which, whether or not erected in accordance with
512	all applicable laws and ordinances, has in any non-supporting part, member or portion
513	less than 50 percent, or in any supporting part, member or portion less than 66 percent
514	of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-
515	resisting qualities or characteristics required by law in the case of a newly constructed
516	building of like area, height and occupancy in the same location.
517	
518	15. Whenever a building or structure, used or intended to be used for dwelling purposes,
519	because of inadequate maintenance, dilapidation, decay, damage, faulty construction
520	or arrangement, inadequate light, air or sanitation facilities, or otherwise, is
521	determined by the health officer to be unsanitary, unfit for human habitation, or in
522	such a condition that is likely to cause sickness or disease.
523	<u> </u>
524	16. Whenever any building or structure, because of obsolescence, dilapidated condition,
525	deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction,

	faulty alastnia vyining and compactions on hosting amounts on other cases is
	faulty electric wiring, gas connections or heating apparatus, or other cause, is
	determined by the fire marshal to be a fire hazard.
	17 337 1 111 4 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	17. Whenever any building or structure is in such a condition as to constitute a public
	nuisance known to the common law or in equity jurisprudence.
	18. Whenever any portion of a building or structure remains on a site after the demolition
	or destruction of the building or structure or whenever any building or structure is
	abandoned for a period in excess of six months so as to constitute such building or
	portion thereof an attractive nuisance or hazard to the public.
<u>D.</u>	DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake
	City division authorized to perform the repair, vacation, or boarding of a building under
	this chapter.
<u>E.</u>	HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as
	promulgated in Chapter 18.50 of the City Code.
_	WA CANTE/CECITE DIVIDENCE A CONTROL OF THE CONTROL
<u>F.</u>	VACANT/SECURE BUILDING: An unoccupied building having all openings, such as
	windows and doors, secured against entry, where windows are fully glazed and the doors
	are secured by means of a lock.
10	.48.040: AUTHORITY TO ENFORCE:
10	46.040. AUTHORITT TO ENFORCE.
Δ	Authority to Enforce: The building official or designee is hereby authorized to enforce
<u>/ 1.</u>	the provisions of this Dangerous Building Code. The building official shall have the
	power to render interpretations of this Dangerous Building Code and to adopt and enforce
	rules and supplemental regulations to clarify the application of its provisions. Such
	interpretations, rules, and regulations shall be in conformity with the intent and purpose
	of this Dangerous Building Code.
В	Authority to Inspect: The building official or their designee is hereby authorized to make
<u>D.</u>	inspections and take such actions as may be required to enforce the provisions of this
	· · · · · · · · · · · · · · · · · · ·
	Dangerous Building Code.
\mathbf{C}	Buildings or Structures Subject to Inspection: Any building or structure, where there is
<u>C.</u>	reasonable cause to believe a condition exists that renders the building or structure in
	violation of the provisions of this code, is subject to inspection by the building official or
	their designee in the manner provided by this Dangerous Building Code.
D	
<u>D.</u>	Inspection When Permit Required: All construction or work for which a permit is
<u>D.</u>	

570	<u>E.</u>	Inspections: The building official or their designee may enter a building or structure at
571		reasonable times to inspect or to perform the duties imposed by this Dangerous Building
572		Code.
573		
574		1. If the building or structure is occupied, the building official or designee shall present
575		credentials to the occupant and request entry.
576		
577		2. If the building or structure is unoccupied, the building official or their designee shall
578		make reasonable efforts to locate the owner or other persons having charge or control
579		of the building or premises and request entry.
580		
581		3. If entry is refused, the building official or their designee shall have recourse to the
582		remedies provided by law to secure entry.
583		
584	<u>18</u>	3.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:
585		
586	<u>A.</u>	Initiation of Action: When the building official has inspected or caused to be inspected
587		any building and has found and determined that such building is a dangerous building,
588		the building official shall commence proceedings to cause the repair, vacation, or
589		boarding of the building.
590		
591	В.	Form of Notice and Order: The building official shall issue a written notice and order
592		directed to the record owner of the building.
593		
594		1. The notice and order shall:
595		
596		a. Identify the property owner of record according to the records of the Salt Lake
597		County Recorder;
598		
599		b. Describe the property and contain a statement that the building official has found
600		the building to be dangerous with a brief and concise description of the condition
601		found to render the building dangerous under the provisions of this code; and
602		to tender the containing analysis of the provincial of this court, the
603		c. Require the property owner to take action as determined by the building official.
604		e. require the property of their to take wellow as well-mines of the outlands of the
605		i. If the building official has determined that the building or structure must be
606		repaired or boarded, the order shall require that all required permits be secure
607		and the work physically commenced within such time as the building official
608		shall determine is reasonable under all of the circumstances, which time shall
609		not be less than 10 days from the date after the day the notice is delivered in
610		person or postmarked.
611		person or postmarked.
612		ii. If the building official has determined that the building or structure must be
		<u>11.</u> If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated
613		-
614		within a time certain from the date of the order as determined by the building

515			official to be reasonable, which time shall not be less than 10 days from the
516			date after the day the notice is delivered in person or postmarked.
517			
518		<u>d.</u>	A statement that, if any required repair work not also requiring the vacation of
519			property is not commenced within the time specified in Subsection
520			18.48.050.B.1.c.i, the building official will order the building vacated and posted
521			to prevent further occupancy until the work is completed and may proceed to
522			cause the work to be done and recover the costs as set forth in Section 18.48.100.
523			
524		<u>e.</u>	A statement that (i) any person having any record title or legal interest in the
525			building may appeal from the notice and order of the building official, except for
526			an objection from an itemized statement of costs, to the Housing Advisory and
527			Appeals Board as established in this chapter, provided the appeal is made in
528			writing as provided in this code and filed with the building official within 30 days
529			from the date of service of such notice and order; and (ii) failure to appeal will
530			constitute a waiver of all right to an administrative hearing and determination of
531			the matter.
532			
533	C.	Servic	e: The written notice and order, and any amended or supplemental notice and
534		order,	shall be served on the property owner of record according to the records of the
535			recorder. Service shall be made in person or by certified or registered mail. The
536		_	of any such person to receive such notice shall not affect the validity of any
537		procee	edings taken under this section. Service by certified mail in the manner herein
538		_	ed shall be effective on the date the notice and order are postmarked.
539			<u> </u>
540	D.	Proof	of Service: Proof of service of the notice and order shall be certified at the time of
541			e by a written declaration under penalty of perjury executed by the persons
542			ng service, declaring the time, date, and manner in which service was made. The
543			ation, together with any receipt card returned in acknowledgment of receipt by
544			ed mail or proof of registered mail shall be affixed to the copy of the notice and
545			retained by the building official.
546			
547	E.	Record	ding of Certificate: If compliance is not had with the order within the time specified
548	_		n, and no appeal has been properly and timely filed, the building official shall file in
549			fice of the county recorder a certificate describing the property and certifying (i)
550			e building is a dangerous building and (ii) that the owner has been so notified. If
551			tions ordered are completed after filing of this certificate or the building is
552			ished so that it no longer exists as a dangerous building on the property, the
553			ng official shall file a new certificate with the county recorder certifying that the
554			ng has been demolished or all required corrections have been made so that the
555 555			ng is no longer dangerous, whichever is appropriate.
			

 18.48.060: NOTICE TO VACATE:

<u>A.</u>	Form of Notice: Every notice to vacate shall, in addition to being served as provided in Section 18.48.050, be posted on the exterior of the building and shall be in substantially
	the following form:
	DO NOT ENTER
	UNSAFE TO OCCUPY
	It is a misdemeanor to occupy this building, or to remove or deface this notice.
	Building Official
	of
	Salt Lake City
<u>B.</u>	Compliance with Notice to Vacate: No person shall remain or enter any building which has been so posted, except that entry may be made to repair or board. No person shall remove or deface any such notice after it is posted.
<u>18.</u>	48.070: EXTENSION OF TIME TO PERFORM WORK:
ext exc cor ext pro	on a timely written request by the owner setting forth the requested reasons for an ension of time, the building official or designee may grant an extension of time, not to seed 120 days from the deadline set forth in the original notice and order, within which to enplete said repair, vacation, or boarding, if the building official determines that such an ension of time will not create or perpetuate a situation imminently dangerous to life or operty. The building official's authority to extend time is limited to the physical repair, eation, or boarding of the premises and will not in any way affect the time to appeal the ice and order.
<u>18.</u>	48.080: APPEALS:
<u>A.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
<u>B.</u>	Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:
	1. A heading containing the words: "Before the housing advisory and appeals board "."
	2. A caption reading: "Appeal of ," giving the names of all appellants participating in the appeal;

705		
706		3. A brief statement setting forth the legal interest of each of the appellants in the
707		building or the land involved in the notice and order;
708		
709		4. A brief statement in ordinary and concise language of the specific order or action
710		protested, together with any material facts claimed to support the contentions of the
711		appellant;
712		
713		5. A brief statement in ordinary and concise language of the relief sought and the
714		reasons why it is claimed the protested order or action should be reversed, modified
715		or otherwise set aside;
716		
717		6. The signatures of all parties named as appellants and their official mailing addresses;
718		<u>and</u>
719		
720		7. The verification (by declaration under penalty of perjury) of at least one appellant as
721		to the truth of the matters stated in the appeal.
722		
723	<u>C.</u>	Time to File an Appeal: The appeal must be filed within 30 days from the date of the
724		issuance of the notice and order described herein, except as provided in Subsection D.
725		
726	<u>D.</u>	Time to File an Appeal for an Imminently Dangerous Building: If the building or
727		structure is in such condition as to make it immediately dangerous to the life, limb,
728		property or safety of the public or adjacent property and is ordered vacated and is posted
729		in accordance with Section 18.48.060, such appeal shall be filed as soon as reasonably
730		practical from the date of the issuance of the notice and order of the building official.
731		
732	<u>E.</u>	Transmittal of Appeal: Upon receipt of any appeal filed pursuant to this section, the
733		building official shall transmit the appeal to the members of the Housing Advisory and
734		Appeals Board for scheduling of a meeting within 30 days of receipt of a timely appeal.
735	E	
736	<u>F.</u>	Scheduling Hearing: As soon as practicable after receiving the written appeal, the
737		Housing Advisory and Appeals board shall fix a date, time and place for the hearing of
738		the appeal by the board. Such date shall not be less than 10 days nor more than 30 days
739		from the date the appeal was filed with the building official, unless extraordinary
740		circumstances are present. Written notice of the time and place of the hearing shall be
741 742		given at least 10 days prior to the date of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant
742		
743		personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the
744		address shown on the appeal.
745 746	\boldsymbol{C}	Ecilium to Timely Amnosl. Ecilium of any norman to file a timely annual in accordance
746	<u>U.</u>	Failure to Timely Appeal: Failure of any person to file a timely appeal in accordance with the provisions of this code shall constitute a waiver of the right to an administrative
747		with the provisions of this code shall constitute a waiver of the right to an administrative

hearing and adjudication of the notice and order or any portion thereof.

- H. Issues Considered on Appeal: Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
 - I. Stays Pending Appeal: Except for vacation or boarding orders made pursuant to Section 18.48.050, enforcement of any notice and order of the building official issued under this Dangerous Building Code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.
 - J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall have the authority to hear and evaluate evidence related to the building official's decision and determine whether the decision was arbitrary and capricious or illegal. The Housing Advisory and Appeals Board has no authority relative to interpretation of the administrative provisions of this code nor is the board empowered to waive requirements of this code. After the Housing Advisory and Appeals Board makes a final determination, they shall issue a written determination.
 - K. Appeal to Utah District Court: After issuance of a final written determination by the Housing Advisory and Appeals Board, the decision may be appealed to the Utah District Court, Third Judicial District within 30 days from the issuance of the decision.

18.48.090: CITY'S ABATEMENT OF PROPERTY:

If the property owner does not comply with the order within the time specified in the notice and order and no appeal has been properly and timely filed, the building official or designees may cause the building to be repaired, vacated, or boarded to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order. Any such repair, vacation, or boarding shall be completed and the cost thereof paid and recovered as set forth in this code.

18.48.100: RECOVERY OF COSTS:

- A. Permitted Recovery of Costs: If the building official or designee causes the repair, vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050, the division may collect the cost of that abatement, by filing a property tax lien, as set forth in this section.
- B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work, the building official or designee shall prepare an itemized statement of costs and mail it to the property owner by certified mail, demanding payment within thirty (30) days of the date the statement is post marked.
- C. Form of Itemized Statement of Costs: The itemized statement of costs shall:
 - 1. Include:

a. the address of the property at issue;

b. an itemized list of all expenses incurred by the division, including adminicosts; costs; c. a demand for payment; and the address where payment is to be made:	<u>istrative</u>
799 800 <u>c.</u> <u>a demand for payment; and</u> 801	
800 <u>c.</u> <u>a demand for payment; and</u> 801	
801	
d the address where revenent is to be made:	
d. the address where payment is to be made;	
803	
2. Notify the property owner:	
805	
a. that failure to timely pay the expenses described in the itemized statemen	t may
result in a lien on the property in accordance with this chapter and Utah C	
808 Section 10-11-4 or its successor;	<u> </u>
809	
b. that the property owner may file a written objection to all or part of the st	ntamant
	<u>atciliciti</u>
812	cc
813 <u>c.</u> where the property owner may file the objection, including the name of the	ie office
and the mailing address.	
815	
D. Delivery of Statement of Costs: The itemized statement of costs described in Sul	
C shall be deemed delivered when mailed by certified mail addressed to the last l	<u>known</u>
address of the property owner, according to the records of the county recorder.	
819	
E. Objection to Statement of Costs: If the property owner files a timely written objection	-
821 <u>the division will schedule a hearing and will mail or deliver to the property owne</u>	_
822 <u>the hearing a notice stating the date, time, and location of the hearing. A fines hearing the date, time, and location of the hearing a notice stating the date, time, and location of the hearing. A fines hearing the date, time, and location of the hearing a notice stating the date, time, and location of the hearing.</u>	
officer, appointed pursuant to Section 21A.06.090, shall preside at the hearing an	<u>ıd</u>
set onsider the property owner's objection as set forth in Subsection F.	
825	
826 F. Objection Hearing: At the hearing described in Subsection E, after the property of	<u>wner</u>
presents the objection to the hearing officer, the fines hearing officer shall review	<u>v</u> and
determine the cost of abatement incurred by the division in abating the property,	
including administrative costs. The property owner must pay any amount the fine	<u>es</u>
hearing officer determines is due and owing to the Salt Lake City Treasurer at the	e address
provided in the statement of costs within thirty (30) days of the date of the hearing	ıg.
832	
833 G. Failure to Object or Pay: If the property owner fails to make payment of the amo	ount set
forth in the itemized statement within thirty (30) days of the date of the mailing of	
statement, or to file a timely objection, then the division may certify the past due	costs
and expenses to the Salt Lake County Treasurer.	
837	
837 838 H. Failure to Pay After Objection Hearing: If the property owner files a timely obje	ction but
838 H. Failure to Pay After Objection Hearing: If the property owner files a timely obje	vithin

842	.	
843	<u>I.</u>	Lien on Property: After entry by the treasurer of the county, as set forth in Subsections G
844		and H, the amount entered shall have the force and effect of a valid judgment of the
845		district court, is a lien on the property, and shall be collected by the treasurer of the
846		county in which the property is located at the time of the payment of general taxes.
847		
848	<u>J.</u>	Release of Lien: Upon payment of the amount set forth in the itemized statement of costs
849		or otherwise determined due and owing by the hearing officer in Subsections E and F, the
850		judgment is satisfied, the lien is released from the property, and receipt shall be
851		acknowledged upon the general tax receipt issued by the treasurer.
852		
853		
854	<u>18</u>	.48.110: APPLICABILITY OF BUILDING CODE:
855		
856	<u>A1</u>	l buildings or structures which are required to be repaired under the provisions of this code
857	sh	all be subject to the provisions of the International Building Code, or its successor section.
858		
859	<u>18</u>	.48.120: PUBLIC NUISANCES:
860		
861	<u>A.</u>	Declaration and Abatement of Public Nuisances: All buildings or structures or portions
862		thereof which are determined after inspection by the building official to be dangerous as
863		defined in this code are hereby declared to be public nuisances and shall be abated by
864		repair, vacation, or boarding in accordance with the procedures specified herein.
865		
866	B.	Boarded Building as Public Nuisance: Any structure which has been boarded for over
867		two (2) years may be declared to be a public nuisance as detrimental to the safety and
868		public welfare of the residents and property values of this city.
869		* * * *
870		SECTION 3. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,
871	Article	e II. That Chapter 18.48, Article II, of the Salt Lake City Code (Buildings and
872	Consti	ruction: Dangerous Buildings: Temporary Securing of Buildings) shall be and hereby is
873	repeal	ed in its entirety and replaced as follows:
874	Aı	ticle II Temporary Securing Of Buildings
875	Pa	rt 1. Boarding Process
876		.48.090: Definitions
877		.48.100: Notice And Order To Temporarily Secure
878		.48.110: City Boarding Or Securing
879	18	.48.120: Boarding Permit Required

880	18.48.130: Boarding Permit Application
881	18.48.140: Initial Fees
882	18.48.150: Separate Salvage Permit Required
883	18.48.160: Completion Of Boarding
884	18.48.170: Boarding Without Permit
885	18.48.180: Yearly Fees
886	18.48.185: Posting Of Boarded Or Closed To Occupancy Buildings
887	18.48.090: DEFINITIONS:
888	
889	BOARDED BUILDING: A building in which all or some of the utilities have been
890	disconnected and all windows and doors are boarded against entry at the ground and second
891	level (if a second level exists). Entry doors may be locked or boarded and windows adjacent
892	to entry doors are boarded against entry.
893	
894	BOARDING: The secured covering of openings to a building or structure to prevent entrance
895	pursuant to the provisions and standards of this article due to the nonoccupancy of the
896	building or structure.
897	
898	CLOSED TO OCCUPANCY: A building in which no person may eat, sleep, live or
899	otherwise reside or occupy the building or any portion thereof. Buildings closed to
900	occupancy may only be entered by the owner, owner's agent or other authorized persons to
901	do repair work.
902	FINED CENTER COMPUTED IN CO.
903	EMERGENCY CONDITIONS: One or more conditions which exist in a building or on a
904	property that create a likelihood of imminent danger to life or safety if anyone were to enter
905	or occupy the property or building.
906	
907	UNBOARDED/UNSECURED BUILDING: A building whose window(s) and/or door(s) are
908	missing or broken and other openings are not secured against unauthorized persons entering
909	the building.
910	VACANTE/GEOURED DITH DING A 1 '11' 1 ' '11' A 1 A 1 A 1 A 1 A 1 A
911	VACANT/SECURED BUILDING: A building having utility meters that may be locked off
912	but the meters and service lines are in place. All windows are secured and glazed and the
913	doors are secured by means of a lock.
914	18.48.100: NOTICE AND ORDER TO TEMPORARILY SECURE:
915	10.40.100; NOTICE AIND ORDER TO TENIFORARIET SECURE:
916	A. If the director of housing and neighborhood development determines that a building
917	needs to be boarded, the director of housing and neighborhood development shall send a
918	notice by certified mail, return receipt requested, and regular mail, to the property owner
919	requiring the owner to board the building. The director of housing and neighborhood
920	development shall also, on the same day, post a notice on the property.

921 922	B. If, due to the existence of emergency conditions, as identified by the director of housing and neighborhood development, it is not possible or practical to give notice in advance,
923	the city may nevertheless board the building without giving prior notice to the owner or
924	occupant, but the city shall provide all required notices immediately following the
925	boarding of the building.
926	18.48.110: CITY BOARDING OR SECURING:
927	A. If, within the time specified in the notice and order, the property owner fails to comply
928	with the notice and order by taking out a permit to board the building pursuant to this
929	article, or apply for a stay pursuant to part 2 of this article, the city may cause the
930	property to be boarded.
931 932	B. If the director of housing and neighborhood development determines that emergency conditions exist, the city may board the building.
933	C. If the city boards a building, the city shall send the property owner a bill for:
934	1. The fees and charges for services which would otherwise have been charged for the
935	securing of a boarding permit pursuant to section 18.48.140 of this chapter;
936	2. The fee shown on the Salt Lake City consolidated fee schedule to partially recover the
937	city's costs in administering the boarding; and
938	3. The actual costs of the boarding incurred by the city.
939	18.48.120: BOARDING PERMIT REQUIRED:
940	
941	It is unlawful to board a building except pursuant to a permit issued under this article.
942	10 40 120 DO ADDING DEDMIT ADDITION
943	18.48.130: BOARDING PERMIT APPLICATION:
944	
945	Permits for boarding a building must be applied for on a form provided by the director of
946	housing and neighborhood development. The form shall specify the following:
947	A. The address of the structure to be boarded or temporarily secured;
948	B. The type of building;
949	C. For residential structures, the number of dwelling units;
950	D. For nonresidential buildings, the number of building square feet and the linear footage of
951	all building faces at ground level;

952 953	E. The name, address and telephone number of a person authorized to act as an agent for the owner for performing the owner's obligations under this article, who lives within forty (40) miles of Salt Lake City;
954	(40) times of Saft Lake City,
955	F. Whether the property has the required external water source for landscaping, if
956	landscaping is required; and
957	G. A description of the condition of the building and the landscaping of the surrounding
958	property.
959	18.48.140: INITIAL FEES:
960	
961 962	For the first year of any boarding, at the time of filing the application, the applicant shall pay the following fees:
963	A. The fee shown on the Salt Lake City consolidated fee schedule for each structure; and
964	B. A plumbing permit fee shown on the Salt Lake City consolidated fee schedule to install
965	the external irrigation hose bib, if required, and not already present.
966	18.48.150: SEPARATE SALVAGE PERMIT REQUIRED:
967	
968	If the property owner intends to salvage any of the structure or other building components,
969	hardware or equipment prior to or during the boarding, the property owner must secure a
970	salvage permit as otherwise required by law.
971	10 10 1 (A. COMPLETION OF BOARDING
972	18.48.160: COMPLETION OF BOARDING:
973	
974	Boarding must be completed within ten (10) days of the issuance of a permit.
975	18.48.170: BOARDING WITHOUT PERMIT:
976	D 1 1 1
977	Boarding a building before obtaining a permit pursuant to this article will require payment of
978	double the initial boarding application fee specified in subsection 18.48.140A of this chapter
979	or its successor.
980	10 40 100 MEADIN FEEC
981	18.48.180: YEARLY FEES:
982	
983	A. On or before each yearly anniversary of a boarding permit, a property owner desiring to
984	continue to board a building shall pay the annual boarding fee shown on the Salt Lake
985	City consolidated fee schedule.
986	B. A late fee of twenty five dollars (\$25.00) shall be assessed by the City for each thirty
987	(30) days, or any portion thereof, in which the annual fees have not been paid.

988	C. If the property owner fails to pay either the initial boarding fees or the annual boarding
989	fee, the City may take legal action to collect any amounts owed.
990	18.48.185: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:
991	
992	Whenever a building is boarded or closed to occupancy, the City shall be authorized to install
993	a sign to be mounted on the front facade of the building. The sign shall state that the building
994	is closed to occupancy and that it is unlawful for any unauthorized person to enter the
995	building. The sign shall also provide phone numbers to call if people are seen on the property
996	or if doors or windows are unsecured.
997	Part 2. Stays
998	18.48.190: Stays Authorized
999	18.48.200: Stay Process
1000	18.48.210: Actions During The Stay
1001	18.48.220: Work On Building Permit
1002	18.48.190; STAYS AUTHORIZED;
1003	
1004	The owner of any property which should be boarded pursuant to this article, either
1005	voluntarily by the owner or pursuant to a notice and order, may apply for a stay of the
1006	boarding requirement.
1007	18.48.200: STAY PROCESS:
1008	A. An owner seeking a stay shall obtain and complete the boarding application provided in
1009	section 18.48.130 of this article or its successor.
1010	B. The building official shall promptly inspect the building and render a determination, in
1011	writing, regarding the building's suitability for a stay.
1012	C. If the building official determines that the building is in such a condition as to pose an
1013	imminent danger of collapse or fire or is an attractive nuisance which creates a significant
1014	risk of transient occupancy or vandalism, the building official shall deny the request for a
1015	stay
1016	D. If the Director of Housing and Neighborhood Development denies a stay request, the
1017	building owner shall obtain a boarding or demolition permit within seven (7) days or the
1018	City may proceed to board the property pursuant to section 18.48.110 of this article, or its
1019	successor. In addition to the provisions of this section, the issuance of demolition permits
1020	in historic districts and landmark sites are subject to the provisions of
1021	subsection 21A.34.020K of this Code. In the event of a conflict between the provisions of
1022	this subsection and subsection 21 A 34 000K of this Code, the latter shall control

1023	E. If the Director of Housing and Neighborhood Development determines that a stay is
1024	appropriate, the Director of Housing and Neighborhood Development shall certify in
1025	writing that a stay of up to four (4) months has been issued.
1026	18.48.210: ACTIONS DURING THE STAY:
1027	A. Within the stay period, the building owner shall obtain either a boarding permit pursuant
1028	to this article or a building permit to rehabilitate the building.
1029	B. If the owner obtains a boarding permit, the owner shall, at that time, pay all the fees
1030	required pursuant to this article.
1031	C. If the owner obtains a building permit for rehabilitation, the owner shall not be required
1032	to pay the boarding application fee but shall pay, instead, the appropriate building permit
1033	fees.
1034	18.48.220: WORK ON BUILDING PERMIT:
1035	A. If an owner has obtained a stay pursuant to this article and subsequently secures a
1036	building permit for rehabilitation, work under the building permit must be begun within
1037	thirty (30) days of obtaining the permit and must be prosecuted to completion with
1038	reasonable diligence.
1039	B. If work under the building permit is not begun or pursued as required, the city may
1040	revoke the building permit without further notice and board the building as necessary.
1041	Part 3. Boarding Standards
1042	18.48.230: Method Of Securing Buildings
1043	18.48.240: Landscape Maintenance
1044	18.48.250: Exterior Maintenance
1045	18.48.260: Snow And Ice Removal
1046	18.48.270: City Maintenance Of Building
1047	18.48.280: City Maintenance Of Landscaping
1048	18.48.290: City Removal Of Snow
1049	18.48.230: METHOD OF SECURING BUILDINGS:
1050	
1051	All buildings shall be boarded in the following manner:
1052	A. All openings in the structure on the first two (2) floors, other openings easily accessible
1053	from the ground, and openings with broken glass, shall be secured either by erecting a
1054	single one-half inch (4/2") thick layer of plywood sheathing, or exterior grade chipboard,
1055	covering over all exterior openings, overlapping the opening on every edge by three

1056	inches (3"), nailed along the edges by eightpenny common nails spaced every six inches
1057	(6'');
1058	B. Alternately, the openings may be secured by conventional wood frame construction. The
1059	frames shall use wood study of a size not less than two inches by four inches (2" x 4")
1060	(nominal dimension) placed not more than twenty four inches (24") apart on center. The
1061	frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the
1062	face of the wall. Each side of the frame shall be covered with plywood or chipboard
1063	sheathing of at least one-half inch ($\frac{1}{2}$) thickness or equivalent lumber nailed over the
1064	opening by using eightpenny common nails spaced every six inches (6") on the outside
1065	edges and every twelve inches (12") along intermediate stud supports;
1066	C. All coverings shall be painted with the same color as the building or its trim; and
1067	D. Exterior doors shall be secured by a strong nonglass door adequately locked to preclude
1068	entry of unauthorized persons, or shall be covered as an opening described in subsection
1069	A or B of this section or successor sections.
1070	18.48.240: LANDSCAPE MAINTENANCE:
1071	
1072	Existing landscaping and lawn on the property shall be maintained in the manner otherwise
1073	required by law.
1074	
1075	18.48.250: EXTERIOR MAINTENANCE:
1076	A. The exterior of a boarded building shall be maintained as required by relevant
1077	requirements set forth in sections 18.50.140 to 18.50.230 of this title. In particular,
1078	exterior walls and surfaces shall be properly maintained and severely weathered, peeling,
1079	or unpainted wood and damaged siding and roofing shall be replaced or repaired with
1080	similar materials and colors.
1081	B. Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards,
1082	lumber, stones, bricks, marble, or similar materials within the interior of a boarded
1083	building shall not be salvaged except upon the issuance of a predemolition salvage permi
1084	as provided in section 18.64.070 of this title.
1085	C. If the owner of a boarded building fails to maintain the building and its premises as
1086	required by this section and section 18.64.045 of this title, the city may take appropriate
1087	legal action to enforce such requirements.
1088	18.48.260: SNOW AND ICE REMOVAL:
1089	
1090	Snow and ice must be removed from public sidewalk areas surrounding the property in the
1091	manner indicated in section 14.20.070 of this code.
1092	
1093	18.48.270: CITY MAINTENANCE OF BUILDING:

1094	A. If the director of housing and neighborhood development determines that a boarded
1095	building is not being maintained, the director of housing and neighborhood development
1096	shall send a notice to the property owner and/or the property owner's agent requiring
1097	compliance with the building maintenance standards within seven (7) days.
1098	B. If the director of housing and neighborhood development determines that the property
1099	owner has failed to comply with the notice and order, the city may cause the work to be
1100	done by a contractor employed by the city.
1101	C. The city shall bill the property owner:
1102	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1103	year to cover the city's administrative expenses in contracting for the building
1104	maintenance; and
1105	2. The actual cost of building maintenance billed to the city by the city's contractor.
1106	18.48.280: CITY MAINTENANCE OF LANDSCAPING:
1107	A. If the director of housing and neighborhood development determines that the
1108	landscaping on the property surrounding a boarded building is not being maintained as
1109	required by city code, the director of housing and neighborhood development shall send a
1110	notice to the property owner and/or the property owner's agent, requiring compliance
1111	with landscaping standards within seven (7) days.
1112	B. If the director of housing and neighborhood development determines that the property
1113	owner has failed to comply with the notice and order, the city may cause the work to be
1114	done by a contractor employed by the city.
1115	C. The city shall bill the property owner:
1116	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1117	year, to cover the city's administrative expenses in contracting for the landscaping
1118	maintenance; and
1119	2. The actual cost of landscaping maintenance billed to the city by the city's contractor.
1120	18.48.290: CITY REMOVAL OF SNOW:
1121	A. If the director of housing and neighborhood development determines that sidewalks
1122	adjacent to a boarded building are not having the snow removed as required by
1123	section 18.48.260 of this chapter or its successor, the director of housing and
1124	neighborhood development shall send a notice to the property owner and/or the property
1125	owner's agent, requiring snow from the present snowfall to be removed and notifying the
1126	property owner that if snow from a subsequent snowfall is not removed as required, the

1127	city will contract for the removal and charge the property owner, pursuant to this section
1128	or its successor.
1129	B. If the director of housing and neighborhood development determines that the property
1130	owner has failed to comply with the notice and order, the city may cause snow, during the
1131	winter, to be removed by a contractor employed by the city.
1132	C. The city shall bill the property owner:
1133	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1134	year, to cover the city's administrative expenses in contracting for snow removal; and
1135	2. The actual cost of snow removal billed to the city by the city's contractor.
1136	Part 4. Miscellaneous Provisions
1137	18.48.300: Appeal Process
1138	18.48.310: Legal Action Authorized
1139	18.48.320: Existing Boarded Properties
1140	18.48.325: Building Inspections Required
1141	18.48.300: APPEAL PROCESS:
1142	A. Any person aggrieved by the decision of the director of housing and neighborhood
1143	development may appeal the decision to the housing advisory and appeals board (HAAB)
1144	by filing a notice with HAAB within seven (7) days of the director of housing and
1145	neighborhood development's decision. The notice shall specify the basis for the appeal.
1146	B. An HAAB panel of at least three (3) HAAB members shall schedule a hearing not less
1147	than seven (7) days after the notice of appeal nor more than fourteen (14) days after the
1148	notice.
1149	C. HAAB shall notify the applicant and any appellant of the hearing and, at the hearing,
1150	shall take testimony and evidence.
1151	D. HAAB shall sustain the decision of the director of housing and neighborhood
1152	development unless HAAB finds that the director of housing and neighborhood
1153	development has failed to comply with the provisions of this article.
1154	E. Any person aggrieved by any decision of HAAB under this article may appeal such
1155	decision to the mayor within seven (7) days of HAAB's decision. The appeal shall
1156	specify any objection to HAAB's decision.
1157	F. The mayor, or the mayor's designated hearing officer, shall not take any additional
1158	evidence and shall consider the appeal only on the basis of the material presented to
1159	HAAB.

1160	G. The mayor, or the mayor's designated hearing officer, shall sustain the decision of
1161	HAAB, unless it appears that the decision of HAAB is not supported by any competent
1162	evidence or is arbitrary or capricious. If the mayor or the mayor's designated hearing
1163	officer does not reverse or otherwise modify the HAAB decision within seven (7) days
1164	after the matter is submitted, the HAAB decision shall be sustained.
1165	18.48.310: LEGAL ACTION AUTHORIZED:
1166	
1167	The city may take appropriate legal action to collect all unpaid fees or bills provided by this
1168	article.
1169	
1170	18.48.320: EXISTING BOARDED PROPERTIES:
1171 1172	A. The director of housing and neighborhood development shall take reasonable actions to notify the owners of buildings boarded as of the effective date hereof.
1173	B. The notice shall generally inform the property owner of the enactment of the ordinance
1174	codified herein and shall notify the owner that a permit is required for the boarded
1175	building.
1176	C. Owners of buildings boarded as of the effective date hereof shall apply for a permit no
1177	later than January 31, 1995.
1178	D. The permit for buildings boarded as of the effective date hereof shall be processed as a
1179	new permit pursuant to the provisions of section 18.48.130 of this chapter or its
1180	successor.
1181	E. To partially even the burden of processing applications, any owner of a building boarded
1182	as of the effective date hereof shall receive a discount of thirty percent (30%) of the fees
1183	required by section 18.48.140 of this chapter or its successor, if the owner applies for a
1184	permit prior to October 31, 1994.
1185	18.48.325: BUILDING INSPECTIONS REQUIRED:
1186	10.10.020. Bellipling in the Bellion to the gentlip.
1187	Whenever a property owner, manager or tenant intends to clean, repair, renovate, reopen or
1188	reoccupy a building that has been boarded, the building is to be inspected and a permit must
1189	be issued by the Salt Lake City building services and licensing division prior to the building
1190	owner, manager or tenant initiating any of the above actions. Any person conducting any
1191	work on a building that has been boarded or closed to occupancy must have a copy of the
1192	permit on the site at all times. Any person conducting work without a permit on the site, will
1193	be evicted from the premises.
1194	•
1195	Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS
1196	
1197	18.48.200: SCOPE AND APPLICABILITY:
1198	18.48.205: BOARDING PERMIT:

1199	18.48.210: INITIAL FEES:
1200	18.48.215: YEARLY FEES:
1201	18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:
1202	18.48.225: METHOD OF SECURING BUILDINGS:
1203	18.48.230: LANDSCAPE MAINTENANCE:
1204	18.48.235: EXTERIOR MAINTENANCE:
1205	18.48.240: SNOW AND ICE REMOVAL:
1206	18.48.245: CITY MAINTENANCE OF PROPERTY:
1207	18.48.250: CITY MAINTENANCE OF LANDSCAPING:
1208	18.48.255: LEGAL ACTION AUTHORIZED:
1209	18.48.260: BUILDING INSPECTIONS REQUIRED:
1210	
1211	
1212	18.48.200: SCOPE AND APPLICABILITY:
1213	
1214	The provisions of this article apply to any person or entity who is ordered to board a building
1215	under Article I and any person or entity who voluntarily boards a building.
1216	
1217	18.48.205: BOARDING PERMIT:
1218	
1219	A. Permit Required: A permit is required to board a building. In the case where the city
1220	causes the boarding work to be done pursuant to Section 18.48.245, the city is not
1221	required to obtain a boarding permit.
1222	
1223	B. Form of Permit: Permits for boarding a building must be applied for on a form provided
1224	by the building official or designee. The form shall specify the following:
1225	
1226	1. The address of the structure to be boarded or temporarily secured;
1227	
1228	2. The type of building;
1229	_
1230	3. For residential structures, the number of dwelling units;
1231	<u></u> ,
1232	4. For nonresidential buildings, the number of square feet of all building faces at ground
1233	level;
1234	20.03,
1235	5. The name, address, and telephone number of a person authorized to act as an agent
1236	for the owner for performing the owner's obligations under this article, who lives
1237	within forty (40) miles of Salt Lake City; and
1238	1010) (10) Illies of Salv Dalle Sity, alla
1239	6. Whether the property has the required external water source for landscaping, if
1240	landscaping is required.
1240	interesting is required.
エケユエ	

18.48.210: INITIAL FEES:

1244	For the first year of any boarding, at the time of filing the application, the applicant shall pay
1245	the fees shown on the Salt Lake City consolidated fee schedule for each structure.
1246	
1247	<u>18.48.215: YEARLY FEES:</u>
1248	
1249	A. Annual Fee: On or before each yearly anniversary of the issuance of a boarding permit, a
1250	property owner desiring to maintain a boarded building shall pay the annual boarding fee
1251	shown on the Salt Lake City consolidated fee schedule.
1252	
1253	B. Late Fee: A late fee of twenty five dollars (\$25.00) shall be assessed by the city for each
1254	thirty (30) days, or any portion thereof, in which the annual fees have not been paid up to
1255	amounts allowed by state law.
1256	
1257	C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this
1258	article shall result in a fine of up to twenty five percent (25%) of the boarding application
1259	fee specified in the Salt Lake City consolidated fee schedule.
1260	
1261	D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or
1262	the annual boarding fees, the city may take legal action to collect any amounts owed.
1263	10.40.400 BOOTHNG OF BOARDED OD OF OCCUPANCY DITH DINGS
1264	18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:
1265	When some havilding is bounded an along the common or the city shall be such asigned to install
1266	Whenever a building is boarded or closed to occupancy, the city shall be authorized to install
1267	a sign to be mounted on the exterior of the building. The sign shall state that the building is
1268	closed to occupancy and that it is unlawful for any unauthorized person to enter the building. The sign shall also provide phone numbers to call if people are seen on the property or if
1269	doors or windows are unsecured.
1270 1271	doors of windows are unsecured.
1271	18.48.225: METHOD OF SECURING BUILDINGS:
1272	10.40.223. METHOD OF SECURING DUILDINGS.
1273	All buildings shall be boarded in the following manner:
1275	Till buildings shall be bourded in the following mainter.
1276	A. Securing Opening: All openings in the structure on the first floor, other openings easily
1277	accessible from the ground, and openings with broken glass, shall be secured either by
1278	erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar
1279	material, not to include chipboard/OSB, covering over all exterior openings, overlapping
1280	the opening on every edge by three inches (3"), affixed along the edges by nails or screws
1281	spaced every six inches (6").
1282	
1283	B. Alternatives to Securing Openings: Alternately, the openings may be secured by
1284	conventional wood frame construction. The frames shall use wood study of a size not less
1285	than two inches by four inches (2" x 4") (nominal dimension) placed not more than
1286	twenty four inches (24") apart on center. The frame stud shall have the four inch (4")
1287	sides or the wide dimension perpendicular to the face of the wall. Each side of the frame
1288	shall be covered with plywood sheathing or similar material of at least one-half inch
1289	(1/2") thickness or equivalent lumber nailed over the opening by using nails or screws

1290 1291 1292	spaced every six inches (6") on the outside edges and every twelve inches (12") along intermediate stud supports; and
1293 1294 1295	C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately locked to preclude entry of unauthorized persons, or shall be covered as an opening described in Subsection A or B of this section or successor sections.
	18.48.230: LANDSCAPE MAINTENANCE:
1300	Existing landscaping and lawn on the property shall be maintained in the manner otherwise required by Chapters 9.16 and 21A.48.
	18.48.235: EXTERIOR MAINTENANCE:
1303 1304 1305 1306 1307 1308 1309	A. Exterior of Building: The exterior of a boarded building shall be maintained as required by relevant requirements set forth in Section 18.50.140 of this title. In particular, exterior walls and surfaces shall be properly maintained and severely weathered, peeling, or unpainted wood and damaged siding and roofing shall be replaced or repaired with similar materials and colors.
	B. Salvage Permit Required: Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials within the interior of a boarded building shall not be salvaged except upon the issuance of a permit as provided in Section 18.64.070 of this title.
1315 1316 1317 1318	C. Enforcement of Exterior Maintenance Requirements: If the owner of a boarded building fails to maintain the building and its premises as required by this section and Section 18.64.045 of this title, the city may take appropriate legal action to enforce such requirements.
	18.48.240: SNOW AND ICE REMOVAL:
	Snow and ice must be removed from public sidewalk areas surrounding the boarded property in the manner indicated in Section 14.20.070 of this code.
	18.48.245: CITY MAINTENANCE OF PROPERTY:
	A. Notice: If the building official or the building official's designee determines that a boarded building and/or property is not being maintained, the building official or the building official's designee shall send a notice to the property owner and/or the property owner's agent requiring compliance with the building maintenance standards as required in city code.
	B. Failure to Comply with Notice: If the building official or designee determines that the property owner has failed to comply with the notice, the city may cause the work to be done by a contractor hired by the city.

1336	
1337	C. City's Recovery of Costs: The city shall bill the property owner:
1338	
1339	1. The administrative fee shown on the Salt Lake City consolidated fee schedule to
1340	cover the city's administrative expenses in contracting for the building maintenance;
1341	and
1342	
1343	2. The actual cost of building maintenance billed to the city by the city's contractor.
1344	
1345	18.48.250: CITY MAINTENANCE OF LANDSCAPING:
1346	
1347	If the building official or the building official's designee determines that the landscaping on
1348	the property surrounding a boarded building is not being maintained as required by city code,
1349	the building official or the building official's designee shall follow the notice of violation and
1350	corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.
1351	
1352	18.48.255: LEGAL ACTION AUTHORIZED:
1353	
1354	The city may recover any costs it incurs in for enforcing the provisions of this title, as set
1355	forth in city code.
1356	
1357	18.48.260: BUILDING INSPECTIONS REQUIRED:
1358	
1359	Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or
1360	reoccupy a building that has been boarded, the building is to be inspected by the building
1361	official or designee and a permit must be issued by building services or its successor prior to
1362	the building owner, manager, or tenant initiating any of the above actions. Any person
1363	conducting any work on a building that has been boarded or closed to occupancy must have a
1364	valid building permit at all times.
1365	
1366	
1367	SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,
1368	Article III. That Chapter 18.48, Article III, of the Salt Lake City Code (Buildings and
1369	Construction: Dangerous Buildings: Emergency Demolition) shall be and hereby is repealed in
1370	its entirety and moved to Chapter 18.64 as provided in Section 5 herein.
1371	Article III. Emergency Demolition
1372	18.48.330: Purpose
1373	18.48.340: Emergency Demolitions Applicability
1374	18.48.350: Immediate City Demolition
1375	18.48.360: Level 3 Emergencies

1376	18.48.370: Bill For Costs; Collection
1377	18.48.330: PURPOSE:
1378	
1379	Notwithstanding the other provisions of this chapter, the UCADB, the process for
1380	demolishing buildings in an emergency situation, shall be as provided by this article.
1381	
1382	18.48.340: EMERGENCY DEMOLITIONS APPLICABILITY:
1383	
1384	If the building official determines that the walls or roof of a building or structure are
1385	collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to
1386	fall on other structures, property or public rights of way, or create a danger to persons who
1387	may enter the property, or create a danger of fire, the building official may seek an order that
1388	the building should be demolished pursuant to this article.
1389	
1390	18.48.350: IMMEDIATE CITY DEMOLITION:
1391	A. If the building official determines that demolition should be begun immediately, the
1392	building official shall schedule an emergency meeting of the housing advisory and
1393	appeals board (HAAB) as soon as practical.
1394	B. The director of housing and neighborhood development shall make reasonable efforts to
1395	notify the recorded property owner, all HAAB members, the historic landmark
1396	commission staff person, the city council member and the chairperson of the
1397	neighborhood council recognized pursuant to title 2, chapter 2.60 of this code in which
1398	the property is located.
1399	C. At least three (3) HAAB members, and any others available, shall attend the emergency
1400	meeting to consider the immediate demolition.
1401	D. The emergency HAAB meeting shall hear any evidence or testimony regarding the
1402	immediate demolition and shall determine whether immediate demolition is appropriate
1403	under the standards of section 18.48.340 of this chapter or its successor.
1404	E. If the emergency HAAB meeting authorizes immediate demolition, and the property
1405	owner was present or represented at the emergency HAAB meeting, the property owner
1406	shall have twenty four (24) hours in which to have a licensed contractor take out a permit
1407	for the demolition. Work under any such permit shall be commenced within twenty four
1408	(24) hours of the permit's issuance. Within twenty four (24) hours of the start of the
1409	work, the property shall be secured to prevent entry and the structure demolished so that
1410	no part of the structure is in imminent danger of collapsing in such a way as to fall on
1411	other structures, property or public rights of way, or create a danger of fire. Work under
1412	the demolition permit shall be completed within seven (7) days of the permit's issuance.

1413	F. If the property owner was unrepresented at the emergency HAAB meeting, or the
1414	property owner fails to proceed with the demolition pursuant to the requirements of
1415	subsection E of this section or its successor, the city may contract with a licensed
1416	demolition contractor to demolish the building.
1417	G. If HAAB does not authorize the immediate demolition, the building official may appeal
1418	such a denial on an expedited basis to the mayor.
1419	1. All parties specified in subsection B of this section, or its successor, shall be notified
1420	of the appeal hearing before the mayor or the mayor's designee.
1421	2. The mayor, or the mayor's designee, shall hear evidence regarding the immediate
1422	demolition.
1423	H. If the mayor or the mayor's designee authorizes immediate demolition under the
1424	standards of section 18.48.340 of this chapter, or its successor, the provisions of
1425	subsections E and F of this section, or their successors, shall apply.
1426	18.48.360: LEVEL 3 EMERGENCIES:
1427	
1428	If the mayor has declared a level 3 emergency, the notification and hearing provisions of
1429	section 18.48.350 of this chapter, or its successor, shall be waived and the building official
1430	may immediately secure the demolition of any structure which meets the standards of
1431	section 18.48.340 of this chapter or its successor.
1432	•
1433	18.48.370: BILL FOR COSTS; COLLECTION:
1434	A. Upon the completion of any city demolition pursuant to this article, the city shall mail a
1435	bill to the property owner for the city's costs of demolition which shall include the cost of
1436	the demolition contractor and a reasonable amount to pay the costs of city personnel
1437	involved in the demolition.
1438	B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the
1439	bill.
1440	
1441	
1442	SECTION 5. Amending the Text of Salt Lake City Code Section 18.64. That Section
1443	18.64, of the Salt Lake City Code (Buildings and Construction: Demolition) shall be amended to
1444	read as follows:
1445	Article I. Demolition
1446	
1447	18.64.005: PURPOSE AND INTENT:
1448	18.64.010: PERMIT REQUIRED:
4 T TO	TOTO HOLD I DE CONTROL

1449	18.64.020: APPLICATION AND PERMIT:
1450	18.64.030: FEES AND SIGNATURE , BOND :
1451	18.64.040: ISSUANCE OF DEMOLITIONPERMIT:
1452	18.64.045: DEMOLITION BY NEGLECT:
1453	18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:
1454	18.64.070: PREDEMOLITION SALVAGE PERMITS:
1455	18.64.080: EXPIRATION; DILIGENCE:
1456	18.64.090: QUALIFICATIONS TO DO WORK:
1457	18.64.100: DEMOLITION REQUIREMENTS:
1458	18.64.110: RELATIOSHIPTO OTHER ORDINANCE:
1459	18.64.120: VIOLATIONS:
1460	
1461	18.64.005: PURPOSE AND INTENT:
1462	A. The purpose of the provisions in this chapter is to:
1463	1. Promote the public welfare by maintaining the integrity and continuity of the urban
1464	fabric and economic vitality;
1465	2. Provide an orderly and predictable process for demolition of buildings and structures
1466	when appropriate;
1467	3. Ensure demolition occurs safely;
1468	4. Protect utilities and other infrastructure from damage during demolition;
1469	5. Provide for enforcement of timely completion of demolition and for improvement of
1470	property following demolition to ensure the site is not detrimental to the use and
1471	enjoyment of surrounding property;
1472	6. Provide for enforcement and maintenance of property to avoid purposeful demolition
1473	by neglect; and
1474	7. Encourage preservation of the city's housing stock where appropriate.
1475	B. A primary intent of the city council with respect to this chapter is to avoid promote
1476	responsible re-use of existing housing stock where practical and provide an orderly
1477	process for demolition, where it is not practical or partial demolition, of buildings in a
1478	manner that disrupts the character and development pattern of established neighborhood
1479	and business areas cost efficient to rebuild/reuse. Accordingly, the council finds that it is
1480	in the public interest to
1481	1. Rrequire existing buildings to be maintained in a habitable condition manner that
1482	does not constitute a public nuisance until replaced by new construction, except as
1483	otherwise permitted by this code.

1484	2. Avoid demolition of existing structures until a complete building permit application is
1485	submitted for new construction, except as otherwise provided in this chapter; and
1486	3. Avoid creation of vacant demolition sites with minimal or no landscaping or other
1487	improvements.
1488	
1489	18.64.010: PERMIT REQUIRED:
1490	
1491	It is unlawful to demolish any building or structure in the city, or cause the same to be
1492	demolished, without first obtaining a permit for demolition of each such building or structure
1493	from the city building official as provided in this chapter.
1494	
1495	18.64.020: APPLICATION FOR PERMIT
1496	
1497 1498	To obtain a permit for demolition, an applicant shall submit an application in writing on a form furnished by the building official for that purpose. Each application shall:
1499	A. Identify and describe the type of work to be performed under the permit;
1500	B. State the address of the structure or building to be demolished;
1501	C. Describe the building or structure to be demolished including the type of use, type of
1502	building construction, size and square footage, number of stories, and number of
1503	residential dwelling units (if any);
1504	D. Indicate the method and location of demolished material disposal;
1505	E. Identify the approximate date of commencement and completion of demolition;
1506	F. Indicate if fences, barricades, scaffolds or other protections are required by any city code
1507	for the demolition and, if so, their proposed location and compliance;
1508	
1509	G. State whether fill material will be required to restore the site to level grade after
1510	demolition and, if required, the approximate amount of fill material;
1511	
1512	H. If the building or structure to be demolished contains any dwelling units, state whether
1513	any of the dwelling units are presently occupied; and
1514	
1515	I. State the proposed use of the premises following demolition. If new construction is
1516	proposed following demolition, state the anticipated start date and whether any
1517	development applications have been submitted to and/or approved by the city.
1518	
1519	18.64.030: FEES AND SIGNATURE , BOND :

1520 1521 1522	A. The permit application shall be signed by the party or the party's authorized agent requesting the permit. A signature on the permit application constitutes a certification by the signee that the information contained in the application is true and correct.
1523 1524	B. The fee for a demolition permit application shall be as shown on the Salt Lake City consolidated fee schedule.
1524	consolidated fee schedule.
1525	C. An additional fee for the cost of inspecting the property to determine compliance with the
1526	requirements of this chapter and to assure the property is kept free of weeds and junk
1527	materials shall be collected in the amount shown on the Salt Lake City consolidated fee
1528	schedule.
1529	D. Except as otherwise permitted under this chapter, a performance bond shall be provided
1530	prior to issuance of a demolition permit. The bond amount shall be determined by the
1531	building official and shall be sufficient to ensure abatement of potential impacts to public
1532	health and safety, including environmental impacts resulting from demolition, general
1533	cleanup of the demolition site, and installation and maintenance of landscaping if
1534	landscaping is required under this chapter.
1535	1. The form of the bond shall be approved by the city attorney or designee and may
1536	include any commercially reasonable method of bonding.
1537	2. The building official may require adjustment of bond amount if the scope of work
1538	changes after demolition work has begun.
1539	3. If the applicant fails to comply with provisions of the demolition permit and the city
1540	has any unreimbursed cost resulting from such failure, the building official or
1541	designee may call on the bond for reimbursement. After such cost has been finally
1542	determined, if the amount of the bond exceeds such cost, the remainder shall be
1543	released to the applicant. If the amount of the bond is less than the cost incurred by
1544	the city, the applicant shall be liable to the city for the difference in cost.
1545	4. The bond shall remain in place until all required work is complete, final inspection
1546	has been approved, and a building permit for new construction on the subject property
1547	has been approved by the city.
1548	
1549	18.64.040: ISSUANCE OF DEMOLITION PERMIT:
1550	A. Except as otherwise provided in subsection D of this section, a A demolition permit shall
1551	may be issued only upon compliance with subsection B of this section, if applicable, and
1552	if:
1553	1. A complete building permit completion of an application for a use replacing the
1554	demolished building or structure has been submitted to the building services and
1555	licensing division; or

1556 1557	2. The in accordance with Section 18.64.020 herein; or the chief building official or fire marshal orders immediate demolition:
1558 1559	1. Due to an emergency as provided in chapter 18.48 of Chapter 18.64, Article II of this title; or
1560 1561	 Because the premises have been damaged beyond repair because of a natural disaster fire, or other similar event; or
1562 1563 1564	3. The chief building official or fire marshal authorizes immediate demolition because clearing of land is necessary to remove a nuisance as defined in section this code or Section 76-10-801 et seq., Utah Code or its successor.
1565 1566 1567 1568	4. a. The chief building official or Fire Marshal may request that an administrative committee, appointed by the Mayor, render an opinion regarding whether a particular building or structure should be demolished pursuant to the provisions of subsection A2 of A3 of this section.
1569 1570 1571 1572	b. If a committee demolition opinion is requested, information regarding the factual and legal basis for determining the propriety of the request shall be provided to the committee. The property owner shall be notified of the opinion request and may submit any information to the committee deemed relevant by the owner.
1573 1574 1575 1576	c. If after considering the factual and legal information provided, the committee recommends the building or structure should be demolished, the chief building official or Fire Marshal, as the case may be, shall consider such information in determining whether to authorize demolition.
1577 1578 1579 1580 1581	B. Except as provided in subsection B1 of this section, unless a building permit has been issued for one or more new buildings or structures located on the same site as the demolished building or structure, within thirty (30) days after demolition is completed, landscaping shall be installed on the property according to the standards set forth in subsection 21A.48.100D2 of this Code.
1582 1583	1. A bond for landscaping shall not be required when a single-family dwelling is demolished and will be replaced by a new single-family dwelling.
1584 1585	2. This subsection B shall apply regardless of the zoning district in which the subject property is located and any contrary provision in title 21A of this Code.
1586 1587	3. Timely and proper installation and maintenance of landscaping shall be assured by a bond filed with the City as provided in section 18.64.030D of this chapter.
1588 1589	4. Required landscaping shall remain in place and shall be maintained until new construction is commenced on the subject property and may be removed to facilitate

1590	such construction. Thereafter, replacement landscaping shall be installed as may be
1591	required by this Code.
1592	5. A park strip abutting the subject property shall be maintained as provided in
1593	section 21A.48.060 of this Code or its successor.
1594	6. Notwithstanding the thirty (30) day requirement in this subsection B, installation of
1595	landscaping may be delayed due to weather conditions so long as landscaping is
1596	completed within six (6) months after demolition and the property owner escrows
1597	funds sufficient to assure installation of landscaping as determined by the Building
1598	Services and Licensing Division.
1599	C. 1. Except as otherwise provided in section 18.64.050 of this chapter, if one or more
1600	dwelling units located in a residential zone, whether or not occupied, will be removed
1601	under a demolition permit, a housing mitigation plan shall be prepared as required in
1602	chapter 18.97 of this title prior to issuance of the permit.
1603	2B. If proposed demolition involves a landmark site, a contributing principal building;
1604	structure, or a structure located in a the H Historic Preservation Overlay District, as
1605	provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall
1606	be issued only upon compliance with applicable provisions of that section or its
1607	successor.
1608	D. 1. Notwithstanding contrary provisions of this section, a demolition permit for a building
1609	or structure may be issued if the Community Development Director certifies that the land
1610	on which the building or structure is located:
1611	a. Is subject to a Master Plan that envisions redevelopment of the land unless
1612	removal of the building or structure is inconsistent with the Master Plan;
1613	b. Is being assembled for redevelopment purposes; and
1614	c. Is part of a larger area being joined to create one or more larger parcels of
1615	developable land in order to implement the Master Plan.
1616	2. If a building permit for new construction is not issued within eighteen (18) months
1617	after demolition occurs pursuant to subsection D1 of this section, landscaping shall be
1618	installed as provided in subsection B of this section.
1619	
1620	18.64.045: DEMOLITION BY NEGLECT:
1621	A. Except as otherwise provided in subsection B of this section, a property owner shall not
1622	neglect a building or structure to the point that the building or structure fails to
1623	substantially conform to applicable standards of the state construction code and
1624	sections 18.50.140 to 18.50.230 of this title.

1625 1626	B. 1. The owner of a boarded building shall maintain the exterior of the building as provided in sSection 18.48.2505, "Exterior Maintenance", of this title or its successor.		
1627 1628		2. The interior of a boarded building shall not be subject to the provisions of subsection A of this section but shall be maintained as provided in section 18.48.250 of this title.	
1629 1630	18	.64.050: RESIDENTIAL DEMOLITION PROVISIONS:	
1631	10	WWW. RESIDENTIAL DENIGERATOR (TRO VISIONA)	
1632	Α.	Except as provided in <u>sSubsection</u> B of this section, if the structure for which a	
1633		demolition permit is sought contains one or more dwelling units, whether or not	
1634	occupied, the building official shall consider the impact of the requested demolition on the housing stock of Salt Lake City pursuant to the provisions of this section.		
1635 1636			
1637	B	This section shall not apply to any housing which:	
1638	ъ.	This section shall not apply to any nousing which.	
1639		1. Is a nonconforming use as provided by relevant provisions of <u>*Title 21A</u> , "Zoning",	
1640		of this code; or	
1641			
1642		2. Is located on property for which an applicable master plan or the current zoning	
1643		envisions exclusive nonresidential use; or	
1644			
1645		3.	
1646		a. Is proposed to be demolished for health or safety reasons as provided in this	
1647		section 18.64.045 of this chapter or chapter 18.48 of this title or their its	
1648		successors.	
1649			
1650		b. Notwithstanding <u>sSubsection B.3.a</u> of this section, housing which is demolished	
1651		for health or safety reasons, which is the result of neglect pursuant to <u>s</u> Section	
1652		18.64.045 of this chapter, shall be subject to the provisions of this section.	
1653	\boldsymbol{C}		
1654	C.	The building official, within ten (10) days after receipt of a demolition permit application, shall determine whether the requested demolition will result in:	
1655 1656		application, shall determine whether the requested demontion will result in.	
1657		1. Construction of one or more residential units with a net loss of one or more dwelling	
1658		units; or	
1659		diffus, or	
1660		2. No net loss of dwelling units will occur due to the anticipated construction of new	
1661		dwelling units pursuant to an approved and issued building permit for the premises	
1662		where the demolition will occur.	
1663			
1664	D.		
1665		1. If <u>sSubsection C.2</u> of this section applies, the building official shall issue a finding of	
1666		no residential impact and the demolition permit may be issued.	
1667			

1668 1669		2. If <u>sSubsection C.1</u> of this section applies, the building official shall issue a finding of residential impact.			
1670		1			
1671	E.	Upon making a finding of residential impact, the building official shall mail written			
1672		notice to follow the owners and residents of property located within six hundred feet			
1673		(600') from procedures outlined in Chapter 18.97. Once the property line of fee is paid,			
1674		the lot where the proposed demolition work will take place as shown on the last equalized			
1675		property tax assessment roll. Notice shall also permit may be mailed to any affected			
1676		community organization recognized pursuant to section 2.60.040 of this code. The notice			
1677		shall specify: issued immediately upon completion of the application process in Section			
1678		18.64.020.			
1679		10.04.020.			
1680		1. The property proposed for demolition,			
		2. The proposed replacement use,			
1681					
1682		3. The proposed housing mitigation plan, 4. The basis for the finding of residential impact, and			
1683		4. The basis for the finding of residential impact, and			
1684		5. The date and time of a hearing before the housing advisory and appeals board.			
1685	г				
1686	F.				
1687		1. To allow time for effective consideration by the notified parties, the hearing before			
1688		the HAAB shall take place not less than thirty (30) days after the finding of			
1689		residential impact issued by the building official and not more than sixty (60) days			
1690		after the finding.			
1691					
1692		2. The HAAB shall take evidence from the applicant and all interested parties regarding:			
1693					
1694		a. The effect of the proposed demolition and replacement use plan on:			
1695					
1696		(1) The city's housing stock,			
1697		(2) The city's employment and economic base,			
1698		(3) The character of the neighborhood where the subject property is located,			
1699		(4) The city's master plans for the area,			
1700		(5) The city's adopted housing policy, and			
1701		(6) Any other policy adopted by the city which applies to the subject property;			
1702		b. The cost and economic practicality of repairing or remodeling the structure			
1703		proposed for demolition to comply with zoning requirements and with building			
1704		and housing codes; and			
1705		c. The proposed method of housing mitigation, including the factual basis upon			
1706		which the housing mitigation plan is premised and justified.			
1707		maner are no acting mining promised and Jaconica.			
1707		3. The HAAB may encourage an applicant to work with the city and interested parties to			
1709		repair, remodel, preserve, or increase the city's housing stock.			
1710		repair, remoder, preserve, or merease the erry's housing stock.			
		4. The HAAB shall issue its decision not more than ten (10) days after the hearing.			
1711		The 111 to 5 shall issue its decision not more than tell (10) days after the flearing.			
1712	G.				
1713	₩.				

1714	1. Notwithstanding the acceptability of a housing mitigation plan, the HAAB may order
1715	that a demolition permit not be issued for an additional period not to exceed six (6)
1716	months to allow the city and interested parties time to make further attempts to
1717	preserve the housing stock if the HAAB finds:
1718	
1719	a. The proposed demolition and replacement use plan are likely to:
1720	
1721	(1) Adversely impact the city's housing stock and character of the neighborhood;
1722	and
1723	(2) Such impact is not outweighed by any positive effects on the city's economic
1724	and employment base; and
1725	
1726	b. The structure proposed for demolition is economically practical to repair or
1727	remodel to comply with zoning requirements and building and housing codes.
1728	
1729	2. After any additional time period ordered by the HAAB has expired, the requested
1730	permit shall be immediately issued subject to compliance with the housing mitigation
1731	plan.
1732	
1733	3. If the HAAB does not make the findings required by this subsection G, the
1734	demolition permit shall be issued ten (10) days after the HAAB decision.
1735	
1736	II.
1737	1. The applicant or any person or entity required to be notified of the demolition
1738	pursuant to subsection E of this section, if aggrieved by the HAAB decision, may
1739	appeal to the mayor by filing a written notice specifying the grounds for such an
1740	appeal within ten (10) days of the HAAB decision.
1741	
1742	2. Any other party identified in subsection H1 of this section may respond to the appeal
1743	in writing within ten (10) days of the appeal.
1744	
1745	3. The mayor or the mayor's designee shall consider the appeal on the written record
1746	and shall issue a decision within ten (10) days of the close of any written submissions.
1747	Such decision shall be based on the criteria set forth in subsection F of this section
1748	and may be appealed within ten (10) days to a court of competent jurisdiction.
1749	
1750	18.64.070: PREDEMOLITION SALVAGE PERMITS:
1751	

- A. A predemolition salvage permit shall be required for removal of doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials on the exterior or interior of any building prior to demolition of the structure. A predemolition salvage permit may be issued only contemporaneously with, or after, city approval of:
 - 1. A building permit for new construction on the premises following demolition, or

1759 1760		2. A demolition permit.			
1761	В.	B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidate			
1762		fee schedule.			
1763	10	CARROL EVEN ATION DAY ICENCE			
1764	18	.64.080: EXPIRATION; DILIGENCE:			
1765					
1766	A.	A demolition permit shall expire forty five (45) calendar days from the date of issuance,			
1767	unless a completion date allowing more time is requested and approved by the building				
1768		official at the time of application. A demolition permit may be renewed upon request			
1769		prior to expiration with approval of the building official for one-half (1/2) of the original			
1770		permit fee, provided continuous progress is being made. If a permit is allowed to expire			
1771		without prior renewal, any subsequent request for reinstatement shall be accompanied by			
1772		a reinstatement fee equal to the original demolition permit fee.			
1773	В.	Once demolition has begun pursuant to a demolition permit, the permit holder shall			
1774		diligently pursue completion of the work authorized thereunder. If such work is not			
1775		diligently pursued the city may declare the bond required under subsection 18.64.030D of			
1776	this chapter to be forfeited and may use the proceeds to finish demolition as provided in				
1777		such section.			
1778					
1779	18	.64.090: QUALIFICATIONS TO DO WORK:			
1780					
1781	A.	It shall be unlawful for demolition work permitted under this chapter to be performed			
1782		except by a wrecking and demolition contractor having a license in good standing issued			
1783		by the $\underline{d}\underline{D}$ ivision of $\underline{\Theta}$ ccupational and $\underline{p}\underline{P}$ rofessional $\underline{l}\underline{L}$ icensing in the Utah $\underline{d}\underline{D}$ epartment			
1784		of eCommerce.			
1785					
1786	В.	Salvage work under a predemolition salvage permit may be done without a contractor's			
1787		license provided all other applicable conditions of this chapter are met.			
1788					
1789	18	.64.100: DEMOLITION REQUIREMENTS:			
1790					
1791	A.	Prior to the commencement of any demolition or moving, the permittee shall plug all			
1792		sewer laterals at or near sidewalk lines as staked out by the department of public utilities.			
1793		No excavation shall be covered until such plugging is approved by the department or by			
1794		the building official. The permittee shall further ensure all utility services to the structure			
1795		and/or premises have been shut off and meters removed prior to commencement of			
1796		demolition work.			
1797					
1798	B.	When the applicant indicates the demolition will require more than thirty (30) days to			
1799		complete, and where required by the building official for the safety of the public, the			

applicant shall also provide plans to fence the demolition site so that it is inaccessible to

unauthorized persons in a manner acceptable to the building official. The building official

1800

1802		may waive the fencing requirement if it is determined that fencing would be		
1803		inappropriate or unnecessary to protect safety or health.		
1804				
1805	C.	A permit for demolition shall require that all materials comprising part of the existing		
1806		structure(s), including the foundation and footings, be removed from the site. Unless		
1807		otherwise approved under a building permit for redevelopment of the site, the depression		
1808		caused by the removal of such debris shall be filled back and compacted to the original		
1809		grade, as approved by the building official, with fill material excluding detrimental		
1810		amounts of organic material or large dimension nonorganic material.		
1811				
1812	D.	Permitted demolition work, including filling and leveling back to grade and removal of		
1813		required pedestrian walkways and fences, shall be completed within the permit period		
1814		unless the building official finds that any part of the foundation of building or site will		
1815		form an integral part of a new structure to be erected on the same site for which plans		
1816		have already been approved by the building services and licensing division. In such		
1817		event, the building official may approve plans for appropriate adjustments to the		
1818		completion time and may impose reasonable conditions including the posting of a bond,		
1819		erection of fences, securing, or similar preventions to ensure the site does not create a		
1820		hazard after the demolition is completed.		
1821				
1822	18	.64.110: RELATIONSHIP TO OTHER ORDINANCE:		
1823				
1824	Pro	Provisions of this chapter shall be subordinate to any contrary specific provisions of $\underline{\mathbf{t}}$ itle		
1825	21.	A, eChapter 21A.34 of this code, dealing with demolition in historic districts, or its		
1826	successor.			
1827				
1828	18.64.120: VIOLATIONS:			
1829				
1830	A.	It is unlawful for the owner of a building or structure to violate the provisions of this		
1831		chapter. Each day a violation occurs shall be a separate offense.		
1832	ъ			
1833	В.	Violation of the provisions of this chapter is punishable as a class B misdemeanor or by		
1834		imposing a civil penalty as provided in <u>sSection 21A.20.010</u> et seq., of this code.		
1835				
1836		SECTION 6. Enacting the Text of Salt Lake City Code Section Chapter 18.64, Article		
1837	II. Tha	at Section 18.64, Article II, of the Salt Lake City Code is enacted to read as follows:		
1838	<u>Ar</u>	ticle II. Emergency Demolition		
1839	10	(4.120. DUDDOCE.		
1840		.64.130: PURPOSE:		
1841		.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:		
1842				
1843		.64.160: EMERGENCY DEMOLITION:		
1844	10	.64.170: BILL FOR COSTS; COLLECTION:		

1845			
1846	18.64.130: PURPOSE:		
1847			
1848	Notwithstanding the other provisions of this chapter, the process for demolishing buildings in		
1849	an emergency situation shall be as provided by this article.		
1850			
1851	18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:		
1852			
1853	If the building official determines that the walls or roof of a building or structure are		
1854	collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to		
1855	fall on other structures, property, or public rights of way, or create a danger to persons who		
1856	may enter the property, or create a danger of fire, the building official may issue an order that		
1857	the building should be demolished pursuant to this article.		
1858 1859			
1860	18.64.150: EMERGENCY DEMOLITION:		
1861	16.04.130. EMERGENCT DEMOCRITION.		
1862	If the chief building official declares an emergency, the notification and hearing provisions of		
1863	section this chapter, or its successor, shall be waived and the building official may authorize		
1864	immediate demolition of any structure that meets the standards of Section 18.64.140 of this		
1865			
1866	writing.		
1867			
1868	18.64.160: BILL FOR COSTS; COLLECTION:		
1869			
1870	A. Upon the completion of any city demolition pursuant to this article, the city shall mail a		
1871	bill to the property owner for the city's costs of demolition which shall include the cost of		
1872	the demolition contractor and a reasonable amount to pay the costs of city personnel		
1873	involved in the demolition.		
1874			
1875	B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the		
1876	<u>bill.</u>		
1877			
1878			
1879	SECTION 7. <u>Amending the Text of Salt Lake City Code Section 21A.06.090.</u> That		
1880	Section 21A.06.090 of the <i>Salt Lake City Code</i> (Zoning: Decision Making Bodies and Officials:		
1881	Fines Hearing Officer) shall be amended to read as follows:		
1882	21A.06.090: FINES HEARING OFFICER:		
1883			
1884	A. Creation: The position of $F\underline{f}$ ines $H\underline{h}$ earing $O\underline{o}$ fficer is created pursuant to the enabling		
1885	authority granted by the Municipal Land Use, Development, and Management Act,		
1886	sSection 10-9a-701 of the Utah Code.		
1887			

1888 1889 1890	B. Jurisdiction Aand Authority: The Ffines Hhearing Oofficer shall have the powers and duties set forth in eChapter 21A.20 of this title and Subsections 18.48.100.E and 18.48.100.F.			
1891 1892	C.	C. Qualifications: The $\pm \underline{\text{fines Hh}}$ earing $\underline{\text{Oofficer shall be appointed by the Mm}}$ ayor with		
1893	the advice and consent of the Ccity Ccouncil. The Mmayor may appoint more than one			
1894	F <u>f</u> ines <u>H</u> <u>h</u> earing <u>O</u> <u>o</u> fficer, but only one <u>F</u> <u>f</u> ines <u>H</u> <u>h</u> earing <u>O</u> <u>o</u> fficer shall consider and			
1895	decide upon any matter properly presented for Ffines Hhearing Oofficer review			
1896	pursuant to eChapter 21A.20 of this title or Subsections 18.48.100.E and 18.48.100.F as			
1897	the case may be. The Ffines Hhearing Oofficer may serve terms of four (4) years each,			
1898	which may be renewed at the <u>Mm</u> ayor's discretion. The <u>Ffines Hh</u> earing <u>Oofficer shall</u>			
1899		either be law trained or have significant experience with the requirements and		
1900		operations of administrative hearing processes.		
1901	D	Conflict Oof Interest: The Ffines Hhearing Oofficer shall not participate in any appeal		
1902 1903	D.	in which the Ffines Hhearing Oofficer has a conflict of interest prohibited by $\pm \text{Title}$		
1904		2, eChapter 2.44 of this Ccode.		
1905		<u> </u>		
1906	E.	Removal Of The Fines Hearing Officer: The Ffines Hhearing Officer may be		
1907		removed by the Mmayor for violation of this title, any relevant policies and procedures		
1908		or any relevant provision of Sstate law following receipt by the Mmayor of a written		
1909	complaint filed against the Ffines Hhearing Θ_0 fficer. If requested by the Ffines			
1910		$\underline{\mathbf{H}}\underline{\mathbf{h}}\underline{\mathbf{e}}$ aring $\underline{\mathbf{O}}\underline{\mathbf{o}}$ fficer, the $\underline{\mathbf{M}}\underline{\mathbf{m}}$ ayor shall provide the $\underline{\mathbf{F}}\underline{\mathbf{f}}$ ines $\underline{\mathbf{H}}\underline{\mathbf{h}}\underline{\mathbf{e}}$ aring $\underline{\mathbf{O}}\underline{\mathbf{o}}$ fficer with a		
1911		public hearing conducted by a <u>Hh</u> earing <u>Oo</u> fficer appointed by the <u>Mm</u> ayor.		
1912				
1913	S	SECTION 8. <u>Effective Date</u> . This ordinance shall become effective on the date of its		
1914	first pub	lication.		
1915	Passe	ed by the City Council of Salt Lake City, Utah, this day of, 2020.		
1916 1917				
1918				
1919		CHAIRPERSON		
1920	CHAIRI ERSON			
1921	ATTEST:			
1922				
1923				
1924	CITY R	ECORDER		
1925				
1926				
1927	Transmi	tted to the Mayor on		
1928				
1929	Mayor's	Action:ApprovedVetoed.		
1930				

1931		
1932		
1933		MAYOR
1934		
1935		
1936	ATTEST:	
1937		
1938		
1939		_
1940	CITY RECORDER	
1941		
1942		
1943	(SEAL)	
1944		
1945		
1946	Bill No of 2020.	
1947	Published:	,
1948		
1949		
1950		
1951		
1952		

SALT LAKE CITY ORDINANCE No. _____ of 2020

(Amending Section 2.21.030; Repealing Chapter 18.48 and Enacting Chapter 18.48, Articles I and II; Amending Chapter 18.64, Article I and Enacting Chapter 18.64, Article II)

An ordinance amending Section 2.21.030, repealing Chapter 18.48 and enacting Chapter 18.48, Articles I & II, and amending Chapter 18.64, Article I and enacting Chapter 18.64, Article II of the *Salt Lake City Code*; and

WHEREAS, it is proposed that Section 2.21.030 of the *Salt Lake City Code* relating to appeals, be amended to clarify the appeals authority of the Housing Advisory and Appeals Board;

WHEREAS, it is proposed that Chapters 18.48 and 18.64 of the *Salt Lake City Code* relating to dangerous buildings and demolition be amended to modify the requirements for boarding, abatement, and demolition of dangerous buildings and structures, adequately describe what constitutes a dangerous and/or boarded building, and what constitutes emergency demolition;

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 28, 2018 at which the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. <u>Amending the Text of Salt Lake City Code</u> Section 2.21.030. That Section 2.21.030, of the Salt Lake City Code (Administration and Personnel: Housing Advisory Appeals Board: Powers and Authority) shall be amended to read as follows:

2.21.030: POWERS AND AUTHORITY:

HAAB shall have the power and authority to:

- A. Apply the provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- B. Hear and decide appeals as specified in Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- C. Modify the impact of specific provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code, where strict compliance with the provisions is economically or structurally impracticable and any approved alternative substantially accomplishes the purpose and intent of the requirement deviated from;
- D. Conduct housing impact hearings pursuant to Title 18, Chapter 18.64 of this code;
- E. Recommend new procedures to the building official and new ordinances regarding housing to the city council; and
- F. Hear and decide appeals as specified in Title 18, Chapter 18.48 of this code.

SECTION 2. Repealing and Replacing the Text of *Salt Lake City Code* Chapter 18.48, Article I. That Chapter 18.48, Article I, of the *Salt Lake City Code* (Buildings and Construction: Dangerous Buildings: Code Adoption and Administration) shall be and hereby is repealed in its entirety and replaced as follows:

Article I. Repair, Vacation, or Boarding of Dangerous Buildings

18.48.010: Title:

18.48.020: Purpose and Scope:

18.48.030: Definitions:

18.48.040: Authority to Enforce:

18.48.050: Procedure Upon Determination of a Violation:

18.48.060: Notice to Vacate:

18.48.070: Extension of Time to Perform Work:

18.48.080: Appeals:

18.48.090: City's Abatement of Property:

18.48.100: Recovery of Costs:

18.48.110: Applicability of Building Code:

18.48.120: Public Nuisances:

18.48.010: TITLE:

This chapter and the provisions included herein constitute Salt Lake City's Dangerous Building Code, and will be referred to hereinafter as "the Dangerous Building Code" or "this Code." This Code is modeled after the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, and has only been adopted as stated herein.

18.48.020: PURPOSE AND SCOPE:

It is the purpose of the Dangerous Building Code to provide just, equitable, and practicable methods to require the repair, vacation, or temporary boarding of buildings or structures that endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants. The provisions of this Dangerous Building Code are cumulative and in addition to any other remedy provided by law.

18.48.030: DEFINITIONS:

- A. BUILDING CODE: The International Building Code, or its successor, promulgated by the International Code Council, as adopted by the state.
- B. BOARDED BUILDING: A building in which accessible openings, such as windows and doors, are secured by a secondary means against entry. Examples of securing a building by a secondary means includes, but is not limited to, boarding and fencing.
- C. DANGEROUS BUILDINGS: For the purpose of this Dangerous Building Code, any building or structure that has any or all of the conditions or defects hereinafter described may be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.
 - 1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
 - 2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

- 3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
- 4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.
- 5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- 6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- 7. Whenever any portion of a building or structure has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- 8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
- 9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- 10. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- 11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- 12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become an attractive

- nuisance to children or as to enable persons to resort thereto for the purpose of committing unlawful acts.
- 13. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
- 14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- 15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- 16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- 17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- 18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
- D. DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake City division authorized to perform the repair, vacation, or boarding of a building under this chapter.
- E. HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as promulgated in Chapter 18.50 of the City Code.
- F. VACANT/SECURE BUILDING: An unoccupied building having all openings, such as windows and doors, secured against entry, where windows are fully glazed and the doors are secured by means of a lock.

18.48.040: AUTHORITY TO ENFORCE:

- A. Authority to Enforce: The building official or designee is hereby authorized to enforce the provisions of this Dangerous Building Code. The building official shall have the power to render interpretations of this Dangerous Building Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Dangerous Building Code.
- B. Authority to Inspect: The building official or their designee is hereby authorized to make inspections and take such actions as may be required to enforce the provisions of this Dangerous Building Code.
- C. Buildings or Structures Subject to Inspection: Any building or structure, where there is reasonable cause to believe a condition exists that renders the building or structure in violation of the provisions of this code, is subject to inspection by the building official or their designee in the manner provided by this Dangerous Building Code.
- D. Inspection When Permit Required: All construction or work for which a permit is required is subject to inspection by the building official or their designee in accordance with and in the manner provided by this Dangerous Building Code.
- E. Inspections: The building official or their designee may enter a building or structure at reasonable times to inspect or to perform the duties imposed by this Dangerous Building Code.
 - 1. If the building or structure is occupied, the building official or designee shall present credentials to the occupant and request entry.
 - 2. If the building or structure is unoccupied, the building official or their designee shall make reasonable efforts to locate the owner or other persons having charge or control of the building or premises and request entry.
 - 3. If entry is refused, the building official or their designee shall have recourse to the remedies provided by law to secure entry.

18.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:

- A. Initiation of Action: When the building official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the building official shall commence proceedings to cause the repair, vacation, or boarding of the building.
- B. Form of Notice and Order: The building official shall issue a written notice and order directed to the record owner of the building.

1. The notice and order shall:

- a. Identify the property owner of record according to the records of the Salt Lake County Recorder;
- b. Describe the property and contain a statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of this code; and
- c. Require the property owner to take action as determined by the building official.
 - i. If the building official has determined that the building or structure must be repaired or boarded, the order shall require that all required permits be secured and the work physically commenced within such time as the building official shall determine is reasonable under all of the circumstances, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
 - ii. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the building official to be reasonable, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
- d. A statement that, if any required repair work not also requiring the vacation of property is not commenced within the time specified in Subsection 18.48.050.B.1.c.i, the building official will order the building vacated and posted to prevent further occupancy until the work is completed and may proceed to cause the work to be done and recover the costs as set forth in Section 18.48.100.
- e. A statement that (i) any person having any record title or legal interest in the building may appeal from the notice and order of the building official, except for an objection from an itemized statement of costs, to the Housing Advisory and Appeals Board as established in this chapter, provided the appeal is made in writing as provided in this code and filed with the building official within 30 days from the date of service of such notice and order; and (ii) failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.
- C. Service: The written notice and order, and any amended or supplemental notice and order, shall be served on the property owner of record according to the records of the county recorder. Service shall be made in person or by certified or registered mail. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date the notice and order are postmarked.

- D. Proof of Service: Proof of service of the notice and order shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail or proof of registered mail shall be affixed to the copy of the notice and order retained by the building official.
- E. Recording of Certificate: If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. If the actions ordered are completed after filing of this certificate or the building is demolished so that it no longer exists as a dangerous building on the property, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

18.48.060: NOTICE TO VACATE:

A. Form of Notice: Every notice to vacate shall, in addition to being served as provided in Section 18.48.050, be posted on the exterior of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....
Salt Lake City

B. Compliance with Notice to Vacate: No person shall remain or enter any building which has been so posted, except that entry may be made to repair or board. No person shall remove or deface any such notice after it is posted.

18.48.070: EXTENSION OF TIME TO PERFORM WORK:

Upon a timely written request by the owner setting forth the requested reasons for an extension of time, the building official or designee may grant an extension of time, not to exceed 120 days from the deadline set forth in the original notice and order, within which to complete said repair, vacation, or boarding, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or

property. The building official's authority to extend time is limited to the physical repair, vacation, or boarding of the premises and will not in any way affect the time to appeal the notice and order.

18.48.080: APPEALS:

- A. Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
- B. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:

1.	A heading containing the words:	"Before the housing advisory and appeals board
	".	

- 2. A caption reading: "Appeal of ______," giving the names of all appellants participating in the appeal;
- 3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order;
- 4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
- 5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
- 6. The signatures of all parties named as appellants and their official mailing addresses; and
- 7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- C. Time to File an Appeal: The appeal must be filed within 30 days from the date of the issuance of the notice and order described herein, except as provided in Subsection D.
- D. Time to File an Appeal for an Imminently Dangerous Building: If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 18.48.060, such appeal shall be filed as soon as reasonably practical from the date of the issuance of the notice and order of the building official.

- E. Transmittal of Appeal: Upon receipt of any appeal filed pursuant to this section, the building official shall transmit the appeal to the members of the Housing Advisory and Appeals Board for scheduling of a meeting within 30 days of receipt of a timely appeal.
- F. Scheduling Hearing: As soon as practicable after receiving the written appeal, the Housing Advisory and Appeals board shall fix a date, time and place for the hearing of the appeal by the board. Such date shall not be less than 10 days nor more than 30 days from the date the appeal was filed with the building official, unless extraordinary circumstances are present. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- G. Failure to Timely Appeal: Failure of any person to file a timely appeal in accordance with the provisions of this code shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
- H. Issues Considered on Appeal: Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
- I. Stays Pending Appeal: Except for vacation or boarding orders made pursuant to Section 18.48.050, enforcement of any notice and order of the building official issued under this Dangerous Building Code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.
- J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall have the authority to hear and evaluate evidence related to the building official's decision and determine whether the decision was arbitrary and capricious or illegal. The Housing Advisory and Appeals Board has no authority relative to interpretation of the administrative provisions of this code nor is the board empowered to waive requirements of this code. After the Housing Advisory and Appeals Board makes a final determination, they shall issue a written determination.
- K. Appeal to Utah District Court: After issuance of a final written determination by the Housing Advisory and Appeals Board, the decision may be appealed to the Utah District Court, Third Judicial District within 30 days from the issuance of the decision.

18.48.090: CITY'S ABATEMENT OF PROPERTY:

If the property owner does not comply with the order within the time specified in the notice and order and no appeal has been properly and timely filed, the building official or designees may cause the building to be repaired, vacated, or boarded to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order. Any such repair, vacation, or boarding shall be completed and the cost thereof paid and recovered as set forth in this code.

18.48.100: RECOVERY OF COSTS:

- A. Permitted Recovery of Costs: If the building official or designee causes the repair, vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050, the division may collect the cost of that abatement, by filing a property tax lien, as set forth in this section.
- B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work, the building official or designee shall prepare an itemized statement of costs and mail it to the property owner by certified mail, demanding payment within thirty (30) days of the date the statement is post marked.
- C. Form of Itemized Statement of Costs: The itemized statement of costs shall:
 - 1. Include:
 - a. the address of the property at issue;
 - b. an itemized list of all expenses incurred by the division, including administrative costs;
 - c. a demand for payment; and
 - d. the address where payment is to be made;
 - 2. Notify the property owner:
 - a. that failure to timely pay the expenses described in the itemized statement may result in a lien on the property in accordance with this chapter and Utah Code Section 10-11-4 or its successor:
 - b. that the property owner may file a written objection to all or part of the statement within twenty (20) days of the date the statement is postmarked; and
 - c. where the property owner may file the objection, including the name of the office and the mailing address.
- D. Delivery of Statement of Costs: The itemized statement of costs described in Subsection C shall be deemed delivered when mailed by certified mail addressed to the last known address of the property owner, according to the records of the county recorder.
- E. Objection to Statement of Costs: If the property owner files a timely written objection, the division will schedule a hearing and will mail or deliver to the property owner prior to the hearing a notice stating the date, time, and location of the hearing. A fines hearing

- officer, appointed pursuant to Section 21A.06.090, shall preside at the hearing and consider the property owner's objection as set forth in Subsection F.
- F. Objection Hearing: At the hearing described in Subsection E, after the property owner presents the objection to the hearing officer, the fines hearing officer shall review and determine the cost of abatement incurred by the division in abating the property, including administrative costs. The property owner must pay any amount the fines hearing officer determines is due and owing to the Salt Lake City Treasurer at the address provided in the statement of costs within thirty (30) days of the date of the hearing.
- G. Failure to Object or Pay: If the property owner fails to make payment of the amount set forth in the itemized statement within thirty (30) days of the date of the mailing of that statement, or to file a timely objection, then the division may certify the past due costs and expenses to the Salt Lake County Treasurer.
- H. Failure to Pay After Objection Hearing: If the property owner files a timely objection but fails to make payment of any amount found due and owing under Subsection F within thirty (30) days of the date of the hearing, the inspector may certify the past due costs and expense to the Salt Lake County Treasurer.
- I. Lien on Property: After entry by the treasurer of the county, as set forth in Subsections G and H, the amount entered shall have the force and effect of a valid judgment of the district court, is a lien on the property, and shall be collected by the treasurer of the county in which the property is located at the time of the payment of general taxes.
- J. Release of Lien: Upon payment of the amount set forth in the itemized statement of costs or otherwise determined due and owing by the hearing officer in Subsections E and F, the judgment is satisfied, the lien is released from the property, and receipt shall be acknowledged upon the general tax receipt issued by the treasurer.

18.48.110: APPLICABILITY OF BUILDING CODE:

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of the International Building Code, or its successor section.

18.48.120: PUBLIC NUISANCES:

- A. Declaration and Abatement of Public Nuisances: All buildings or structures or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, vacation, or boarding in accordance with the procedures specified herein.
- B. Boarded Building as Public Nuisance: Any structure which has been boarded for over two (2) years may be declared to be a public nuisance as detrimental to the safety and public welfare of the residents and property values of this city.

SECTION 3. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,

Article II. That Chapter 18.48, Article II, of the Salt Lake City Code (Buildings and

Construction: Dangerous Buildings: Temporary Securing of Buildings) shall be and hereby is repealed in its entirety and replaced as follows:

Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS

18.48.200: SCOPE AND APPLICABILITY:

18.48.205: BOARDING PERMIT:

18.48.210: INITIAL FEES:

18.48.215: YEARLY FEES:

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

18.48.225: METHOD OF SECURING BUILDINGS:

18.48.230: LANDSCAPE MAINTENANCE:

18.48.235: EXTERIOR MAINTENANCE:

18.48.240: SNOW AND ICE REMOVAL:

18.48.245: CITY MAINTENANCE OF PROPERTY:

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

18.48.255: LEGAL ACTION AUTHORIZED:

18.48.260: BUILDING INSPECTIONS REQUIRED:

18.48.200: SCOPE AND APPLICABILITY:

The provisions of this article apply to any person or entity who is ordered to board a building under Article I and any person or entity who voluntarily boards a building.

18.48.205: BOARDING PERMIT:

- A. Permit Required: A permit is required to board a building. In the case where the city causes the boarding work to be done pursuant to Section 18.48.245, the city is not required to obtain a boarding permit.
- B. Form of Permit: Permits for boarding a building must be applied for on a form provided by the building official or designee. The form shall specify the following:
 - 1. The address of the structure to be boarded or temporarily secured;
 - 2. The type of building;

- 3. For residential structures, the number of dwelling units;
- 4. For nonresidential buildings, the number of square feet of all building faces at ground level;
- 5. The name, address, and telephone number of a person authorized to act as an agent for the owner for performing the owner's obligations under this article, who lives within forty (40) miles of Salt Lake City; and
- 6. Whether the property has the required external water source for landscaping, if landscaping is required.

18.48.210: INITIAL FEES:

For the first year of any boarding, at the time of filing the application, the applicant shall pay the fees shown on the Salt Lake City consolidated fee schedule for each structure.

18.48.215: YEARLY FEES:

- A. Annual Fee: On or before each yearly anniversary of the issuance of a boarding permit, a property owner desiring to maintain a boarded building shall pay the annual boarding fee shown on the Salt Lake City consolidated fee schedule.
- B. Late Fee: A late fee of twenty five dollars (\$25.00) shall be assessed by the city for each thirty (30) days, or any portion thereof, in which the annual fees have not been paid up to amounts allowed by state law.
- C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this article shall result in a fine of up to twenty five percent (25%) of the boarding application fee specified in the Salt Lake City consolidated fee schedule.
- D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or the annual boarding fees, the city may take legal action to collect any amounts owed.

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

Whenever a building is boarded or closed to occupancy, the city shall be authorized to install a sign to be mounted on the exterior of the building. The sign shall state that the building is closed to occupancy and that it is unlawful for any unauthorized person to enter the building. The sign shall also provide phone numbers to call if people are seen on the property or if doors or windows are unsecured.

18.48.225: METHOD OF SECURING BUILDINGS:

All buildings shall be boarded in the following manner:

- A. Securing Opening: All openings in the structure on the first floor, other openings easily accessible from the ground, and openings with broken glass, shall be secured either by erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar material, not to include chipboard/OSB, covering over all exterior openings, overlapping the opening on every edge by three inches (3"), affixed along the edges by nails or screws spaced every six inches (6").
- B. Alternatives to Securing Openings: Alternately, the openings may be secured by conventional wood frame construction. The frames shall use wood studs of a size not less than two inches by four inches (2" x 4") (nominal dimension) placed not more than twenty four inches (24") apart on center. The frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the face of the wall. Each side of the frame shall be covered with plywood sheathing or similar material of at least one-half inch (1/2") thickness or equivalent lumber nailed over the opening by using nails or screws spaced every six inches (6") on the outside edges and every twelve inches (12") along intermediate stud supports; and
- C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately locked to preclude entry of unauthorized persons, or shall be covered as an opening described in Subsection A or B of this section or successor sections.

18.48.230: LANDSCAPE MAINTENANCE:

Existing landscaping and lawn on the property shall be maintained in the manner otherwise required by Chapters 9.16 and 21A.48.

18.48.235: EXTERIOR MAINTENANCE:

- A. Exterior of Building: The exterior of a boarded building shall be maintained as required by relevant requirements set forth in Section 18.50.140 of this title. In particular, exterior walls and surfaces shall be properly maintained and severely weathered, peeling, or unpainted wood and damaged siding and roofing shall be replaced or repaired with similar materials and colors.
- B. Salvage Permit Required: Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials within the interior of a boarded building shall not be salvaged except upon the issuance of a permit as provided in Section 18.64.070 of this title.
- C. Enforcement of Exterior Maintenance Requirements: If the owner of a boarded building fails to maintain the building and its premises as required by this section and Section 18.64.045 of this title, the city may take appropriate legal action to enforce such requirements.

18.48.240: SNOW AND ICE REMOVAL:

Snow and ice must be removed from public sidewalk areas surrounding the boarded property in the manner indicated in Section 14.20.070 of this code.

18.48.245: CITY MAINTENANCE OF PROPERTY:

- A. Notice: If the building official or the building official's designee determines that a boarded building and/or property is not being maintained, the building official or the building official's designee shall send a notice to the property owner and/or the property owner's agent requiring compliance with the building maintenance standards as required in city code.
- B. Failure to Comply with Notice: If the building official or designee determines that the property owner has failed to comply with the notice, the city may cause the work to be done by a contractor hired by the city.
- C. City's Recovery of Costs: The city shall bill the property owner:
 - 1. The administrative fee shown on the Salt Lake City consolidated fee schedule to cover the city's administrative expenses in contracting for the building maintenance; and
 - 2. The actual cost of building maintenance billed to the city by the city's contractor.

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

If the building official or the building official's designee determines that the landscaping on the property surrounding a boarded building is not being maintained as required by city code, the building official or the building official's designee shall follow the notice of violation and corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.

18.48.255: LEGAL ACTION AUTHORIZED:

The city may recover any costs it incurs in for enforcing the provisions of this title, as set forth in city code.

18.48.260: BUILDING INSPECTIONS REQUIRED:

Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or reoccupy a building that has been boarded, the building is to be inspected by the building official or designee and a permit must be issued by building services or its successor prior to the building owner, manager, or tenant initiating any of the above actions. Any person conducting any work on a building that has been boarded or closed to occupancy must have a valid building permit at all times.

SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,

Article III. That Chapter 18.48, Article III, of the *Salt Lake City Code* (Buildings and Construction: Dangerous Buildings: Emergency Demolition) shall be and hereby is repealed in its entirety and moved to Chapter 18.64 as provided in Section 5 herein.

SECTION 5. <u>Amending the Text of Salt Lake City Code</u> Section 18.64. That Section 18.64, of the Salt Lake City Code (Buildings and Construction: Demolition) shall be amended to read as follows:

Article I. Demolition

18.64.005: PURPOSE AND INTENT:

18.64.010: PERMIT REQUIRED:

18.64.020: APPLICATION AND PERMIT:

18.64.030: FEES AND SIGNATURE, BOND:

18.64.040: ISSUANCE OF DEMOLITIONPERMIT:

18.64.045: DEMOLITION BY NEGLECT:

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

18.64.070: PREDEMOLITION SALVAGE PERMITS:

18.64.080: EXPIRATION; DILIGENCE:

18.64.090: QUALIFICATIONS TO DO WORK:

18.64.100: DEMOLITION REQUIREMENTS:

18.64.110: RELATIOSHIPTO OTHER ORDINANCE:

18.64.120: VIOLATIONS:

18.64.005: PURPOSE AND INTENT:

- A. The purpose of the provisions in this chapter is to:
 - 1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;
 - 2. Provide an orderly and predictable process for demolition of buildings and structures when appropriate;
 - 3. Ensure demolition occurs safely;

- 4. Protect utilities and other infrastructure from damage during demolition;
- 5. Provide for enforcement of timely completion of demolition and for improvement of property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;
- 6. Provide for enforcement and maintenance of property to avoid purposeful demolition by neglect; and
- 7. Encourage preservation of the city's housing stock where appropriate.
- B. A primary intent of the city council with respect to this chapter is to promote responsible re-use of existing housing stock where practical and provide an orderly process for demolition where it is not practical or cost efficient to rebuild/reuse. Accordingly, the council finds that it is in the public interest to require existing buildings to be maintained in a manner that does not constitute a public nuisance until replaced by new construction, except as otherwise permitted by this code.

18.64.010: PERMIT REQUIRED:

It is unlawful to demolish any building or structure in the city, or cause the same to be demolished, without first obtaining a permit for demolition of each such building or structure from the city building official as provided in this chapter.

18.64.020: APPLICATION FOR PERMIT

To obtain a permit for demolition, an applicant shall submit an application in writing on a form furnished by the building official for that purpose. Each application shall:

- A. Identify and describe the type of work to be performed under the permit;
- B. State the address of the structure or building to be demolished;
- C. Describe the building or structure to be demolished including the type of use, type of building construction, size and square footage, number of stories, and number of residential dwelling units (if any);
- D. Indicate the method and location of demolished material disposal;
- E. Identify the approximate date of commencement and completion of demolition;
- F. Indicate if fences, barricades, scaffolds or other protections are required by any city code for the demolition and, if so, their proposed location and compliance;
- G. State whether fill material will be required to restore the site to level grade after demolition and, if required, the approximate amount of fill material;

- H. If the building or structure to be demolished contains any dwelling units, state whether any of the dwelling units are presently occupied; and
- I. State the proposed use of the premises following demolition. If new construction is proposed following demolition, state the anticipated start date and whether any development applications have been submitted to and/or approved by the city.

18.64.030: FEES AND SIGNATURE:

- A. The permit application shall be signed by the party or the party's authorized agent requesting the permit. A signature on the permit application constitutes a certification by the signee that the information contained in the application is true and correct.
- B. The fee for a demolition permit application shall be as shown on the Salt Lake City consolidated fee schedule.
- C. An additional fee for the cost of inspecting the property to determine compliance with the requirements of this chapter and to assure the property is kept free of weeds and junk materials shall be collected in the amount shown on the Salt Lake City consolidated fee schedule.

18.64.040: ISSUANCE OF DEMOLITION PERMIT:

- A. A demolition permit may be issued only upon completion of an application in accordance with Section 18.64.020 herein; or the chief building official or fire marshal orders immediate demolition:
 - 1. Due to an emergency as provided in Chapter 18.64, Article II of this title; or
 - 2. Because the premises have been damaged beyond repair because of a natural disaster, fire, or other similar event; or
 - 3. The chief building official or fire marshal authorizes immediate demolition because clearing of land is necessary to remove a nuisance as defined in this code or Section 76-10-801 et seq., Utah Code or its successor.
- B. If proposed demolition involves a landmark site, a contributing structure, or a structure located in the H Historic Preservation Overlay District, as provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall be issued only upon compliance with applicable provisions of that section or its successor.

18.64.045: DEMOLITION BY NEGLECT:

The owner of a boarded building shall maintain the exterior of the building as provided in Section 18.48.255, "Exterior Maintenance", of this title or its successor.

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

- A. Except as provided in Subsection B of this section, if the structure for which a demolition permit is sought contains one or more dwelling units, whether or not occupied, the building official shall consider the impact of the requested demolition on the housing stock of Salt Lake City pursuant to the provisions of this section.
- B. This section shall not apply to any housing which:
 - 1. Is a nonconforming use as provided by relevant provisions of Title 21A, "Zoning", of this code; or
 - 2. Is located on property for which an applicable master plan or the current zoning envisions exclusive nonresidential use; or

3.

- a. Is proposed to be demolished for health or safety reasons as provided in this section its successors.
- b. Notwithstanding Subsection B.3.a of this section, housing which is demolished for health or safety reasons, which is the result of neglect pursuant to Section 18.64.045 of this chapter, shall be subject to the provisions of this section.
- C. The building official, within ten (10) days after receipt of a demolition permit application, shall determine whether the requested demolition will result in:
 - 1. Construction of one or more residential units with a net loss of one or more dwelling units; or
 - 2. No net loss of dwelling units will occur due to the anticipated construction of new dwelling units pursuant to an approved and issued building permit for the premises where the demolition will occur.

D.

- 1. If Subsection C.2 of this section applies, the building official shall issue a finding of no residential impact and the demolition permit may be issued.
- 2. If Subsection C.1 of this section applies, the building official shall issue a finding of residential impact.
- E. Upon making a finding of residential impact, the building official shall follow the procedures outlined in Chapter 18.97. Once the fee is paid, the demolition permit may be issued immediately upon completion of the application process in Section 18.64.020.

18.64.070: PREDEMOLITION SALVAGE PERMITS:

- A. A predemolition salvage permit shall be required for removal of doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials on the exterior or interior of any building prior to demolition of the structure. A predemolition salvage permit may be issued only contemporaneously with, or after, city approval of:
 - 1. A building permit for new construction on the premises following demolition, or
 - 2. A demolition permit.
- B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidated fee schedule.

18.64.080: EXPIRATION; DILIGENCE:

A demolition permit shall expire forty five (45) calendar days from the date of issuance, unless a completion date allowing more time is requested and approved by the building official at the time of application. A demolition permit may be renewed upon request prior to expiration with approval of the building official for one-half (1/2) of the original permit fee, provided continuous progress is being made. If a permit is allowed to expire without prior renewal, any subsequent request for reinstatement shall be accompanied by a reinstatement fee equal to the original demolition permit fee.

18.64.090: QUALIFICATIONS TO DO WORK:

- A. It shall be unlawful for demolition work permitted under this chapter to be performed except by a wrecking and demolition contractor having a license in good standing issued by the Division of Occupational and Professional Licensing in the Utah Department of Commerce.
- B. Salvage work under a predemolition salvage permit may be done without a contractor's license provided all other applicable conditions of this chapter are met.

18.64.100: DEMOLITION REQUIREMENTS:

- A. Prior to the commencement of any demolition or moving, the permittee shall plug all sewer laterals at or near sidewalk lines as staked out by the department of public utilities. No excavation shall be covered until such plugging is approved by the department or by the building official. The permittee shall further ensure all utility services to the structure and/or premises have been shut off and meters removed prior to commencement of demolition work.
- B. When the applicant indicates the demolition will require more than thirty (30) days to complete, and where required by the building official for the safety of the public, the applicant shall also provide plans to fence the demolition site so that it is inaccessible to

unauthorized persons in a manner acceptable to the building official. The building official may waive the fencing requirement if it is determined that fencing would be inappropriate or unnecessary to protect safety or health.

- C. A permit for demolition shall require that all materials comprising part of the existing structure(s), including the foundation and footings, be removed from the site. Unless otherwise approved under a building permit for redevelopment of the site, the depression caused by the removal of such debris shall be filled back and compacted to the original grade, as approved by the building official, with fill material excluding detrimental amounts of organic material or large dimension nonorganic material.
- D. Permitted demolition work, including filling and leveling back to grade and removal of required pedestrian walkways and fences, shall be completed within the permit period unless the building official finds that any part of the foundation of building or site will form an integral part of a new structure to be erected on the same site for which plans have already been approved by the building services and licensing division. In such event, the building official may approve plans for appropriate adjustments to the completion time and may impose reasonable conditions including the posting of a bond, erection of fences, securing, or similar preventions to ensure the site does not create a hazard after the demolition is completed.

18.64.110: RELATIONSHIP TO OTHER ORDINANCE:

Provisions of this chapter shall be subordinate to any contrary specific provisions of Title 21A, Chapter 21A.34 of this code, dealing with demolition in historic districts, or its successor.

18.64.120: VIOLATIONS:

- A. It is unlawful for the owner of a building or structure to violate the provisions of this chapter. Each day a violation occurs shall be a separate offense.
- B. Violation of the provisions of this chapter is punishable as a class B misdemeanor or by imposing a civil penalty as provided in Section 21A.20.010 et seq., of this code.

SECTION 6. Enacting the Text of Salt Lake City Code Section Chapter 18.64, Article

<u>II.</u> That Section 18.64, Article II, of the *Salt Lake City Code* is enacted to read as follows:

Article II. Emergency Demolition

18.64.130: PURPOSE:

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

18.64.150: IMMEDIATE CITY DEMOLITION:

18.64.160: EMERGENCY DEMOLITION:

18.64.170: BILL FOR COSTS; COLLECTION:

18.64.130: PURPOSE:

Notwithstanding the other provisions of this chapter, the process for demolishing buildings in

an emergency situation shall be as provided by this article.

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

If the building official determines that the walls or roof of a building or structure are collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to fall on other structures, property, or public rights of way, or create a danger to persons who may enter the property, or create a danger of fire, the building official may issue an order that

the building should be demolished pursuant to this article.

18.64.150: EMERGENCY DEMOLITION:

If the chief building official declares an emergency, the notification and hearing provisions of section this chapter, or its successor, shall be waived and the building official may authorize immediate demolition of any structure that meets the standards of Section 18.64.140 of this chapter or its successor. The chief building official must make an emergency declaration in

writing.

18.64.160: BILL FOR COSTS; COLLECTION:

A. Upon the completion of any city demolition pursuant to this article, the city shall mail a bill to the property owner for the city's costs of demolition which shall include the cost of

the demolition contractor and a reasonable amount to pay the costs of city personnel

involved in the demolition.

B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the

bill.

SECTION 7. Amending the Text of Salt Lake City Code Section 21A.06.090. That

Section 21A.06.090 of the Salt Lake City Code (Zoning: Decision Making Bodies and Officials:

Fines Hearing Officer) shall be amended to read as follows:

21A.06.090: FINES HEARING OFFICER:

23

- A. Creation: The position of fines hearing officer is created pursuant to the enabling authority granted by the Municipal Land Use, Development, and Management Act, Section 10-9a-701 of the Utah Code.
- B. Jurisdiction and Authority: The fines hearing officer shall have the powers and duties set forth in Chapter 21A.20 of this title and Subsections 18.48.100.E and 18.48.100.F.
- C. Qualifications: The fines hearing officer shall be appointed by the mayor with the advice and consent of the city council. The mayor may appoint more than one fines hearing officer, but only one fines hearing officer shall consider and decide upon any matter properly presented for fines hearing officer review pursuant to Chapter 21A.20 of this title or Subsections 18.48.100.E and 18.48.100.F as the case may be. The fines hearing officer may serve terms of four (4) years each, which may be renewed at the mayor's discretion. The fines hearing officer shall either be law trained or have significant experience with the requirements and operations of administrative hearing processes.
- D. Conflict of Interest: The fines hearing officer shall not participate in any appeal in which the fines hearing officer has a conflict of interest prohibited by Title 2, Chapter 2.44 of this code.
- E. Removal of The Fines Hearing Officer: The fines hearing officer may be removed by the mayor for violation of this title, any relevant policies and procedures or any relevant provision of state law following receipt by the mayor of a written complaint filed against the fines hearing officer. If requested by the fines hearing officer, the mayor shall provide the fines hearing officer with a public hearing conducted by a hearing officer appointed by the mayor.

SECTION 8. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ______ day of ______, 2020.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to the Mayor on _____

Mayor's Action:ApprovedVetoed.	
	MAYOR
	MATOR
ATTEST:	
	APPROVED AS TO FORM Salt Lake City Attorney's Office
CITY RECORDER	Date: July 20, 2020 By: Paul Nielson, Senior City Attorney
(SEAL)	
Bill No of 2020. Published:	



CITY COUNCIL TRANSMITTAL

Patrick Leary, Chief of Staff

Date Received: October 26, 2018

Date sent to Council: October 29, 2018

TO: Salt Lake City Council

Erin Mendenhall, Chair

DATE: October 26, 2018

FROM: Mike Reberg, Director Department of Community & Neighborhoods

SUBJECT: Demolition/Dangerous/Boarded Buildings Title 18.48, 18.64 & 2.21.030

STAFF CONTACT: Orion Goff CBO, Building Official Director - Building Services and

Civil Enforcement, 801-535-6681, orion.goff@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the proposed Text Amendment to the Current Ordinance(s)

BUDGET IMPACT: None

BACKGROUND/DISCUSSION:

In December of 2012, significant changes were made to the ordinance regulating the obtaining of demolition permits and the process for documenting and maintaining boarded buildings throughout the city. The passing of the new ordinance was a culmination of nearly four years of intense discussion and study by the Administration, City Council and Council Staff.

Perhaps the most impactful change was the added requirement for the replacement use to either be permitted, in the case of residential construction, or submitted with fees paid and bonding for landscape, for commercial construction. Both of these requirements were new to the ordinance and created additional complications for property owners interested in re-use of their property.

Currently, the ordinance requires an approved replacement use to be submitted for review with plan review fees paid prior to issuance of the demolition permit. For residential demolition, the permit for the replacement use must actually be issued prior to the City issuing a demolition permit. The only redress from these requirements was a nuisance abatement process provided by

a committee appointed by the Mayor, or posting a bond for the cost of landscaping the site should the project not be commenced within 18 months of demolition. Processing, tracking and refunding these bonds was time consuming and problematic for Building Services Staff.

Recently, we have moved several structures through a nuisance abatement process that has been very popular. This process allows demolition after approval by a committee appointed by the Mayor. Specifically, this is intended to expedite demolition for buildings that have been boarded for over two years, have little or no possibility for rehabilitation and have created a disproportionate number of calls for service from the City Police and Fire Departments.

The changes proposed in this transmittal provide a streamlined process for demolition on commercial and residential properties. The requirements for either a permitted replacement use or a landscape plan and bond have been removed. In addition, there are better definitions of what constitutes a "boarded building". The proposed ordinance is like the ordinance that predated the current ordinance, which was adopted in December of 2012.

Amend Section 2.21.030 HAAB Powers and Authority

• Hear and decide appeals from 18.48. This is a change from "Conduct Abatement Hearings"

Amend Section 18.48 - Dangerous Building Code

- Scope: Provide a just, equitable, and practicable method to require the repair, vacation, or temporary boarding of buildings and a means to remedy *dangerous buildings*.
- Goals/Intent:
 - Ensure accessibility by codifying applicable provisions of the most recent version of the Uniform Code for the Abatement of Dangerous Buildings.
 - Relocate the provisions related to emergency demolition of dangerous building to 18.64.
 - Authority to Enforce: Clarify that the building official/designee has the authority to enforce the provisions of the Code.
 - o Make clear the procedures, action, and noticing upon the building official's determination of a violation.
 - Clarify the City's role and authority to abate a building that is declared dangerous and unsafe to occupy.
 - Establish a means for the City to recover costs of any abatement when such abatement work is done by the City.
 - O Clarify the process(s) in which a property owner can appeal decisions of the building official and costs of abatement.
 - o Improve language in the Code pertaining to:
 - the provisions for and permitting of any person ordered to board a building;
 - the manner in which a building shall be boarded; and
 - the way property shall be maintained and/or landscaped while boarded.

Amend Section 18.64 – Demolition

- 1. Purpose statement is changed to "promote responsible reuse of existing housing where practical and provide an orderly process for demolition"
 - It no longer cites the following purposes:
 - o avoid demolition of buildings in a manner that disrupts the character of established neighborhoods
 - o avoid demolition until a complete building permit is submitted
 - o avoid the creation of vacant sites with minimal or no landscaping
- 2. Eliminates performance bond requirements
- 3. Eliminates landscaping requirements
- 4. Eliminates public notice requirements if there is a net loss of residential units caused by a demolition (finding of residential impact).
 - Instead Chapter 18.97 (mitigation of residential housing loss) would apply
- 5. Eliminates HAAB hearing process after a finding of residential impact (net loss of residential units)
- 6. Eliminates requirement to complete demolition work "diligently" or the bond may be forfeited
- 7. Move Emergency Demolitions section from 18.48-Dangerous Buildings to 18.64-Demolition
 - Includes process to notify property owner of emergency demolition
 - Includes committee that will meet to review emergency demolition request. Committee members include:
 - o All HAAB members
 - o Historic Landmark Commission staff person
 - o City Council Member (whose area the demolition is located)
 - Chairperson of neighborhood council (whose area the demolition is located)
 - Outlines rules and procedures of emergency meeting
 - Appeal process to be heard by the Mayor or Mayor's designee
 - Demolition process for Extreme Emergencies
 - Procedures for City to recoup costs from property owner for emergency demolitions

PUBLIC PROCESS: The proposal has been to an open house and to the Planning Commission in March of 2018. Public comment was very limited, but in favor of the changes.

EXHIBITS: None

1 2 3	SALT LAKE CITY ORDINANCE No of 201
4 5	(Amending Section 2.21.030; Repealing Chapter 18.48 and Enacting Chapter 18.48, Articles I and II; Amending Chapter 18.64, Article I and Enacting Chapter 18.64, Article II)
6 7	An ordinance amending Section 2.21.030, repealing Chapter 18.48 and enacting Chapter
8	18.48, Articles I & II, and amending Chapter 18.64, Article I and enacting Chapter 18.64, Article
9	II of the Salt Lake City Code; and
10	WHEREAS, it is proposed that Section 2.21.030 of the Salt Lake City Code relating to
11	appeals, be amended to clarify the appeals authority of the Housing Advisory and Appeals
12	Board;
13	WHEREAS, it is proposed that Chapters 18.48 and 18.64 of the Salt Lake City Code
14	relating to dangerous buildings and demolition be amended to modify the requirements for
15	boarding, abatement, and demolition of dangerous buildings and structures, adequately describe
16	what constitutes a dangerous and/or boarded building, and what constitutes emergency
17	demolition;
18	WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 28
19	2018 at which the planning commission voted in favor of forwarding a positive recommendation
20	to the Salt Lake City Council on said application; and
21	WHEREAS, after a public hearing on this matter, the city council has determined that
22	adopting this ordinance is in the city's best interests.
23	NOW. THEREFORE, be it ordained by the City Council of Salt Lake City. Utah:

24		SECTION 1. <u>Amending the Text of Salt Lake City Code Section 2.21.030.</u> That Section
25	2.21.0	30, of the Salt Lake City Code (Administration and Personnel; Housing Advisory Appeals
26	Board;	Powers and Authority) shall be amended to read as follows:
27	2.2	1.030: POWERS AND AUTHORITY:
28	HA	AAB shall have the power and authority to:
29 30 31	A.	Apply the provisions of <u>₹</u> <u>T</u> itle 5, <u>e</u> <u>C</u> hapter 5.14 and <u>₹</u> <u>T</u> itle 18, <u>e</u> <u>C</u> hapter 18.50 of this code;
32 33 34	В.	Hear and decide appeals as specified in-t <u>T</u> itle 5, <u>eC</u> hapter 5.14 and <u>tT</u> itle 18, <u>eC</u> hapter 18.50 of this code;
35 36 37 38	C.	Modify the impact of specific provisions of <u>*Title 5</u> , <u>eChapter 5.14</u> and <u>*Title 18</u> , <u>eChapter 18.50</u> of this code, where strict compliance with the provisions is economically or structurally impracticable and any approved alternative substantially accomplishes the purpose and intent of the requirement deviated from;
39 40	D.	Conduct housing impact hearings pursuant to <u>*Title 18</u> , <u>eChapter 18.64</u> of this code;
41 42 43	E.	Recommend new procedures to the building official and new ordinances regarding housing to the city council; and
44 45 46 47	F.	Conduct abatement hearings pursuant to Hear and decide appeals as specified in <u>tTitle</u> 18, <u>eChapter 18.48</u> of this code.
48		SECTION 2. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,
49	Article	E.I. That Chapter 18.48, Article I, of the Salt Lake City Code (Buildings and Construction)
50	Dange	rous Buildings; Code Adoption and Administration) shall be and hereby is repealed in its
51	entiret	y and replaced as follows:
52	Ar	ticle I. Code Adoption And Administration
53 54 55	18. 18.	.48.010: Uniform Code For The Abatement Of Dangerous Buildings Adopted .48.020: City Council As Governing Body .48.030: Housing Inspection Fees .48.060: Performance Of Abatement Work
56 57		48.050: Performance Of Abatement Work As 070: Pagayary Of Cast Of Papair Or Damalitian

58	18.48.080: Public Nuisances; Administrative Review And Limitations
59	18.48.010: UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS
60	BUILDINGS ADOPTED:
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62	The uniform code for the abatement of dangerous buildings, 1994 edition, hereinafter
63	sometimes referred to as "UCADB", is adopted by Salt Lake City as the ordinances, rules
64	and regulations of the city, subject to the amendments and exceptions thereto as set out in
65	this chapter; three (3) copies of said code shall be filed for use and examination by the public
66	in the office of the city recorder. The purpose of this code is to provide minimum
67	requirements for the protection of life, limb, health, property, safety and welfare of the
68	general public and the owners and occupants of buildings within the city, and providing for correction of violations thereof. Hereafter, all references in this code to the uniform code for
69 70	the abatement of dangerous buildings, 1988 edition, adopted by this section, or its successor
70 71	are amended and deemed to read the uniform code for the abatement of dangerous buildings
72	1994 edition.
73	18.48.020: CITY COUNCIL AS GOVERNING BODY:
74	
75	All references to a governing body in the uniform code for the abatement of dangerous
76	buildings, 1994 edition, as adopted by section 18.48.010 of this chapter, or its successor, are
77	amended to refer to the city council of Salt Lake City, hereinafter "city council", except as
78	specifically amended.
79	
80	18.48.030: HOUSING INSPECTION FEES:
81	
82	The fee shown on the Salt Lake City consolidated fee schedule for an existing single-family
83	dwelling housing unit inspection shall not exceed the amount shown on the Salt Lake City
84	consolidated fee schedule. An additional fee shown on the Salt Lake City consolidated fee
85	schedule shall be charged for every additional dwelling unit on the premises.
86	
87	18.48.060: PERFORMANCE OF ABATEMENT WORK:
88	
89	Chapter 6 of the uniform code for the abatement of dangerous buildings, 1994 edition,
90	relating to procedures for conduct of hearing appeals, shall be amended as follows:
91	PROCEDURES FOR CONDUCT OF
92	HEARING APPEALS
93	HEARING APPEALS
94 95	Section 601 UCADB. Hearing.
96	(a) Petition For Hearing. When any abatement work of repair or demolition is to be done
97	or requested by the city pursuant to the enforcement provisions of this code, except in
98	emergency situations, the building official shall petition the mayor to hold a hearing and
99	order the property owner(s) to show cause why the city should not abate by repair or

100	demolition a substandard or dangerous building or structure constituting a public
101	nuisance.
102	
103	Notwithstanding the provision of any other ordinance pertaining to hearings before the
104	mayor, said hearings may be held either before the mayor or the mayor may direct the
105	matter to be heard before a panel of hearing examiners of HAAB to conduct such
106	hearings to determine the facts and make recommendations and findings to the mayor.
107	
108	(b) Panel Of Hearing Examiners. In the event the mayor may direct a panel of hearing
109	examiners from HAAB to act as hearing examiners in abatement proceedings, HAAB
110	shall select at least three individual members of its board to act as the panel of hearing
111	examiners and designate one as acting chairperson. The mayor or said panel of hearing
112	examiners shall have the power and authority to call, preside at, and conduct hearings to
113	consider whether or not structures are dangerous or substandard buildings under this code
114	constituting a public nuisance to be abated by the city by demolition or repair, including
115	the power to issue subpoenas, administer oaths, examine witnesses, receive evidence,
116	compel attendance of witnesses and/or the production of witnesses or evidence; and
117	based upon the evidence presented, prepare for the approval of the mayor, findings of
118	fact, conclusions of law and proposed orders for said board. Hearings shall be conducted
119	as provided in this code. The owner(s) shall have the right to appear at said hearing in
120	person or by counsel or both, present evidence and oral argument, cross-examine
121	witnesses, and in all proper ways defend the owner(s)' interest.
122	
123	(c) Notice Of Abatement Hearing. Reasonable notice (not less than ten [10] days) of the
124	time and place of said hearing together with a petition for abatement setting forth the
125	nature of the complaint against the property sufficient to reasonably inform the owner(s)
126	and enable them to answer the charges of the complaint, shall be served upon the
127	owner(s) personally or by mailing a copy to the owner(s) at their last known address
128	appearing on the last assessment rolls for the property on file in the county assessor's
129	office.
130	
131	(d) Action By Hearing Examiners. Within thirty (30) days of the conclusion of abatement
132	hearings held before HAAB's panel of hearing examiners as provided in (a) and (b)
133	above, said panel shall submit to the office of the mayor a report of written findings of
134	fact, conclusions, recommendations and proposed order based upon and supported by the
135	evidence presented at the hearing. A copy of such findings, conclusions,
136	recommendations and order shall be mailed or delivered to each party on the date they
137	are filed with the office of the mayor.
138	
139	(e) Consideration Of Report. The office of the mayor shall fix a date, time and place to

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(f) Exceptions To Report. Not later than two (2) days before the date set to consider said report, any party may file with the city recorder two copies of written exceptions,

consider the panel of hearing examiners' report and proposed recommendations. Notice

thereof shall be mailed to each party to the action not less than ten (10) days prior to the

date fixed unless otherwise stipulated by all parties.

ernative findings to any part or all of the hearing examiners'
eto a proposed decision together with written argument in
Such exception must also indicate whether or not the party
ument, which may be heard only with the consent of the mayor
e confined to the issues set forth in the written exceptions or as
nayor.
ayor. The mayor may adopt the report of findings as the basis
nent proceedings, or upon filing its own statement of the legal
record therefor, it may:
rtion of the report's findings and remand the same back to the
examiners for further hearing and findings on specific issues;
ion of the report's findings and proceed to take action upon the
ngs;
ive or additional findings of fact on the issues presented to the
ituted findings are supported by a preponderance of the
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on of the panel's reported findings, the same panel of examiners
ing proceedings to the extent necessary to make findings on the
er hearing. Upon remand, the panel of examiners shall prepare
ort and findings as provided in (d) above. Consideration of the
or shall comply with (e) - (g) above.
Upon disposition, the decision of the mayor shall be made in
r findings of facts, which may be those submitted by the panel
proved and adopted by said board or as the report may be
cted by the mayor. A copy of the decision shall be mailed to
counsel. All orders entered by the mayor shall be final and shall
stated in such written order. Said order shall specify the
nse of any abatement work ordered shall be charged and
s) as an individual obligation, a special assessment, and/or as a
provided below.
nent Work.
lish Abatement Work. Upon the order of the mayor to complete
ition or repair, the building official shall cause the work to be
onnel or by private parties under his direction. Plans,
pposals, etc. therefor, may be prepared by the building official
ficial may employ such appropriate professional assistance that
necessary.
iccessary.

188	(b) Expense To Be Charged To Owner. The expense of such work, including costs of
189	professional assistance, shall be paid from the repair and demolition abatement fund and
190	charged against the property and/or its owner(s), placed as a special assessment on city
191	tax rolls, and/or certified directly to the county treasurer as a certified property tax lien,
192	whichever the mayor shall determine is appropriate at the time the order is entered.
193	Section 802 UCADB. Repair And Demolition Abatement Fund.
194	(a) Use Of Fund. The city council shall establish a special revolving fund to be
195	designated as the repair and demolition abatement fund and shall oversee its
196	administration. Recommendations to the mayor for the use of the fund may be made by
197	HAAB. Upon the order of the mayor for the building official to proceed with abatement
198	work, the building official may make demand for disbursements to be made out of said
199	fund to defray costs and expenses which may be incurred by the city in doing or causing
200	to be done the necessary abatement work as ordered.
201	(b) Described From 1. The effective of the second of the s
202	(b) Revolving Fund. The city council may, at any time, transfer to said repair and
203	demolition abatement fund, out of any money in the city's general fund or such other
204	sources that may be available, such sums as it may deem necessary in order to expedite
205	the performance of abatement work. Such sums, though transferred to the fund, may be
206	deemed a grant, or at the option of the city council, may be deemed a loan to said fund
207	which may be repaid out of the proceeds of collection as hereinafter provided for. All
208 209	funds collected under the proceedings hereinafter provided for, shall be paid to the city treasurer who shall credit the same to the repair and demolition abatement fund.
210 211	18.48.070: RECOVERY OF COST OF REPAIR OR DEMOLITION:
212	10.40.070, RECOVERT OF COST OF RELATING OR DEMOCRITION.
212	Chapter 9 of the uniform code for the abatement of dangerous buildings, 1994 edition, shall
214	be amended to read as follows:
215	
216	RECOVERY OF COST OF REPAIR OR DEMOLITION
217	
218	Section 901 UCADB. Account Of Expense And Filing Of Reports. Contents.
219	The building official shall keep an itemized account of expense incurred by the city in the
220	abatement by work authorized by an order of the mayor under this code. Within ten days
221	of the completion of the abatement work of demolition or repair as ordered by the mayor,
222	said building official shall prepare and file with the city recorder a report specifying the
223	work done, the itemized and total cost of the work to be reimbursed, a description of the
224	real property upon which the building or structure is or was located, and the name and
225	addresses of the property owner(s) joined as parties in the abatement proceeding or
226	otherwise entitled to notice pursuant to this code.
227	
228	Concurrently, the building official shall file three copies of the account with the county
229	treasurer and mail a fourth copy of the account to the named property owner(s)
230	demanding payment within twenty days of the date of mailing by certified or registered

mail to the last known address of the property owner, or the address shown on current property tax rolls.

Section 903 UCADB. Protests And Objections. How Made.

Any property owner(s) or interested parties affected by the proposed charge who desire to protest the amount or method of collection, shall file a written protest or objection with the city recorder within twenty days of the date of the demand and mailing of the report. Each such protest or objection shall contain a description of the property involved and state the grounds of such protest or objection. The city recorder shall endorse on every such protest or objection the date it was received in the recorder's office and shall present such protest or objections to the office of the mayor to be set for hearing and no other protest or objection shall be considered. The office of the mayor shall fix a time, date, and place for hearing of said objection and shall cause the city recorder to prepare notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the city, and served by certified mail, postage prepaid, addressed to the owner(s) of the property at the address as it appears on the building official's report or on the address submitted on the protest. Such notice shall be given at least seven (7) days prior to the date set for hearing and shall specify the date, hour and place when the mayor will hear and pass upon the building official's report, together with the objections and protests that have been filed.

Section 904 UCADB. Hearing Of Protest And Approval Of Report.

Upon the day and hour fixed for hearing, the mayor shall hear and pass upon the report of the building official together with objections made thereto. The mayor may make such revision, correction, or modification in the report or the charge as deemed just. When the mayor is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge shall be affirmed or rejected. The decision of the mayor on the report and the charge, and all protests, and objections thereto shall be final and conclusive.

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If no objections to the items of the report are so filed or made within twenty (20) days of the date of the mailing of such report by the building official, the city recorder shall so certify upon the report which shall be deemed to be approved by the mayor. In the event the abatement order of the mayor directed the charge to be certified to the county treasurer as a certified lien to be included upon the county tax rolls, the recorder shall send a copy of the approved report to the city treasurer and certify the same as a lien to the county treasurer and the board of county commissioners.

Section 905 UCADB. Method Of Collection.

(a) Selection Of Method: The mayor, in its order of abatement work as provided herein or in its order as it may be modified upon a hearing and protest, may order that the charge of any abatement work shall be made a personal obligation of the property owner, a special

city assessment against the property involved, and/or be placed as a certified lien on the assessment rolls of the county.

- (i) Personal Obligation. If the mayor orders that the charge to be made a personal obligation of the property owner, it shall direct the city attorney to collect the same on behalf of the city by use of all appropriate legal remedies.
- (ii) Special City Assessment. If the mayor orders the charge to be assessed as a special city assessment against the property, it shall confirm the assessment and direct the city recorder to transmit the building official's report to the city treasurer to be recorded on the special assessment roll on the city tax rolls, and thereafter said assessment shall constitute a special assessment against and a lien upon the property.
- (iii) Certified lien against property to be collected with property taxes. If the mayor orders abatement by demolition and orders the charge for such expense, in addition to being assessed as a special assessment against the property, to be certified to the county treasurer for placement upon its appropriate rolls to be collected by the county treasurer at the same time and in the same manner as general property taxes, then the city recorder at the expiration of demand period (twenty days from the date of the mailing of the itemized statement from the building official) if no objections are filed within said period, or upon the action of the mayor following the hearing of an objection or protest, shall submit the county treasurer's office a certification that the amount approved as a special assessment is to be placed as a certified lien against the property for the improvement of real property.

(b) Action By County Treasurer Upon Certified Lien. Upon the receipt of the itemized statement in triplicate from the building official, and the certification from the city recorder relating to the costs of abating such structure by demolition, the county treasurer shall forthwith mail one copy to the owner(s) of the land from which the same were removed, together with notice that objection in writing may be made within thirty days to the whole or any part of the statement so filed with the board of county commissioners. The county treasurer shall at the same time deliver a copy of the statement to the clerk of the board of county commissioners and the city recorder. If objections to any statement are filed with said County Commissioners within thirty days, the objections shall be set for hearing, giving notice thereof to the owner(s) of the property involved and the protestant, together with a copy thereof to the county treasurer, the building official and city attorney. The board of county commissioners, upon the hearing of the same, shall fix and determine the actual cost of abating said structures and report their findings to the county treasurer. If no objections to the statement so filed are made within thirty days of the date of the mailing of such itemized account by the county treasurer, said treasurer shall enter the amount of said statement upon the assessment rolls of the county in the column prepared for the proposed certified liens; and likewise, within ten days from the board of county commissioners' action upon objections filed, shall enter in the prepared column upon tax rolls the amount found by the board of county commissioners as the cost of such abatement work. If current tax notices have been mailed for the year, said certified lien may be carried over on the rolls of the county treasurer to the following

314	year. After the entry by the county treasurer of the costs for such abatement work, the
315	amount so entered shall have the force and effect of a valid judgment of the district court,
316	and shall be a lien upon the property involved and shall be collected by the county
317	treasurer at the time of the payment of general taxes. Upon payment thereof, receipt shall
318	be acknowledged upon the general tax receipt issued by the county treasurer and the
319	funds shall be reimbursed back to the city treasurer and credited to the repair and
320	demolition abatement fund.
321	Section 906 UCADB. Contest - Time Limitation.
322	The validity of any assessment made under the provisions of this chapter shall not be
323	contested in any action or proceeding unless the same is commenced in a court of
324	competent jurisdiction within thirty days after the assessment is placed upon the
325	assessment rolls provided herein. An appeal from a final judgment in such action or
326	proceeding must be perfected within thirty days after the entry of such judgment.
327	Section 907 UCADB. Authority Or Installment Payment Of Assessments With Interest.
328	The mayor, in his/her discretion, may determine that assessments which are special
329	assessments on city tax rolls in amounts of \$500 or more, may be payable in not to
330	exceed five equal annual installments. The mayor's determination to allow such
331	assessments to be paid in installments, the number of installments, and whether they shall
332	bear interest and the rate thereof, shall be specified in the order of abatement, or any
333	order issued as a result of a protest or objection to the building official's report. Said
334	authority to allow installment payments of assessments with interest, shall only be
335	allowed on special assessments placed on the city tax rolls, and shall not apply to any
336	assessments which are directed to be placed as a certified tax lien on county tax rolls.
337	Section 908 UCADB. Lien Of Assessment.
338	(a) Priority. Immediately upon its being placed on the assessment rolls of either the city
339	treasurer's office or the county treasurer's office, the assessment shall be deemed to be
340	complete, the several amounts shall be payable, and the assessments shall be liens against
341	the lot or parcels of land assessed respectively. The liens shall be subordinate to all
342	existing special assessment liens previously imposed upon the same property, and shall
343	be paramount to all other liens, except for state, county and municipal taxes with which it
344	shall be upon a parity. The lien of the special assessment placed on the special tax
345	assessments of the city treasurer's office, shall continue until the assessment and all of the
346	interest due and payable thereon are paid. The lien of any special assessment certified and
347	placed upon the tax rolls of the county treasurer's office, shall continue until the
348	assessment and all interest due and payable thereon are paid or otherwise collected in the
349	same manner as general taxes or are sold pursuant to the general law and taxes.
350	
351	(b) Interest. All such assessments appearing on the city treasurer's assessment rolls which
352	remain unpaid after thirty days from the date of recording on the assessment rolls, shall
353	become delinquent and shall bear interest at the rate of seven percent (7%) per annum

354	from and after said date. All such assessments which remain unpaid after the date of
355	recording on the assessment roll within the county treasurer's office, shall become
356	delinquent and shall bear interest as provided by the laws affecting the collection of
357	general taxes.
358	Section 909 UCADB. Report To Assessor And Tax Collector; Addition To Assessment Of
359	City Tax.
860	After confirmation of the building official's report, certified copies of the assessment
861	shall be given by the city recorder to the city assessor and the city treasurer, who shall
362	add the amount of the assessment as a special assessment to the next regular tax bill
363	levied against the parcel for municipal purposes. A certified copy of the assessment and
364	all assessments for the special assessments for charges made from the repair and
365	demolition abatement fund, may be filed by the city treasurer with the County Auditor on
366	or before August 10. The descriptions of the parcels reported shall be those used for the
367	same parcels on the County Assessor's map book for the current year.
868	Section 911 UCADB. Collections Of Assessments; Penalties For Foreclosure.
869	The amount of the special assessment shall be collected at the same time and in the same
370	manner as the ordinary municipal taxes are collected; and shall be subject to the same
371	penalties and procedure and sale in case of delinquency as provided for ordinary
372	municipal taxes. All laws applicable to the levy, collection and enforcement of municipal
373	taxes shall apply to such assessments which appear upon the rolls of the city assessor and
374	treasurer.
375	
376	If the mayor has determined that the charge shall be placed as an assessment upon the
377	city tax rolls, and that said assessment shall be paid in installments, each installment and
378	any interest thereon shall be collected in the same manner as ordinary municipal taxes in
379	successive years. If any installment is delinquent, the amount thereof is subject to the
880	same penalties and procedure for collection as provided for ordinary municipal taxes.
881	Section 912 UCADB. Repayment Of Repair And Demolition Fund.
382	All money recovered by payment of the charge or assessment or from the sale of the
383	property at foreclosure sale shall be paid to the city treasurer who shall credit the same to
884	the repair and demolition abatement fund.
385	
886	18.48.080: PUBLIC NUISANCES; ADMINISTRATIVE REVIEW AND
887	LIMITATIONS:
388	A. Public Nuisance Structures: Any structure which has been boarded and/or vacant over
889	two (2) years is declared to be a public nuisance as detrimental to the safety and public
390	welfare of the residents and property values of this city.

391	B. Administrative Review And Time Limitation: Any aggrieved property owner or other
392	interested party may seek review of HAAB's decision by filing a written petition for
393	review, together with advertising costs, requesting a public hearing before the office of
394	the mayor within thirty (30) days of HAAB's written decision. The petitioner shall be
395	responsible for all costs of advertising. On review, the office of the mayor shall determine
396	from the minutes whether or not HAAB's decision was reasonably related to the
397	information provided and, if so, shall sustain its action. Only if the office of the mayor
398	should find HAAB's decision to be unreasonable or arbitrary insofar as it is unsupported
399	by the facts and evidence presented in HAAB, shall it reverse or modify HAAB's
400	decision. Any party which fails to request a review as provided herein, shall be deemed to
401	have waived such review.
402	Article I. Repair, Vacation, or Boarding of Dangerous Buildings
403	
404	18.48.010: Title:
405	18.48.020: Purpose and Scope:
406	18.48.030: Definitions:
407	18.48.040: Authority to Enforce:
408	18.48.050: Procedure Upon Determination of a Violation:
409	18.48.060: Notice to Vacate:
410	18.48.070: Extension of Time to Perform Work:
411	18.48.080: Appeals:
412	18.48.090: City's Abatement of Property:
413	18.48.100: Recovery of Costs:
414	18.48.110: Applicability of Building Code:
415	18.48.120: Public Nuisances:
416	
417	40.40.040. (DVDV.)
418	18.48.010: TITLE:
419	
420	This chapter and the provisions included herein constitute Salt Lake City's Dangerous
421	Building Code, and will be referred to hereinafter as "the Dangerous Building Code" or "this
422	Code." This Code is modeled after the Uniform Code for the Abatement of Dangerous
423	Buildings, 1997 edition, and has only been adopted as stated herein.
424	10 40 020 DUDDOCE AND COOPE
425 426	18.48.020: PURPOSE AND SCOPE:
427	It is the purpose of the Dangerous Building Code to provide just, equitable, and practicable
428	methods to require the repair, vacation, or temporary boarding of buildings or structures that
429	endanger the life, limb, health, morals, property, safety, or welfare of the general public or
430	their occupants. The provisions of this Dangerous Building Code are cumulative and in
431	addition to any other remedy provided by law.
432	
433	18.48.030: DEFINITIONS:

	BUILDING CODE: The International Building Code, or its successor, promulgated by
436	the International Code Council, as adopted by the state.
437 438 <u>B.</u> 439 440 441	BOARDED BUILDING: A building in which accessible openings, such as windows and doors, are secured by a secondary means against entry. Examples of securing a building by a secondary means includes, but is not limited to, boarding and fencing.
442 <u>C.</u> 443 444 445 446 447	DANGEROUS BUILDINGS: For the purpose of this Dangerous Building Code, any building or structure that has any or all of the conditions or defects hereinafter described may be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.
448 449 450 451	1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
452 453 454 455	2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
456 457 458 459	3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
460 461 462 463 464	4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.
465 466 467 468 469	5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
470 471 472 473 474 475	6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
476 477 478 479 480	7. Whenever any portion of a building or structure has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

481	
482	8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation,
483	deterioration or decay; (ii) faulty construction; (iii) the removal, movement or
484	instability of any portion of the ground necessary for the purpose of supporting such
485	building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other
486	cause, is likely to partially or completely collapse.
487	
488	9. Whenever, for any reason, the building or structure, or any portion thereof, is
489	manifestly unsafe for the purpose for which it is being used.
490	
491	10. Whenever the exterior walls or other vertical structural members list, lean, or buckle
492	to such an extent that a plumb line passing through the center of gravity does not fall
493	inside the middle one third of the base.
494	
495	11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or
496	more damage or deterioration of its supporting member or members, or 50 percent
497	damage or deterioration of its non-supporting members, enclosing or outside walls or
498	coverings.
499	
500	12. Whenever the building or structure has been so damaged by fire, wind, earthquake,
501	or flood, or has become so dilapidated or deteriorated as to become an attractive
502	nuisance to children or as to enable persons to resort thereto for the purpose of
503	committing unlawful acts.
504	
505	13. Whenever any building or structure has been constructed, exists, or is maintained in
506	violation of any specific requirement or prohibition applicable to such building or
507	structure provided by the building regulations of this jurisdiction, as specified in the
508	Building Code or Housing Code, or of any law or ordinance of this state or
509	jurisdiction relating to the condition, location, or structure of buildings.
510	
511	14. Whenever any building or structure which, whether or not erected in accordance
512	with all applicable laws and ordinances, has in any non-supporting part, member or
513	portion less than 50 percent, or in any supporting part, member or portion less than 66
514	percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii)
515	weather-resisting qualities or characteristics required by law in the case of a newly
516	constructed building of like area, height and occupancy in the same location.
517	
518	15. Whenever a building or structure, used or intended to be used for dwelling purposes,
519	because of inadequate maintenance, dilapidation, decay, damage, faulty construction
520	or arrangement, inadequate light, air or sanitation facilities, or otherwise, is
521	determined by the health officer to be unsanitary, unfit for human habitation, or in
522	such a condition that is likely to cause sickness or disease.
523	<u> </u>
524	16. Whenever any building or structure, because of obsolescence, dilapidated condition,
525	deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction,

526		faulty electric wiring, gas connections or heating apparatus, or other cause, is
527		determined by the fire marshal to be a fire hazard.
528		
529		17. Whenever any building or structure is in such a condition as to constitute a public
530		nuisance known to the common law or in equity jurisprudence.
531		
532		18. Whenever any portion of a building or structure remains on a site after the
533		demolition or destruction of the building or structure or whenever any building or
534 535		structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
536		
537	<u>E.</u>	DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake
538		City division authorized to perform the repair, vacation, or boarding of a building under
539		this chapter.
540	-	HOUGHIG CODE THE CALLA CONTRACT BY THE CALLACT
541	<u>F.</u>	HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as
542		promulgated in Chapter 18.50 of the City Code.
543 544	G	VACANT/SECURE BUILDING: An unoccupied building having all openings, such as
545	<u>U.</u>	windows and doors, secured against entry, where windows are fully glazed and the doors
546		are secured by means of a lock.
547		are secured by means of a lock.
548	18	.48.040: AUTHORITY TO ENFORCE:
549	10.	No. WIN THORIT TO LIVE ORCE.
550	Α.	Authority to Enforce: The building official or designee is hereby authorized to enforce
551	71.	the provisions of this Dangerous Building Code. The building official shall have the
552		power to render interpretations of this Dangerous Building Code and to adopt and enforce
553		rules and supplemental regulations to clarify the application of its provisions. Such
554		interpretations, rules, and regulations shall be in conformity with the intent and purpose
555		of this Dangerous Building Code.
556		of this Builgerous Building Code.
557	В.	Authority to Inspect: The building official or their designee is hereby authorized to make
558		inspections and take such actions as may be required to enforce the provisions of this
559		Dangerous Building Code.
560		
561	C.	Buildings or Structures Subject to Inspection: Any building or structure, where there is
562		reasonable cause to believe a condition exists that renders the building or structure in
563		violation of the provisions of this code, is subject to inspection by the building official or
564		their designee in the manner provided by this Dangerous Building Code.
		then designed in the manner provided by this Dangerous Dunding Code.
565		their designee in the manner provided by this Dangerous Buriaing Code.
566	D.	Inspection when Permit Required: All construction or work for which a permit is
	<u>D.</u>	
566	<u>D.</u>	Inspection when Permit Required: All construction or work for which a permit is

570	E. Lucasetiano, The hailding official andhair decimal may enten a hailding an atmost and at
570	E. Inspections: The building official or their designee may enter a building or structure at
571	reasonable times to inspect or to perform the duties imposed by this Dangerous Building
572	Code.
573	
574	1. If the building or structure is occupied, the building official or designee shall present
575	credentials to the occupant and request entry;
576	
577	2. If the building or structure is unoccupied, the building official or their designee shall
578	make reasonable efforts to locate the owner or other persons having charge or control
579	of the building or premises and request entry;
580 581	3. If entry is refused, the building official or their designee shall have recourse to the
582	remedies provided by law to secure entry.
583	remedies provided by law to seedie entry.
584	18.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:
585	
586	A. Initiation of Action: When the building official has inspected or caused to be inspected
587	any building and has found and determined that such building is a dangerous building,
588	the building official shall commence proceedings to cause the repair, vacation, or
589	boarding of the building.
590	
591	B. Form of Notice and Order: The building official shall issue a written notice and order
592	directed to the record owner of the building.
593	
594	1. The notice and order shall:
595	
596	a. Identify the property owner of record according to the records of the Salt Lake
597	County Recorder.
598	
599	b. Describe the property and contain a statement that the building official has found
600	the building to be dangerous with a brief and concise description of the conditions
601	found to render the building dangerous under the provisions of this code.
602	Degring the managery example to take entire a determined by the building official
603	c. Require the property owner to take action as determined by the building official.
604 605	i. If the building official has determined that the building or structure must be
606	repaired or boarded, the order shall require that all required permits be secured
607	and the work physically commenced within such time as the building official
608	shall determine is reasonable under all of the circumstances, which time shall
609	not be less than 10 days from the date after the day the notice is delivered in
610	person or postmarked.
611	person or postmarked.
612	ii. If the building official has determined that the building or structure must be
613	vacated, the order shall require that the building or structure shall be vacated
614	within a time certain from the date of the order as determined by the building
U I I	I a mile detain from the date of the order as determined by the building

	official to be reasonable, which time shall not be less than 10 days from the
	date after the day the notice is delivered in person or postmarked.
	d. A statement that, if any required repair work not also requiring the vacation of
	property is not commenced within the time specified in Section 18.48.050.B.1.c.i,
	the building official will order the building vacated and posted to prevent further
	occupancy until the work is completed and may proceed to cause the work to be
	done and recover the costs as set forth in Section 18.48.100.
	e. A statement that (i) any person having any record title or legal interest in the
	building may appeal from the notice and order of the building official, except for
	an objection from an itemized statement of costs, to the Housing Advisory and
	Appeals Board as established in this chapter, provided the appeal is made in
	writing as provided in this code and filed with the building official within 30 days
	from the date of service of such notice and order; and (ii) failure to appeal will
	constitute a waiver of all right to an administrative hearing and determination of
	the matter.
<u>C.</u>	Service: The written notice and order, and any amended or supplemental notice and
	order, shall be served on the property owner of record according to the records of the
	county recorder. Service shall be made in person or by mail, postage prepaid, return
	receipt requested. The failure of any such person to receive such notice shall not affect
	the validity of any proceedings taken under this section. Service by certified mail in the
	manner herein provided shall be effective on the date the notice and order are
	postmarked.
D.	Proof of Service: Proof of service of the notice and order shall be certified at the time of
	service by a written declaration under penalty of perjury executed by the persons
	effecting service, declaring the time, date, and manner in which service was made. The
	declaration, together with any receipt card returned in acknowledgment of receipt by
	certified mail shall be affixed to the copy of the notice and order retained by the building
	official.
<u>E.</u>	Recording of Certificate: If compliance is not had with the order within the time
	specified therein, and no appeal has been properly and timely filed, the building official
	shall file in the office of the county recorder a certificate describing the property and
	certifying (i) that the building is a dangerous building and (ii) that the owner has been so
	notified. If the actions ordered are completed after filing of this certificate or the building
	is demolished so that it no longer exists as a dangerous building on the property, the
	building official shall file a new certificate with the county recorder certifying that the
	building has been demolished or all required corrections have been made so that the
	building is no longer dangerous, whichever is appropriate.
	<u>D.</u>

<u>18.48.060: NOTICE TO VACATE:</u>

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	Form of Notice: Every notice to vacate shall, in addition to being served as provided in
	Section 18.48.050, be posted on the exterior of the building and shall be in substantially
	the following form:
	<u>DO NOT ENTER</u>
	UNSAFE TO OCCUPY
	It is a misdemeanor to occupy this building, or to remove or deface this notice.
	Building Official
	of <u>.</u>
<u>B.</u>	Compliance with Notice to Vacate: No person shall remain or enter any building which
	has been so posted, except that entry may be made to repair or board. No person shall
	remove or deface any such notice after it is posted.
18	.48.070: EXTENSION OF TIME TO PERFORM WORK:
Uı	oon a timely written request by the owner setting forth the requested reasons for an
ex	tension of time, the building official or designee may grant an extension of time, not to
	ceed 120 days from the deadline set forth in the original notice and order, within which to
	mplete said repair, vacation, or boarding, if the building official determines that such an
	tension of time will not create or perpetuate a situation imminently dangerous to life or
	operty. The building official's authority to extend time is limited to the physical repair,
	cation, or boarding of the premises and will not in any way affect the time to appeal the
	tice and order.
.10	tice and order.
10	40 000. A DDE A L C.
τQ	
	.48.080: APPEALS:
<u>1.</u>	
	Hearing Appeals: Timely written appeals of notice and orders or any action of the
	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be
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	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be
<u>3.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
<u>3.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the
<u>3.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing: 1. A heading containing the words: "Before the housing advisory and appeals board ""
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing: 1. A heading containing the words: "Before the housing advisory and appeals board " 2. A caption reading: "Appeal of ," giving the names of all appellants
<u>B.</u>	Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing: 1. A heading containing the words: "Before the housing advisory and appeals board ""

705		3. A brief statement setting forth the legal interest of each of the appellants in the
706		building or the land involved in the notice and order.
707		
708		4. A brief statement in ordinary and concise language of the specific order or action
709		protested, together with any material facts claimed to support the contentions of the
710		appellant.
711		
712		5. A brief statement in ordinary and concise language of the relief sought and the
713		reasons why it is claimed the protested order or action should be reversed, modified
714		or otherwise set aside.
715		
716		6. The signatures of all parties named as appellants and their official mailing addresses.
717		
718		7. The verification (by declaration under penalty of perjury) of at least one appellant as
719		to the truth of the matters stated in the appeal.
720		
721	<u>C</u> .	Time to File an Appeal: The appeal must be filed within 30 days from the date of the
722		issuance of the notice and order described herein, except as provided in Subsection D.
723		
724	<u>D.</u>	Time to File an Appeal for an Imminently Dangerous Building: If the building or
725		structure is in such condition as to make it immediately dangerous to the life, limb,
726		property or safety of the public or adjacent property and is ordered vacated and is posted
727		in accordance with Section 18.48.060, such appeal shall be filed as soon as reasonably
728		practical from the date of the issuance of the notice and order of the building official.
729		
730	<u>E.</u>	Transmittal of Appeal: Upon receipt of any appeal filed pursuant to this section, the
731		building official shall transmit the appeal to the members of the Housing Advisory and
732		Appeals Board for scheduling of a meeting within 30 days of receipt of a timely appeal.
733		
734	<u>F.</u>	Scheduling Hearing: As soon as practicable after receiving the written appeal, the
735		Housing Advisory and Appeals board shall fix a date, time and place for the hearing of
736		the appeal by the board. Such date shall not be less than 10 days nor more than 30 days
737		from the date the appeal was filed with the building official. Written notice of the time
738		and place of the hearing shall be given at least 10 days prior to the date of the hearing to
739		each appellant by the secretary of the board either by causing a copy of such notice to be
740		delivered to the appellant personally or by mailing a copy thereof, postage prepaid,
741		addressed to the appellant at the address shown on the appeal.
742		
743	<u>G</u> .	Failure to Timely Appeal: Failure of any person to file a timely appeal in accordance
744		with the provisions of this code shall constitute a waiver of the right to an administrative

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H. Issues Considered on Appeal: Only those matters or issues specifically raised by the

hearing and adjudication of the notice and order or any portion thereof.

appellant shall be considered in the hearing of the appeal.

750	I. Stays Pending Appeal: Except for vacation or boarding orders made pursuant to Section
751	18.48.050, enforcement of any notice and order of the building official issued under this
752	Dangerous Building Code shall be stayed during the pendency of an appeal therefrom
753	which is properly and timely filed.
754	
755	J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall
756	have the authority to hear and evaluate evidence related to the building official's decision
757	and determine whether the decision was arbitrary and capricious or illegal. The Housing
758	Advisory and Appeals Board has no authority relative to interpretation of the
759	administrative provisions of this code nor is the board empowered to waive requirements
760	of this code. After the Housing Advisory and Appeals Board makes a final determination.
761	they shall issue a written determination.
762	
763	K. Appeal to Utah District Court: After issuance of a final written determination by the
764	Housing Advisory and Appeals Board, the decision may be appealed to the Utah District
765	Court, Third Judicial District within 30 days from the issuance of the decision.
766	
767	18.48.090: CITY'S ABATEMENT OF PROPERTY:
768	
769	If compliance is not had with the order within the time specified in the notice and order and
770	no appeal has been properly and timely filed, the building official or designees may cause the
771	building to be repaired, vacated, or boarded to the extent necessary to correct the conditions
772	which render the building dangerous as set forth in the notice and order. Any such repair,
773	vacation, or boarding shall be accomplished and the cost thereof paid and recovered as set
774	forth in this code.
775	<u></u>
776	18.48.100: RECOVERY OF COSTS:
777	
778	A. Permitted Recovery of Costs: If the building official or designee causes the repair,
779	vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050,
780	the division may collect the cost of that abatement, by filing a property tax lien, as set
781	forth in this section.
782	
783	B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work,
784	the building official or designee shall prepare an itemized statement of costs and mail it
785	to the property owner by certified mail, demanding payment within thirty (30) days of the
786	date the statement is post marked.
787	<u> </u>
788	C. Form of Itemized Statement of Costs: The itemized statement of costs shall:
789	e. Term of number switchistic of costs, the number statement of costs share.
790	1. Include:
791	1. metade.
791	a. the address of the property at issue;
793	a. the address of the property at issue,
793 794	b. an itemized list of all expenses incurred by the division, including administrative
79 4 795	•
193	<u>costs;</u>

c. a demand for payment; and

799		<u>d.</u>	the address where payment is to be made;
800			
801		2. No	tify the property owner:
802			
803		a.	that failure to timely pay the expenses described in the itemized statement may
804			result in a lien on the property in accordance with this chapter and Utah Code
805			Section 10-11-4 or its successor;
806			
807		b.	that the property owner may file a written objection to all or part of the statement
808			within twenty (20) days of the date the statement is postmarked; and
809			
810		c.	where the property owner may file the objection, including the name of the office
811			and the mailing address.
812			mar me manning weeks east.
813	D.	Delive	ry of Statement of Costs: The itemized statement of costs described in Subsection
814			be deemed delivered when mailed by certified mail addressed to the last known
815			s of the property owner, according to the records of the county recorder.
816			
817	<u>E.</u>	Object	ion to Statement of Costs: If the property owner files a timely written objection,
818		the div	ision will schedule a hearing and will mail or deliver to the property owner prior to
819		the hea	ring a notice stating the date, time, and location of the hearing.
820			
821	<u>F.</u>	•	on Hearing: At the hearing described in Subsection E, after the property owner
822		*	s the objection to the hearing officer, the fines hearing officer shall review and
823			ine the cost of abatement incurred by the division in abating the property,
824		_	ng administrative costs. The property owner must pay any amount the fines
825			g officer determines is due and owing to the Salt Lake City Treasurer at the address
826		provide	ed in the statement of costs within thirty (30) days of the date of the hearing.
827		г 1	
828	<u>G.</u>		to Object or Pay: If the property owner fails to make payment of the amount set
829		_	the itemized statement within thirty (30) days of the date of the mailing of that
830 831			ent, or to file a timely objection, then the division may certify the past due costs penses to the Salt Lake County Treasurer.
832		and exp	benses to the Sait Lake County Treasurer.
833	н	Failure	to Pay After Objection Hearing: If the property owner files a timely objection but
834	11.		make payment of any amount found due and owing under Subsection F within
835			30) days of the date of the hearing, the inspector may certify the past due costs and
836			e to the Salt Lake County Treasurer.
837			
838	I.	Lien on	Property: After entry by the treasurer of the county, as set forth in Subsections G
839			the amount entered shall have the force and effect of a valid judgment of the
840			court, is a lien on the property, and shall be collected by the treasurer of the
841			in which the property is located at the time of the payment of general taxes.
		•	

2	
3	J. Release of Lien: Upon payment of the amount set forth in the itemized statement of costs
4	or otherwise determined due and owing by the hearing officer in Subsections E and F, the
5	judgment is satisfied, the lien is released from the property, and receipt shall be
6	acknowledged upon the general tax receipt issued by the treasurer.
7 8	
9 0	18.48.110: APPLICABILITY OF BUILDING CODE:
, [All buildings or structures which are required to be repaired under the provisions of this code
	shall be subject to the provisions of the International Building Code, or its successor section.
	18.48.120: PUBLIC NUISANCES:
	A. Declaration and Abatement of Public Nuisances: All buildings or structures or portions
	thereof which are determined after inspection by the building official to be dangerous as
	defined in this code are hereby declared to be public nuisances and shall be abated by
	repair, vacation, or boarding in accordance with the procedures specified herein.
	B. Boarded Building as Public Nuisance: Any structure which has been boarded for over
	two (2) years may be declared to be a public nuisance as detrimental to the safety and
	public welfare of the residents and property values of this city.
	SECTION 3. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,
	Article II. That Chapter 18.48, Article II, of the Salt Lake City Code (Buildings and
	Construction; Dangerous Buildings; Temporary Securing of Buildings) shall be and hereby is
	repealed in its entirety and replaced as follows:
	Article II Temporary Securing Of Buildings
	Part 1. Boarding Process
	18.48.090: Definitions
	18.48.100: Notice And Order To Temporarily Secure
	18.48.110: City Boarding Or Securing
	18.48.120: Boarding Permit Required
	18.48.130: Boarding Permit Application
	18.48.140: Initial Fees
	18.48.150: Separate Salvage Permit Required
	18.48.160: Completion Of Boarding

880	18.48.170: Boarding Without Permit
881	18.48.180: Yearly Fees
882	18.48.185: Posting Of Boarded Or Closed To Occupancy Buildings
883	18.48.090: DEFINITIONS:
884	
885	BOARDED BUILDING: A building in which all or some of the utilities have been
886	disconnected and all windows and doors are boarded against entry at the ground and second
887	level (if a second level exists). Entry doors may be locked or boarded and windows adjacent
888	to entry doors are boarded against entry.
889	
890	BOARDING: The secured covering of openings to a building or structure to prevent entrance
891	pursuant to the provisions and standards of this article due to the nonoccupancy of the
892	building or structure.
893	
894	CLOSED TO OCCUPANCY: A building in which no person may eat, sleep, live or
895	otherwise reside or occupy the building or any portion thereof. Buildings closed to
896	occupancy may only be entered by the owner, owner's agent or other authorized persons to
897	do repair work.
898	
899	EMERGENCY CONDITIONS: One or more conditions which exist in a building or on a
900	property that create a likelihood of imminent danger to life or safety if anyone were to enter
901	or occupy the property or building.
902	
903	UNBOARDED/UNSECURED BUILDING: A building whose window(s) and/or door(s) are
904	missing or broken and other openings are not secured against unauthorized persons entering
905	the building.
906	
907	VACANT/SECURED BUILDING: A building having utility meters that may be locked off
908	but the meters and service lines are in place. All windows are secured and glazed and the
909	doors are secured by means of a lock.
910	10 40 100 NOTICE AND ODDED TO TEMPOD ADM V CECUDE
911	18.48.100: NOTICE AND ORDER TO TEMPORARILY SECURE:
912	A. If the director of housing and neighborhood development determines that a building
913	needs to be boarded, the director of housing and neighborhood development shall send a
914	notice by certified mail, return receipt requested, and regular mail, to the property owner
915	requiring the owner to board the building. The director of housing and neighborhood
916	development shall also, on the same day, post a notice on the property.
917	B. If, due to the existence of emergency conditions, as identified by the director of housing
918	and neighborhood development, it is not possible or practical to give notice in advance,
919	the city may nevertheless board the building without giving prior notice to the owner or

920	occupant, but the city shall provide all required notices immediately following the
921	boarding of the building.
922	18.48.110: CITY BOARDING OR SECURING:
923	A. If, within the time specified in the notice and order, the property owner fails to comply
924	with the notice and order by taking out a permit to board the building pursuant to this
925	article, or apply for a stay pursuant to part 2 of this article, the city may cause the
926	property to be boarded.
927	B. If the director of housing and neighborhood development determines that emergency
928	conditions exist, the city may board the building.
929	C. If the city boards a building, the city shall send the property owner a bill for:
930	1. The fees and charges for services which would otherwise have been charged for the
931	securing of a boarding permit pursuant to section 18.48.140 of this chapter;
932	2. The fee shown on the Salt Lake City consolidated fee schedule to partially recover the
933	city's costs in administering the boarding; and
934	3. The actual costs of the boarding incurred by the city.
935	18.48.120: BOARDING PERMIT REQUIRED:
936	
937	It is unlawful to board a building except pursuant to a permit issued under this article.
938	
939	18.48.130: BOARDING PERMIT APPLICATION:
940	
941	Permits for boarding a building must be applied for on a form provided by the director of
942	housing and neighborhood development. The form shall specify the following:
943	A. The address of the structure to be boarded or temporarily secured;
944	B. The type of building;
945	C. For residential structures, the number of dwelling units;
946	D. For nonresidential buildings, the number of building square feet and the linear footage of
947	all building faces at ground level;
948	E. The name, address and telephone number of a person authorized to act as an agent for the
949	owner for performing the owner's obligations under this article, who lives within forty
950	(40) miles of Salt Lake City;

951	F. Whether the property has the required external water source for landscaping, if
952	landscaping is required; and
953	G. A description of the condition of the building and the landscaping of the surrounding
954	property.
955	18.48.140: INITIAL FEES:
956	
957	For the first year of any boarding, at the time of filing the application, the applicant shall pay
958	the following fees:
959	A. The fee shown on the Salt Lake City consolidated fee schedule for each structure; and
960	B. A plumbing permit fee shown on the Salt Lake City consolidated fee schedule to install
961	the external irrigation hose bib, if required, and not already present.
962	18.48.150: SEPARATE SALVAGE PERMIT REQUIRED:
963	
964	If the property owner intends to salvage any of the structure or other building components,
965	hardware or equipment prior to or during the boarding, the property owner must secure a
966	salvage permit as otherwise required by law.
967	
968	18.48.160: COMPLETION OF BOARDING:
969	
970	Boarding must be completed within ten (10) days of the issuance of a permit.
971	18.48.170: BOARDING WITHOUT PERMIT:
972	
973	Boarding a building before obtaining a permit pursuant to this article will require payment of
974	double the initial boarding application fee specified in subsection 18.48.140A of this chapter
975	or its successor.
976	
977	18.48.180: YEARLY FEES:
978	
979	A. On or before each yearly anniversary of a boarding permit, a property owner desiring to
980	continue to board a building shall pay the annual boarding fee shown on the Salt Lake
981	City consolidated fee schedule.
982	B. A late fee of twenty five dollars (\$25.00) shall be assessed by the City for each thirty
983	(30) days, or any portion thereof, in which the annual fees have not been paid.
984	C. If the property owner fails to pay either the initial boarding fees or the annual boarding
985	fee, the City may take legal action to collect any amounts owed.
986	18.48.185: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

987	
988	Whenever a building is boarded or closed to occupancy, the City shall be authorized to install
989	a sign to be mounted on the front facade of the building. The sign shall state that the building
990	is closed to occupancy and that it is unlawful for any unauthorized person to enter the
991	building. The sign shall also provide phone numbers to call if people are seen on the property
992	or if doors or windows are unsecured.
993	Part 2. Stays
994	18.48.190: Stays Authorized
995	18.48.200: Stay Process
996	18.48.210: Actions During The Stay
997	18.48.220: Work On Building Permit
998	18.48.190: STAYS AUTHORIZED:
999	
000	The owner of any property which should be boarded pursuant to this article, either
001	voluntarily by the owner or pursuant to a notice and order, may apply for a stay of the
002	boarding requirement.
.003	18.48.200: STAY PROCESS:
004	A. An owner seeking a stay shall obtain and complete the boarding application provided in
.005	section 18.48.130 of this article or its successor.
.006	B. The building official shall promptly inspect the building and render a determination, in
007	writing, regarding the building's suitability for a stay.
.008	C. If the building official determines that the building is in such a condition as to pose an
.009	imminent danger of collapse or fire or is an attractive nuisance which creates a significant
010	risk of transient occupancy or vandalism, the building official shall deny the request for a
.011	stay
012	D. If the Director of Housing and Neighborhood Development denies a stay request, the
.013	building owner shall obtain a boarding or demolition permit within seven (7) days or the
014	City may proceed to board the property pursuant to section 18.48.110 of this article, or its
015	successor. In addition to the provisions of this section, the issuance of demolition permits
016	in historic districts and landmark sites are subject to the provisions of
017	subsection 21A.34.020K of this Code. In the event of a conflict between the provisions of
.018	this subsection and subsection 21A.34.020K of this Code, the latter shall control
019	E. If the Director of Housing and Neighborhood Development determines that a stay is
020	appropriate, the Director of Housing and Neighborhood Development shall certify in
021	writing that a stay of up to four (4) months has been issued.
022	18.48.210: ACTIONS DURING THE STAY:

1023 1024	A. Within the stay period, the building owner shall obtain either a boarding permit pursuant to this article or a building permit to rehabilitate the building.
1025	B. If the owner obtains a boarding permit, the owner shall, at that time, pay all the fees
1026	required pursuant to this article.
1027	C. If the owner obtains a building permit for rehabilitation, the owner shall not be required
1028	to pay the boarding application fee but shall pay, instead, the appropriate building permit
1029	fees.
1030	18.48.220: WORK ON BUILDING PERMIT:
1031	A. If an owner has obtained a stay pursuant to this article and subsequently secures a
1032	building permit for rehabilitation, work under the building permit must be begun within
1033	thirty (30) days of obtaining the permit and must be prosecuted to completion with
1034	reasonable diligence.
1035	B. If work under the building permit is not begun or pursued as required, the city may
1036	revoke the building permit without further notice and board the building as necessary.
1037	Part 3. Boarding Standards
1038	18.48.230: Method Of Securing Buildings
1039	18.48.240: Landscape Maintenance
1040	18.48.250: Exterior Maintenance
1041	18.48.260: Snow And Ice Removal
1042	18.48.270: City Maintenance Of Building
1043	18.48.280: City Maintenance Of Landscaping
1044	18.48.290: City Removal Of Snow
1045	18.48.230: METHOD OF SECURING BUILDINGS:
1046	
1047	All buildings shall be boarded in the following manner:
1048	A. All openings in the structure on the first two (2) floors, other openings easily accessible
1049	from the ground, and openings with broken glass, shall be secured either by erecting a
1050	single one-half inch (1/2") thick layer of plywood sheathing, or exterior grade chipboard,
1051	covering over all exterior openings, overlapping the opening on every edge by three
1052	inches (3"), nailed along the edges by eightpenny common nails spaced every six inches
1053	(6");
1054	B. Alternately, the openings may be secured by conventional wood frame construction. The
1055	frames shall use wood studs of a size not less than two inches by four inches (2" x 4")
1056	(nominal dimension) placed not more than twenty four inches (24") apart on center. The
1057	frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the

face of the wall. Each side of the frame shall be covered with plywood or chipboard

1059	sheathing of at least one-half inch (4/2") thickness or equivalent lumber nailed over the
1060	opening by using eightpenny common nails spaced every six inches (6") on the outside
1061	edges and every twelve inches (12") along intermediate stud supports;
1062	C. All coverings shall be painted with the same color as the building or its trim; and
1063	D. Exterior doors shall be secured by a strong nonglass door adequately locked to preclude
1064	entry of unauthorized persons, or shall be covered as an opening described in subsection
1065	A or B of this section or successor sections.
1066	18.48.240: LANDSCAPE MAINTENANCE:
1067	
1068	Existing landscaping and lawn on the property shall be maintained in the manner otherwise
1069	required by law.
1070	
1071	18.48.250: EXTERIOR MAINTENANCE:
1072	A. The exterior of a boarded building shall be maintained as required by relevant
1073	requirements set forth in sections 18.50.140 to 18.50.230 of this title. In particular,
1074	exterior walls and surfaces shall be properly maintained and severely weathered, peeling,
1075	or unpainted wood and damaged siding and roofing shall be replaced or repaired with
1076	similar materials and colors.
1077	B. Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards,
1078	lumber, stones, bricks, marble, or similar materials within the interior of a boarded
1079	building shall not be salvaged except upon the issuance of a predemolition salvage permit
1080	as provided in section 18.64.070 of this title.
1081	C. If the owner of a boarded building fails to maintain the building and its premises as
1082	required by this section and section 18.64.045 of this title, the city may take appropriate
1083	legal action to enforce such requirements.
1084	18.48.260: SNOW AND ICE REMOVAL:
1085	
1086	Snow and ice must be removed from public sidewalk areas surrounding the property in the
1087	manner indicated in section 14.20.070 of this code.
1088	
1089	18.48.270: CITY MAINTENANCE OF BUILDING:
1090	A. If the director of housing and neighborhood development determines that a boarded
1091	building is not being maintained, the director of housing and neighborhood development
1092	shall send a notice to the property owner and/or the property owner's agent requiring
1093	compliance with the building maintenance standards within seven (7) days.

1094	B. If the director of housing and neighborhood development determines that the property
1095	owner has failed to comply with the notice and order, the city may cause the work to be
1096	done by a contractor employed by the city.
1097	C. The city shall bill the property owner:
1098	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1099	year to cover the city's administrative expenses in contracting for the building
1100	maintenance; and
1101	2. The actual cost of building maintenance billed to the city by the city's contractor.
1102	18.48.280: CITY MAINTENANCE OF LANDSCAPING:
1103	A. If the director of housing and neighborhood development determines that the
1104	landscaping on the property surrounding a boarded building is not being maintained as
1105	required by city code, the director of housing and neighborhood development shall send a
1106	notice to the property owner and/or the property owner's agent, requiring compliance
1107	with landscaping standards within seven (7) days.
1108	B. If the director of housing and neighborhood development determines that the property
1109	owner has failed to comply with the notice and order, the city may cause the work to be
1110	done by a contractor employed by the city.
1111	C. The city shall bill the property owner:
1112	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1113	year, to cover the city's administrative expenses in contracting for the landscaping
1114	maintenance; and
1115	2. The actual cost of landscaping maintenance billed to the city by the city's contractor.
1116	18.48.290: CITY REMOVAL OF SNOW:
1117	A. If the director of housing and neighborhood development determines that sidewalks
1118	adjacent to a boarded building are not having the snow removed as required by
1119	section 18.48.260 of this chapter or its successor, the director of housing and
1120	neighborhood development shall send a notice to the property owner and/or the property
1121	owner's agent, requiring snow from the present snowfall to be removed and notifying the
1122	property owner that if snow from a subsequent snowfall is not removed as required, the
1123	city will contract for the removal and charge the property owner, pursuant to this section
1124	or its successor.
1125	B. If the director of housing and neighborhood development determines that the property
1126	owner has failed to comply with the notice and order, the city may cause snow, during the
1127	winter, to be removed by a contractor employed by the city.

1128	C. The city shall bill the property owner:
1129	1. The administrative fee shown on the Salt Lake City consolidated fee schedule, per
1130	year, to cover the city's administrative expenses in contracting for snow removal; and
1131	2. The actual cost of snow removal billed to the city by the city's contractor.
1132	Part 4. Miscellaneous Provisions
1133	18.48.300: Appeal Process
1134	18.48.310: Legal Action Authorized
1135	18.48.320: Existing Boarded Properties
1136	18.48.325: Building Inspections Required
1137	18.48.300: APPEAL PROCESS:
1138	A. Any person aggrieved by the decision of the director of housing and neighborhood
1139	development may appeal the decision to the housing advisory and appeals board (HAAB
1140	by filing a notice with HAAB within seven (7) days of the director of housing and
1141	neighborhood development's decision. The notice shall specify the basis for the appeal.
1142	B. An HAAB panel of at least three (3) HAAB members shall schedule a hearing not less
1143	than seven (7) days after the notice of appeal nor more than fourteen (14) days after the
1144	notice.
1145	C. HAAB shall notify the applicant and any appellant of the hearing and, at the hearing,
1146	shall take testimony and evidence.
1147	D. HAAB shall sustain the decision of the director of housing and neighborhood
1148	development unless HAAB finds that the director of housing and neighborhood
1149	development has failed to comply with the provisions of this article.
1150	E. Any person aggrieved by any decision of HAAB under this article may appeal such
1151	decision to the mayor within seven (7) days of HAAB's decision. The appeal shall specif
1152	any objection to HAAB's decision.
1153	F. The mayor, or the mayor's designated hearing officer, shall not take any additional
1154	evidence and shall consider the appeal only on the basis of the material presented to
1155	HAAB.
1156	G. The mayor, or the mayor's designated hearing officer, shall sustain the decision of
1157	HAAB, unless it appears that the decision of HAAB is not supported by any competent
1158	evidence or is arbitrary or capricious. If the mayor or the mayor's designated hearing
1159	officer does not reverse or otherwise modify the HAAB decision within seven (7) days
1160	after the matter is submitted, the HAAB decision shall be sustained.

1161	18.48.310: LEGAL ACTION AUTHORIZED:
1162	
1163	The city may take appropriate legal action to collect all unpaid fees or bills provided by this
1164	article.
1165	
1166	18.48.320: EXISTING BOARDED PROPERTIES:
1167	A. The director of housing and neighborhood development shall take reasonable actions to
1168	notify the owners of buildings boarded as of the effective date hereof.
1169	B. The notice shall generally inform the property owner of the enactment of the ordinance
1170	codified herein and shall notify the owner that a permit is required for the boarded
1171	building.
1172	C. Owners of buildings boarded as of the effective date hereof shall apply for a permit no
1173	later than January 31, 1995.
1174	D. The permit for buildings boarded as of the effective date hereof shall be processed as a
1175	new permit pursuant to the provisions of section 18.48.130 of this chapter or its
1176	successor.
1177	E. To partially even the burden of processing applications, any owner of a building boarded
1178	as of the effective date hereof shall receive a discount of thirty percent (30%) of the fees
1179	required by section 18.48.140 of this chapter or its successor, if the owner applies for a
1180	permit prior to October 31, 1994.
1181	18.48.325: BUILDING INSPECTIONS REQUIRED:
1182	
1183	Whenever a property owner, manager or tenant intends to clean, repair, renovate, reopen or
1184	reoccupy a building that has been boarded, the building is to be inspected and a permit must
1185	be issued by the Salt Lake City building services and licensing division prior to the building
1186	owner, manager or tenant initiating any of the above actions. Any person conducting any
1187	work on a building that has been boarded or closed to occupancy must have a copy of the
1188	permit on the site at all times. Any person conducting work without a permit on the site, will
1189	be evicted from the premises.
1190	1
1191	Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS
1192	
1193	18.48.200: SCOPE AND APPLICABILITY:
1194	18.48.205: BOARDING PERMIT:
1195	18.48.210: INITIAL FEES:
1196	18.48.215: YEARLY FEES:
1197	18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:
1198	18.48.225: METHOD OF SECURING BUILDINGS:
1199	18.48.230: LANDSCAPE MAINTENANCE:
1200	18 48 235: EXTERIOR MAINTENANCE:

	48.240: SNOW AND ICE REMOVAL: 48.245: CITY MAINTENANCE OF PROPERTY:
18.	48.250: CITY MAINTENANCE OF LANDSCAPING:
	48.255: LEGAL ACTION AUTHORIZED:
<u> 18.</u>	48.260: BUILDING INSPECTIONS REQUIRED:
10	40 400 CCODE AND ADDITION OF THE LOCATION OF T
18.	48.200: SCOPE AND APPLICABILITY:
Th	e provisions of this article apply to any person that is ordered to board a building under
	ticle I and any person who voluntarily boards a building.
	
<u> 18.</u>	48.205: BOARDING PERMIT:
Δ	Permit Required: A permit is required to board a building. In the case where the city
<i>1</i> 1.	causes the boarding work to be done pursuant to Section 18.48.245, the city is not
	required to obtain a boarding permit.
	
B.	Form of Permit: Permits for boarding a building must be applied for on a form provided
	by the building official or designee. The form shall specify the following:
	1. The address of the structure to be boarded or temporarily secured;
	2 TI 4 C1 '11'
	2. The type of building:
	3. For residential structures, the number of dwelling units;
	5. Tot residential structures, the number of aweiling units,
	4. For nonresidential buildings, the number of square feet of all building faces at groun
	level;
	5. The name, address, and telephone number of a person authorized to act as an agent
	for the owner for performing the owner's obligations under this article, who lives
	within forty (40) miles of Salt Lake City; and
	6. Whether the property has the required external water source for landscaping, if
	landscaping is required.
1 Q	48.210: INITIAL FEES:
10.	48.210. INITIAL FEES.
For	the first year of any boarding, at the time of filing the application, the applicant shall pa
	fees shown on the Salt Lake City consolidated fee schedule for each structure.
	The same same same same same same same sam
18.	48.215: YEARLY FEES:

A. Annual Fee: On or before each yearly anniversary of the issuance of a boarding permit,

fee shown on the Salt Lake City consolidated fee schedule.

amounts allowed by state law.

a property owner desiring to maintain a boarded building shall pay the annual boarding

B. Late Fee: A late fee of twenty five dollars (\$25.00) shall be assessed by the city for each

thirty (30) days, or any portion thereof, in which the annual fees have not been paid up to

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1252	
1253	C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this
1254	article shall result in a fine of up to twenty five percent (25%) of the boarding application
1255	fee specified in the Salt Lake City consolidated fee schedule.
1256	
1257	D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or
1258	the annual boarding fees, the city may take legal action to collect any amounts owed.
1259	
1260	18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:
1261	
1262	Whenever a building is boarded or closed to occupancy, the city shall be authorized to install
1263	a sign to be mounted on the exterior of the building. The sign shall state that the building is
1264	closed to occupancy and that it is unlawful for any unauthorized person to enter the building.
1265	The sign shall also provide phone numbers to call if people are seen on the property or if
1266	doors or windows are unsecured.
1267	40.40.44.
1268	18.48.225: METHOD OF SECURING BUILDINGS:
1269	
1270	All buildings shall be boarded in the following manner:
1271	
1272	A. Securing Opening: All openings in the structure on the first floor, other openings easily
1273	accessible from the ground, and openings with broken glass, shall be secured either by
1274	erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar
1275	material, not to include chipboard/OSB, covering over all exterior openings, overlapping the opening on every edge by three inches (3"), affixed along the edges by nails or screws
1276 1277	spaced every six inches (6").
1277	spaced every six menes (o).
1278	B. Alternatives to Securing Openings: Alternately, the openings may be secured by
1279	conventional wood frame construction. The frames shall use wood study of a size not less
1281	than two inches by four inches (2" x 4") (nominal dimension) placed not more than
1282	twenty four inches (24") apart on center. The frame stud shall have the four inch (4")
1283	sides or the wide dimension perpendicular to the face of the wall. Each side of the frame
1284	shall be covered with plywood sheathing or similar material of at least one-half inch
1285	(1/2") thickness or equivalent lumber nailed over the opening by using nails or screws
1286	spaced every six inches (6") on the outside edges and every twelve inches (12") along
1287	intermediate stud supports; and
1288	

1289	C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately
1290	locked to preclude entry of unauthorized persons, or shall be covered as an opening
1291	described in Subsection A or B of this section or successor sections.
1292 1293	18.48.230: LANDSCAPE MAINTENANCE:
1294	<u> </u>
1295 1296	Existing landscaping and lawn on the property shall be maintained in the manner otherwise required by Chapters 9.16 and 21A.48.
1297	
1298	18.48.235: EXTERIOR MAINTENANCE:
1299	
1300 1301	A. Exterior of Building: The exterior of a boarded building shall be maintained as required by relevant requirements set forth in Section 18.50.140 of this title. In particular, exterior
1302	walls and surfaces shall be properly maintained and severely weathered, peeling, or
1303	unpainted wood and damaged siding and roofing shall be replaced or repaired with
1304	similar materials and colors.
1305	
1306 1307	B. Salvage Permit Required: Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials within
1308	the interior of a boarded building shall not be salvaged except upon the issuance of a
1309	permit as provided in Section 18.64.070 of this title.
1310	
1311	C. Enforcement of Exterior Maintenance Requirements: If the owner of a boarded building
1312	fails to maintain the building and its premises as required by this section and
1313	Section 18.64.045 of this title, the city may take appropriate legal action to enforce such
1314	requirements.
1315	
1316	18.48.240: SNOW AND ICE REMOVAL:
1317 1318	Snow and ice must be removed from public sidewalk areas surrounding the boarded property
1319	in the manner indicated in Section 14.20.070 of this code.
1320	in the mainer indicated in Section 11.20.070 of this code.
1321	18.48.245: CITY MAINTENANCE OF PROPERTY:
1322	10.40.243. CITT MAINTENANCE OF TROTERIT.
1323	A. Notice: If the building official or the building official's designee determines that a
1324	boarded building and/or property is not being maintained, the building official or the
1325	building official's designee shall send a notice to the property owner and/or the property
1326	owner's agent requiring compliance with the building maintenance standards as required
1327	in city code.
1328	in only code.
1329	B. Failure to Comply with Notice: If the building official or designee determines that the
1329	property owner has failed to comply with the notice, the city may cause the work to be
1331	done by a contractor hired by the city.
1331	done by a contractor fired by the city.
1333	C. City's Recovery of Costs: The city shall bill the property owner:
1000	c. City b iteed for y of Cobio. The city blight off the property Owner.

1335	1. The administrative fee shown on the Salt Lake City consolidated fee schedule to
1336	cover the city's administrative expenses in contracting for the building maintenance;
1337	and
1338	
1339	2. The actual cost of building maintenance billed to the city by the city's contractor.
1340	
1341	18.48.250: CITY MAINTENANCE OF LANDSCAPING:
1342	
1343	If the building official or the building official's designee determines that the landscaping on
1344	the property surrounding a boarded building is not being maintained as required by city code,
1345	the building official or the building official's designee shall follow the notice of violation and
1346	corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.
1347	
1348	18.48.255: LEGAL ACTION AUTHORIZED:
1349	
1350	The city may recover any costs it incurs in for enforcing the provisions of this title, as set
1351	forth in city code.
1352	
1353	18.48.260: BUILDING INSPECTIONS REQUIRED:
1354	
1355	Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or
1356	reoccupy a building that has been boarded, the building is to be inspected by the building
1357	official or designee and a permit must be issued by building services or its successor prior to
1358	the building owner, manager, or tenant initiating any of the above actions. Any person
1359	conducting any work on a building that has been boarded or closed to occupancy must have a
1360	valid building permit at all times.
1361	
1362	SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,
1363	Article III. That Chapter 18.48, Article III, of the Salt Lake City Code (Buildings and
1364	Construction; Dangerous Buildings; Emergency Demolition) shall be and hereby is repealed in
1365	its entirety and moved to Chapter 18.64.
1366	Article III. Emergency Demolition
	10 40 220 B
1367	18.48.330: Purpose
1368	18.48.340: Emergency Demolitions Applicability
1369	18.48.350: Immediate City Demolition
1370	18.48.360: Level 3 Emergencies
1371	18.48.370: Bill For Costs; Collection
1272	19 /9 220. DIIDDOSE.
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1373	
1374	Notwithstanding the other provisions of this chapter, the UCADB, the process for
1375	demolishing buildings in an emergency situation, shall be as provided by this article.
1376	
1377	18.48.340: EMERGENCY DEMOLITIONS APPLICABILITY:
1378	
1379	If the building official determines that the walls or roof of a building or structure are
1380	collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to
1381	fall on other structures, property or public rights of way, or create a danger to persons who
1382	may enter the property, or create a danger of fire, the building official may seek an order that
1383	the building should be demolished pursuant to this article.
1384	
1385	18.48.350: IMMEDIATE CITY DEMOLITION:
1386	A. If the building official determines that demolition should be begun immediately, the
1387	building official shall schedule an emergency meeting of the housing advisory and
1388	appeals board (HAAB) as soon as practical.
1389	B. The director of housing and neighborhood development shall make reasonable efforts to
1390	notify the recorded property owner, all HAAB members, the historic landmark
1391	commission staff person, the city council member and the chairperson of the
1392	neighborhood council recognized pursuant to title 2, chapter 2.60 of this code in which
1393	the property is located.
1394	C. At least three (3) HAAB members, and any others available, shall attend the emergency
1395	meeting to consider the immediate demolition.
1396	D. The emergency HAAB meeting shall hear any evidence or testimony regarding the
1397	immediate demolition and shall determine whether immediate demolition is appropriate
1398	under the standards of section 18.48.340 of this chapter or its successor.
1399	E. If the emergency HAAB meeting authorizes immediate demolition, and the property
1400	owner was present or represented at the emergency HAAB meeting, the property owner
1401	shall have twenty four (24) hours in which to have a licensed contractor take out a permit
1402	for the demolition. Work under any such permit shall be commenced within twenty four
1403	(24) hours of the permit's issuance. Within twenty four (24) hours of the start of the work
1404	the property shall be secured to prevent entry and the structure demolished so that no par
1405	of the structure is in imminent danger of collapsing in such a way as to fall on other
1406	structures, property or public rights of way, or create a danger of fire. Work under the
1407	demolition permit shall be completed within seven (7) days of the permit's issuance.
1408	F. If the property owner was unrepresented at the emergency HAAB meeting, or the
1409	property owner fails to proceed with the demolition pursuant to the requirements of
1410	subsection E of this section or its successor, the city may contract with a licensed
1411	demolition contractor to demolish the building.

1412	G. If HAAB does not authorize the immediate demolition, the building official may appeal
1413	such a denial on an expedited basis to the mayor.
1414	1. All parties specified in subsection B of this section, or its successor, shall be notified
1415	of the appeal hearing before the mayor or the mayor's designee.
1416	2. The mayor, or the mayor's designee, shall hear evidence regarding the immediate
1417	demolition.
1418	H. If the mayor or the mayor's designee authorizes immediate demolition under the
1419	standards of section 18.48.340 of this chapter, or its successor, the provisions of
1420	subsections E and F of this section, or their successors, shall apply.
1421	18.48.360: LEVEL 3 EMERGENCIES:
1422	
1423	If the mayor has declared a level 3 emergency, the notification and hearing provisions of
1424	section 18.48.350 of this chapter, or its successor, shall be waived and the building official
1425	may immediately secure the demolition of any structure which meets the standards of
1426	section 18.48.340 of this chapter or its successor.
1427	
1428	18.48.370: BILL FOR COSTS; COLLECTION:
1429	A. Upon the completion of any city demolition pursuant to this article, the city shall mail a
1430	bill to the property owner for the city's costs of demolition which shall include the cost of
1431	the demolition contractor and a reasonable amount to pay the costs of city personnel
1432	involved in the demolition.
1433	B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the
1434	bill.
1435	
1436	
1437	SECTION 5. Amending the Text of Salt Lake City Code Section 18.64. That Section
1438	18.64, of the Salt Lake City Code (Buildings and Construction; Demolition) shall be amended to
1439	read as follows:
1440	
1441	Article I. Demolition
1442	
1443	18.64.005: PURPOSE AND INTENT:
1444	18.64.010: PERMIT REQUIRED:
1445	18.64.020: APPLICATION AND PERMIT:
1446	18.64.030: FEES AND SIGNATURE , BOND :
1447	18.64.040: ISSUANCE OF DEMOLITIONPERMIT:
1448	18.64.045: DEMOLITION BY NEGLECT:
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1449	18.64.050; RESIDENTIAL DEMOLITION PROVISIONS:				
1450	18.64.070: PREDEMOLITION SALVAGE PERMITS:				
1451	18.64.080: EXPIRATION; DILIGENCE: 18.64.090: QUALIFICATIONS TO DO WORK:				
1452					
1453	18.64.100: DEMLITION REQUIREMENTS: 18.64.110: RELATIOSHIPTO OTHER ORDINANCE: 18.64.120: VIOLATIONS:				
1454					
1455					
1456					
1457	18.64.005: PURPOSE AND INTENT:				
1458	A. The purpose of the provisions in this chapter is to:				
1459 1460	1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;				
1461 1462	 Provide an orderly and predictable process for demolition of buildings and structures when appropriate; 				
1463	3. Ensure demolition occurs safely;				
1464	4. Protect utilities and other infrastructure from damage during demolition;				
1465	5. Provide for enforcement of timely completion of demolition and for improvement of				
1466 1467	property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;				
1468 1469	6. Provide for enforcement and maintenance of property to avoid purposeful demolition by neglect; and				
1470	7. Encourage preservation of the city's housing stock where appropriate.				
1471	B. A primary intent of the city council with respect to this chapter is to avoid promote				
1472	responsible re-use of existing housing stock where practical and provide an orderly				
1473	process for demolition, where it is not practical or partial demolition, of buildings in a				
1474	manner that disrupts the character and development pattern of established neighborhood				
1475 1476	and business areas cost efficient to rebuild/reuse. Accordingly, the council finds that it is in the public interest to				
1477	1. Rrequire existing buildings to be maintained in a habitable condition manner that				
1478	does not constitute a public nuisance until replaced by new construction, except as				
1479	otherwise permitted by this code.				
1480	2. Avoid demolition of existing structures until a complete building permit application				
1481	submitted for new construction, except as otherwise provided in this chapter; and				

1482	3. Avoid creation of vacant demolition sites with minimal or no landscaping or other				
1483	improvements.				
1484	10 (4 010, DEDMIT DECLUDED.				
1485	18.64.010: PERMIT REQUIRED:				
1486	Te in an 1 and 1 to 1 and 1 in 1 and 1 in 1 and 1 in 1				
1487	It is unlawful to demolish any building or structure in the city, or cause the same to be				
1488	demolished, without first obtaining a permit for demolition of each such building or structure				
1489	from the city building official as provided in this chapter.				
1490	19 (4 020. ADDI ICATION EOD DEDMIT				
1491	18.64.020: APPLICATION FOR PERMIT				
1492	To obtain a permit for demolition, an applicant shall submit an application in writing on a				
1493 1494	form furnished by the building official for that purpose. Each application shall:				
1495	A. Identify and describe the type of work to be performed under the permit;				
1496	B. State the address of the structure or building to be demolished;				
1497	C. Describe the building or structure to be demolished including the type of use, type of				
1498	building construction, size and square footage, number of stories, and number of				
1499	residential dwelling units (if any);				
1500	D. Indicate the method and location of demolished material disposal;				
1501	E. Identify the approximate date of commencement and completion of demolition;				
1502	F. Indicate if fences, barricades, scaffolds or other protections are required by any city code				
1503	for the demolition and, if so, their proposed location and compliance;				
1504					
1505	G. State whether fill material will be required to restore the site to level grade after				
1506	demolition and, if required, the approximate amount of fill material;				
1507	, 1				
1508	H. If the building or structure to be demolished contains any dwelling units, state whether				
1509	any of the dwelling units are presently occupied; and				
1510					
1511	I. State the proposed use of the premises following demolition. If new construction is				
1512	proposed following demolition, state the anticipated start date and whether any				
1513	development applications have been submitted to and/or approved by the city.				
1514					
1515	18.64.030: FEES AND SIGNATURE , BOND :				
1516	A The name is application about the signed bands or set and be set a control of the second and the set and the second actions to the second action of the se				
1516	A. The permit application shall be signed by the party or the party's authorized agent				
1517	requesting the permit. A signature on the permit application constitutes a certification by				
1518	the signee that the information contained in the application is true and correct.				

1519 1520				
1521	C. An additional fee for the cost of inspecting the property to determine compliance with			
1522	the requirements of this chapter and to assure the property is kept free of weeds and junk			
1523	materials shall be collected in the amount shown on the Salt Lake City consolidated fee			
1524	schedule.			
1525	D. Except as otherwise permitted under this chapter, a performance bond shall be provided			
1526	prior to issuance of a demolition permit. The bond amount shall be determined by the			
1527	building official and shall be sufficient to ensure abatement of potential impacts to publi			
1528	health and safety, including environmental impacts resulting from demolition, general			
1529	cleanup of the demolition site, and installation and maintenance of landscaping if			
1530	landscaping is required under this chapter.			
1531	1. The form of the bond shall be approved by the city attorney or designee and may			
1532	include any commercially reasonable method of bonding.			
1533	2. The building official may require adjustment of bond amount if the scope of work			
1534	changes after demolition work has begun.			
1535	3. If the applicant fails to comply with provisions of the demolition permit and the city			
1536	has any unreimbursed cost resulting from such failure, the building official or			
1537	designee may call on the bond for reimbursement. After such cost has been finally			
1538	determined, if the amount of the bond exceeds such cost, the remainder shall be			
1539	released to the applicant. If the amount of the bond is less than the cost incurred by			
1540	the city, the applicant shall be liable to the city for the difference in cost.			
1541	4. The bond shall remain in place until all required work is complete, final inspection			
1542	has been approved, and a building permit for new construction on the subject proper			
1543	has been approved by the city.			
1544				
1545	18.64.040: ISSUANCE OF DEMOLITION PERMIT:			
1546	A. Except as otherwise provided in subsection D of this section, a A demolition permit sha			
1547	may be issued only upon compliance with subsection B of this section, if applicable, and			
1548	if:			
1549	1. A complete building permit completion of an application for a use replacing the			
1550	demolished building or structure has been submitted to the building services and			
1551	licensing division; or			
1552	2. The in accordance with Section 18.64.020 herein; or the chief building official or fir			
1553	marshal orders immediate demolition:			

1554 1555	<u>1.</u> Due to an emergency as provided in chapter 18.48 of <u>Chapter 18.64</u> , <u>Article II of</u> this title; or				
1556	2. Because the premises have been damaged beyond repair because of a natural disaster,				
1557	fire, or other similar event; or				
1558	3. The chief building official or fire marshal authorizes immediate demolition because				
1559	clearing of land is necessary to remove a nuisance as defined in section this code or				
1560	Section 76-10-801 et seq., Utah Code Annotated or its successor.				
1561	4. a. B. The chief building official or Ffire Mmarshal may request that an administrative				
1562	committee, appointed by the <u>Mmayor</u> , render an opinion regarding whether a particular				
1563	building or structure should be demolished pursuant to the provisions of <u>sS</u> ubsection				
1564	A2B1 or $A3B2$ of this section.				
1565	b. 1. If a committee demolition opinion is requested, information regarding the factual				
1566	and legal basis for determining the propriety of the request shall be provided to the				
1567	committee. The property owner shall be notified of the opinion request and may				
1568	submit any information to the committee deemed relevant by the owner.				
1569	e. 2. If after considering the factual and legal information provided, the committee				
1570	recommends the building or structure should be demolished, the chief building				
1571	official or Ffire Mmarshal, as the case may be, shall consider such information in				
1572	determining whether to authorize demolition.				
1573	B. Except as provided in subsection B1 of this section, unless a building permit has been				
1574	issued for one or more new buildings or structures located on the same site as the				
1575	demolished building or structure, within thirty (30) days after demolition is completed,				
1576	landscaping shall be installed on the property according to the standards set forth in				
1577	subsection 21A.48.100D2 of this Code.				
1578	1. A bond for landscaping shall not be required when a single-family dwelling is				
1579	demolished and will be replaced by a new single-family dwelling.				
1580	2. This subsection B shall apply regardless of the zoning district in which the subject				
1581	property is located and any contrary provision in title 21A of this Code.				
1001					
1582	3. Timely and proper installation and maintenance of landscaping shall be assured by a				
1583	bond filed with the City as provided in section 18.64.030D of this chapter.				
1584	4. Required landscaping shall remain in place and shall be maintained until new				
1585	construction is commenced on the subject property and may be removed to facilitate				
1586	such construction. Thereafter, replacement landscaping shall be installed as may be				
1587	required by this Code.				

1588	5. A park strip abutting the subject property shall be maintained as provided in				
1589	section 21A.48.060 of this Code or its successor.				
1590	6. Notwithstanding the thirty (30) day requirement in this subsection B, installation of				
1591	landscaping may be delayed due to weather conditions so long as landscaping is				
1592	completed within six (6) months after demolition and the property owner escrows				
1593	funds sufficient to assure installation of landscaping as determined by the Building				
1594	Services and Licensing Division.				
1595	C. 1. Except as otherwise provided in section 18.64.050 of this chapter, if one or more				
1596	dwelling units located in a residential zone, whether or not occupied, will be removed				
1597	under a demolition permit, a housing mitigation plan shall be prepared as required in				
1598	chapter 18.97 of this title prior to issuance of the permit.				
1599	2. If proposed demolition involves a landmark site, a contributing principal building;				
1600	structure, or a structure located in a the H Hhistoric Ppreservation Ooverlay Ddistrict, as				
1601	provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall				
1602	be issued only upon compliance with applicable provisions of that section or its				
1603	successor.				
1604	D. 1. Notwithstanding contrary provisions of this section, a demolition permit for a building				
1605	or structure may be issued if the Community Development Director certifies that the land				
1606	on which the building or structure is located:				
1607	a. Is subject to a Master Plan that envisions redevelopment of the land unless				
1608	removal of the building or structure is inconsistent with the Master Plan;				
1609	b. Is being assembled for redevelopment purposes; and				
1610	c. Is part of a larger area being joined to create one or more larger parcels of				
1611	developable land in order to implement the Master Plan.				
1612	2. If a building permit for new construction is not issued within eighteen (18) months				
1613	after demolition occurs pursuant to subsection D1 of this section, landscaping shall be				
1614	installed as provided in subsection B of this section.				
1615					
1616	18.64.045: DEMOLITION BY NEGLECT:				
1617	A. Except as otherwise provided in subsection B of this section, a property owner shall not				
1618	neglect a building or structure to the point that the building or structure fails to				
1619	substantially conform to applicable standards of the state construction code and				
1620	sections 18.50.140 to 18.50.230 of this title.				
1621	B. 1. The owner of a boarded building shall maintain the exterior of the building as				
1622	provided in <u>sSection 18.48.2505</u> , "Exterior Maintenance", of this title or its successor.				

1623		2. The interior of a boarded building shall not be subject to the provisions of subsection
1624		A of this section but shall be maintained as provided in section 18.48.250 of this title.
1625		
1626	18.	.64.050: RESIDENTIAL DEMOLITION PROVISIONS:
1627		
1628	A.	Except as provided in <u>sSubsection</u> B of this section, if the structure for which a
1629		demolition permit is sought contains one or more dwelling units, whether or not
1630		occupied, the building official shall consider the impact of the requested demolition on
1631		the housing stock of Salt Lake City pursuant to the provisions of this section.
1632	D	This section shall not apply to any housing which:
1633 1634	Б.	This section shall not apply to any housing which:
1635		1. Is a nonconforming use as provided by relevant provisions of <u>*Title 21A</u> , "Zoning",
1636		of this code; or
1637		,
1638		2. Is located on property for which an applicable master plan or the current zoning
1639		envisions exclusive nonresidential use; or
1640		
1641		3.
1642		a. Is proposed to be demolished for health or safety reasons as provided in this
1643		section 18.64.045 of this chapter or chapter 18.48 of this title or their its
1644		successors.
1645		
1646		b. Notwithstanding <u>sSubsection</u> B3a of this section, housing which is demolished for
1647		health or safety reasons, which is the result of neglect pursuant to <u>sS</u> ection
1648 1649		18.64.045 of this chapter, shall be subject to the provisions of this section.
1650	C	The building official, within ten (10) days after receipt of a demolition permit
1651	О.	application, shall determine whether the requested demolition will result in:
1652		approacion, shan determine whether the requested demonstron will result in.
1653		1. Construction of one or more residential units with a net loss of one or more dwelling
1654		units; or
1655		
1656		2. No net loss of dwelling units will occur due to the anticipated construction of new
1657		dwelling units pursuant to an approved and issued building permit for the premises
1658		where the demolition will occur.
1659		
1660	D.	
1661		1. If <u>sS</u> ubsection C2 of this section applies, the building official shall issue a finding of
1662		no residential impact and the demolition permit may be issued.
1663		2 If Colonia (1) Of the colonia (1) If 1 111 Colonia (1) Colonia (1
1664		2. If <u>sS</u> ubsection C1 of this section applies, the building official shall issue a finding of
1665		residential impact.
1666		

1667	E.	Upon making a finding of residential impact, the building official shall mail written			
1668		notice to follow the owners and residents of property located within six hundred feet			
1669		(600') from procedures outlined in Chapter 18.97. Once the property line of fee is paid,			
1670		the lot where the proposed demolition work will take place as shown on the last equalized			
1671		property tax assessment roll. Notice shall also permit may be mailed to any affected			
1672		community organization recognized pursuant to section 2.60.040 of this code. The notice			
1673		shall specify: issued immediately upon completion of the application process in Section			
1674		<u>18.64.020.</u>			
1675					
1676		1. The property proposed for demolition,			
1677		2. The proposed replacement use,			
1678		3. The proposed housing mitigation plan,			
1679		4. The basis for the finding of residential impact, and			
1680		5. The date and time of a hearing before the housing advisory and appeals board.			
1681					
1682	F.				
1683		1. To allow time for effective consideration by the notified parties, the hearing before			
1684		the HAAB shall take place not less than thirty (30) days after the finding of			
1685		residential impact issued by the building official and not more than sixty (60) days			
1686		after the finding.			
1687					
1688		2. The HAAB shall take evidence from the applicant and all interested parties regarding:			
1689					
1690		a. The effect of the proposed demolition and replacement use plan on:			
1691					
1692		(1) The city's housing stock,			
1693		(2) The city's employment and economic base,			
1694		(3) The character of the neighborhood where the subject property is located,			
1695		(4) The city's master plans for the area,			
1696		(5) The city's adopted housing policy, and			
1697		(6) Any other policy adopted by the city which applies to the subject property;			
1698		b. The cost and economic practicality of repairing or remodeling the structure			
1699		proposed for demolition to comply with zoning requirements and with building			
1700		and housing codes; and			
1701		c. The proposed method of housing mitigation, including the factual basis upon			
1702		which the housing mitigation plan is premised and justified.			
1703					
1704		3. The HAAB may encourage an applicant to work with the city and interested parties to			
1705		repair, remodel, preserve, or increase the city's housing stock.			
1706					
1707		4. The HAAB shall issue its decision not more than ten (10) days after the hearing.			
1708					
1709	G.				
1710		1 Notyrith standing the acceptability of a housing mitigation plan, the IIAAD may and a			
1711		1. Notwithstanding the acceptability of a housing mitigation plan, the HAAB may order that a demolition permit not be issued for an additional period not to exceed six (6)			

d parties time to make further attempts to	12 13		
preserve the housing stock if the HAAB finds:			
. 1 19 1	14		
acement use plan are likely to:	15		
1 11	16		
ousing stock and character of the neighborhood;	17		
11 00 11 11	18		
ed by any positive effects on the city's economic	19		
	20		
01 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	21		
ition is economically practical to repair or	22		
quirements and building and housing codes.	23		
	24		
red by the HAAB has expired, the requested			
bject to compliance with the housing mitigation	26		
	27		
. 11 41: 1 4: 0 4	28		
ngs required by this subsection G, the			
(10) days after the HAAB decision.	30		
	31		
: 1, 1 , .: .: 1 , .: .: .: .: .: .: .: .: .: .: .: .: .:	32 H.		
required to be notified of the demolition			
on, if aggrieved by the HAAB decision, may	34		
n notice specifying the grounds for such an	35		
AB decision.	36		
III Cd: d 1, d 1	37		
on H1 of this section may respond to the appeal			
appeal.	39		
	40		
hall consider the appeal on the written record and			
days of the close of any written submissions.	42		
riteria set forth in subsection F of this section	43		
lays to a court of competent jurisdiction.	44		
E DEDMITO	45		
E PERMITS:			
	47		
permit may be issued only contemporaneously			
n on the premises following demolition, or			
	57		
required for removal of doors, windows, sp sts, panels, boards, lumber, stones, bricks, or or interior of any building prior to demol- permit may be issued only contemporaneous on on the premises following demolition, or	49 g 50 r 51 c 52 v		

B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidated fee schedule.

18.64.080: EXPIRATION; DILIGENCE:

A.—A demolition permit shall expire forty five (45) calendar days from the date of issuance, unless a completion date allowing more time is requested and approved by the building official at the time of application. A demolition permit may be renewed upon request prior to expiration with approval of the building official for one-half (1/2) of the original permit fee, provided continuous progress is being made. If a permit is allowed to expire without prior renewal, any subsequent request for reinstatement shall be accompanied by a reinstatement fee equal to the original demolition permit fee.

B. Once demolition has begun pursuant to a demolition permit, the permit holder shall diligently pursue completion of the work authorized thereunder. If such work is not diligently pursued the city may declare the bond required under subsection 18.64.030D of this chapter to be forfeited and may use the proceeds to finish demolition as provided in such section.

18.64.090: QUALIFICATIONS TO DO WORK:

A. It shall be unlawful for demolition work permitted under this chapter to be performed except by a wrecking and demolition contractor having a license in good standing issued by the <u>dD</u>ivision of <u>eO</u>ccupational and <u>pP</u>rofessional <u>lL</u>icensing in the Utah <u>dD</u>epartment of <u>eC</u>ommerce.

B. Salvage work under a predemolition salvage permit may be done without a contractor's license provided all other applicable conditions of this chapter are met.

18.64.100: DEMOLITION REQUIREMENTS:

A. Prior to the commencement of any demolition or moving, the permittee shall plug all sewer laterals at or near sidewalk lines as staked out by the department of public utilities. No excavation shall be covered until such plugging is approved by the department or by the building official. The permittee shall further ensure all utility services to the structure and/or premises have been shut off and meters removed prior to commencement of demolition work.

B. When the applicant indicates the demolition will require more than thirty (30) days to complete, and where required by the building official for the safety of the public, the applicant shall also provide plans to fence the demolition site so that it is inaccessible to unauthorized persons in a manner acceptable to the building official. The building official may waive the fencing requirement if it is determined that fencing would be inappropriate or unnecessary to protect safety or health.

1802	C.	A permit for demolition shall require that all materials comprising part of the existing	
1803		structure(s), including the foundation and footings, be removed from the site. Unless	
1804		otherwise approved under a building permit for redevelopment of the site, the depression	
1805		caused by the removal of such debris shall be filled back and compacted to the original	
1806		grade, as approved by the building official, with fill material excluding detrimental	
1807		amounts of organic material or large dimension nonorganic material.	
1808			
1809	D.	Permitted demolition work, including filling and leveling back to grade and removal of	
1810		required pedestrian walkways and fences, shall be completed within the permit period	
1811		unless the building official finds that any part of the foundation of building or site will	
1812		form an integral part of a new structure to be erected on the same site for which plans	
1813		have already been approved by the building services and licensing division. In such	
1814		event, the building official may approve plans for appropriate adjustments to the	
1815		completion time and may impose reasonable conditions including the posting of a bond,	
1816		erection of fences, securing, or similar preventions to ensure the site does not create a	
1817		hazard after the demolition is completed.	
1818			
1819	18.	.64.110: RELATIONSHIP TO OTHER ORDINANCE:	
1820			
1821	Pro	ovisions of this chapter shall be subordinate to any contrary specific provisions of \underbrace{T} itle	
1822		A, eChapter 21A.34 of this code, dealing with demolition in historic districts, or its	
1823		ccessor.	
1824		.64.120: VIOLATIONS:	
1825			
1826	Α.	It is unlawful for the owner of a building or structure to violate the provisions of this	
1827		chapter. Each day a violation occurs shall be a separate offense.	
1828			
1829	В.	Violation of the provisions of this chapter is punishable as a class B misdemeanor or by	
1830		imposing a civil penalty as provided in sSection 21A.20.010 et seq., of this code.	
1831			
1832			
1833		SECTION 6. Enacting the Text of Salt Lake City Code Section Chapter 18.64, Article	
1834	II. Tha	t Section 18.64, Article II, of the Salt Lake City Code is enacted to read as follows:	
1835	Δr	ticle II. Emergency Demolition	
1836	7 1 1	ticle 11. Emergency Demontion	
1837	18	.64.130: PURPOSE:	
1838		.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:	
1839	18.64.150: IMMEDIATE CITY DEMOLITION:		
1840	18.64.160: EMERGENCY DEMOLITION:		
1841	18.64.170: BILL FOR COSTS; COLLECTION:		
1842	10.	WILLY, BILLION COULS, COULDCITON,	
1843	12	.64.130: PURPOSE:	
1073	10	0 1,100, 1 01tt UDE,	

1845	Notwithstanding the other provisions of this chapter, the process for demolishing buildings in				
1846	an emergency situation shall be as provided by this article.				
1847					
1848	18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:				
1849					
1850	If the building official determines that the walls or roof of a building or structure are				
1851	collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to				
1852	fall on other structures, property, or public rights of way, or create a danger to persons who				
1853	may enter the property, or create a danger of fire, the building official may issue an order that				
1854	the building should be demolished pursuant to this article.				
1855					
1856	18.64.150: IMMEDIATE CITY DEMOLITION:				
1857	A. If the building official determines that demolition should begin immediately, the building				
1858	official shall schedule an emergency meeting of the Housing Advisory and Appeals				
1859	Board (HAAB) as soon as practical.				
1860	B. The director of housing and neighborhood development shall make reasonable efforts to				
1861	notify the recorded property owner, all HAAB members, the historic landmark				
1862	commission staff person, the city council member and the community organization				
1863	recognized pursuant to Title 2, Chapter 2.60 of this code in which the property is located.				
1864	C. At least three (3) HAAB members, and any others available, shall attend the emergency				
1865	meeting to consider the immediate demolition.				
1866	D. The emergency HAAB meeting shall hear any evidence or testimony regarding the				
1867	immediate demolition and shall determine whether immediate demolition is appropriate				
1868	under the standards of or its successor.				
1869	E. If the emergency HAAB meeting authorizes immediate demolition, and the property				
1870	owner was present or represented at the emergency HAAB meeting, the property owner				
1871	shall have twenty four (24) hours in which to have a licensed contractor obtain a permit				
1872	for the demolition. Work under any such permit shall be commenced within twenty four				
1873	(24) hours of the permit's issuance. Within twenty four (24) hours of the start of the				
1874	work, the property shall be secured to prevent entry and the structure demolished so that				
1875	no part of the structure is in imminent danger of collapsing in such a way as to fall on				
1876	other structures, property or public rights of way, or create a danger of fire. Work under				
1877	the demolition permit shall be completed within seven (7) days of the permit's issuance.				
1878	F. If the property owner was notified but unrepresented at the emergency HAAB meeting,				
1879	or the property owner fails to proceed with the demolition pursuant to the requirements of				
1880	Subsection E of this section or its successor, the city may contract with a licensed				
1881	demolition contractor to demolish the building.				

G. If HAAB does not authorize the immediate demolition, the building official may appeal such a denial on an expedited basis to the mayor.

1884					
1885	1. All parties specified in Subsection B of this section, or its successor, shall be notified				
1886	of the appeal hearing before the mayor or the mayor's designee.				
1887					
1888	2. The mayor, or the mayor's designee, shall hear evidence regarding the immediate				
1889	demolition.				
1890					
1891	H. If the mayor or the mayor's designee authorizes immediate demolition under the				
1892	standards of Section 18.64.160 of this chapter, or its successor, the provisions of				
1893	Subsections E and F of this section, or their successors, shall apply.				
1894					
1895	18.64.160: EMERGENCY DEMOLITION:				
1896					
1897	If the chief building official declares an emergency, the notification and hearing provisions of				
1898	section this chapter, or its successor, shall be waived and the building official may authorize				
1899	immediate demolition of any structure that meets the standards of Section 18.64.140 of this				
1900	chapter or its successor. The chief building official must make an emergency declaration in				
1901	writing.				
1902					
1903	18.64.170: BILL FOR COSTS; COLLECTION:				
1904					
1905	A. Upon the completion of any city demolition pursuant to this article, the city shall mail a				
1906	bill to the property owner for the city's costs of demolition which shall include the cost of				
1907	the demolition contractor and a reasonable amount to pay the costs of city personnel				
1908	involved in the demolition.				
1909					
1910	B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the				
1911	<u>bill.</u>				
1912					
1913	SECTION 7. <u>Effective Date</u> . This ordinance shall become effective on the date of its				
1914	first publication.				
1915	Passed by the City Council of Salt Lake City, Utah, this day of, 201				
1916	y y y,				
1917					
1918					
1919	CHAIRPERSON				
1920					
1921	ATTEST:				
1922					
1923					
1924	CHIEF DEPUTY CITY RECORDER				
1925					
1926					
1927	Transmitted to the Mayor on .				

1928			
1929	Mayor's Action: Approved.	Vetoed.	
1930			
1931			
1932			
1933		MA	YOR
1934			
1935			
1936	ATTEST:		
1937			APPROVED AS TO FORM
1938			Salt Lake City Attorney's Office
1939			Date:
1940	CITY RECORDER		By:
1941			Allison Parks, Assistant City Attorney
1942			
1943	(SEAL)		
1944			
1945			
1946	Bill No of 201		
1947	Published:		
1948			
1949			
1950			
1951			
1952			

SALT LAKE CITY ORDINANCE No. of 201

(Amending Section 2.21.030; Repealing Chapter 18.48 and Enacting Chapter 18.48, Articles I and II; Amending Chapter 18.64, Article I and Enacting Chapter 18.64, Article II)

An ordinance amending Section 2.21.030, repealing Chapter 18.48 and enacting Chapter 18.48, Articles I & II, and amending Chapter 18.64, Article I and enacting Chapter 18.64, Article II of the *Salt Lake City Code*; and

WHEREAS, it is proposed that Section 2.21.030 of the *Salt Lake City Code* relating to appeals, be amended to clarify the appeals authority of the Housing Advisory and Appeals Board;

WHEREAS, it is proposed that Chapters 18.48 and 18.64 of the *Salt Lake City Code* relating to dangerous buildings and demolition be amended to modify the requirements for boarding, abatement, and demolition of dangerous buildings and structures, adequately describe what constitutes a dangerous and/or boarded building, and what constitutes emergency demolition;

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 28, 2018 at which the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. <u>Amending the Text of Salt Lake City Code</u> Section 2.21.030. That Section 2.21.030, of the Salt Lake City Code (Administration and Personnel; Housing Advisory Appeals Board; Powers and Authority) shall be amended to read as follows:

2.21.030: POWERS AND AUTHORITY:

HAAB shall have the power and authority to:

- A. Apply the provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- B. Hear and decide appeals as specified in Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- C. Modify the impact of specific provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code, where strict compliance with the provisions is economically or structurally impracticable and any approved alternative substantially accomplishes the purpose and intent of the requirement deviated from;
- D. Conduct housing impact hearings pursuant to Title 18, Chapter 18.64 of this code;
- E. Recommend new procedures to the building official and new ordinances regarding housing to the city council; and
- F. Hear and decide appeals as specified in Title 18, Chapter 18.48 of this code.

SECTION 2. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48, Article I. That Chapter 18.48, Article I, of the Salt Lake City Code (Buildings and Construction; Dangerous Buildings; Code Adoption and Administration) shall be and hereby is repealed in its entirety and replaced as follows:

Article I. Repair, Vacation, or Boarding of Dangerous Buildings

18.48.010: Title:

18.48.020: Purpose and Scope:

18.48.030: Definitions:

18.48.040: Authority to Enforce:

18.48.050: Procedure Upon Determination of a Violation:

18.48.060: Notice to Vacate:

18.48.070: Extension of Time to Perform Work:

18.48.080: Appeals:

18.48.090: City's Abatement of Property:

18.48.100: Recovery of Costs:

18.48.110: Applicability of Building Code:

18.48.120: Public Nuisances:

18.48.010: TITLE:

This chapter and the provisions included herein constitute Salt Lake City's Dangerous Building Code, and will be referred to hereinafter as "the Dangerous Building Code" or "this Code." This Code is modeled after the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, and has only been adopted as stated herein.

18.48.020: PURPOSE AND SCOPE:

It is the purpose of the Dangerous Building Code to provide just, equitable, and practicable methods to require the repair, vacation, or temporary boarding of buildings or structures that endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants. The provisions of this Dangerous Building Code are cumulative and in addition to any other remedy provided by law.

18.48.030: DEFINITIONS:

- A. BUILDING CODE: The International Building Code, or its successor, promulgated by the International Code Council, as adopted by the state.
- B. BOARDED BUILDING: A building in which accessible openings, such as windows and doors, are secured by a secondary means against entry. Examples of securing a building by a secondary means includes, but is not limited to, boarding and fencing.
- C. DANGEROUS BUILDINGS: For the purpose of this Dangerous Building Code, any building or structure that has any or all of the conditions or defects hereinafter described may be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.
 - 1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
 - 2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

- 3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
- 4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.
- 5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- 6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- 7. Whenever any portion of a building or structure has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- 8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
- 9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- 10. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- 11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- 12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become an attractive

- nuisance to children or as to enable persons to resort thereto for the purpose of committing unlawful acts.
- 13. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
- 14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- 15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- 16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- 17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- 18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
- E. DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake City division authorized to perform the repair, vacation, or boarding of a building under this chapter.
- F. HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as promulgated in Chapter 18.50 of the City Code.
- G. VACANT/SECURE BUILDING: An unoccupied building having all openings, such as windows and doors, secured against entry, where windows are fully glazed and the doors are secured by means of a lock.

18.48.040: AUTHORITY TO ENFORCE:

- A. Authority to Enforce: The building official or designee is hereby authorized to enforce the provisions of this Dangerous Building Code. The building official shall have the power to render interpretations of this Dangerous Building Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Dangerous Building Code.
- B. Authority to Inspect: The building official or their designee is hereby authorized to make inspections and take such actions as may be required to enforce the provisions of this Dangerous Building Code.
- C. Buildings or Structures Subject to Inspection: Any building or structure, where there is reasonable cause to believe a condition exists that renders the building or structure in violation of the provisions of this code, is subject to inspection by the building official or their designee in the manner provided by this Dangerous Building Code.
- D. Inspection when Permit Required: All construction or work for which a permit is required is subject to inspection by the building official or their designee in accordance with and in the manner provided by this Dangerous Building Code.
- E. Inspections: The building official or their designee may enter a building or structure at reasonable times to inspect or to perform the duties imposed by this Dangerous Building Code.
 - 1. If the building or structure is occupied, the building official or designee shall present credentials to the occupant and request entry;
 - 2. If the building or structure is unoccupied, the building official or their designee shall make reasonable efforts to locate the owner or other persons having charge or control of the building or premises and request entry;
 - 3. If entry is refused, the building official or their designee shall have recourse to the remedies provided by law to secure entry.

18.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:

- A. Initiation of Action: When the building official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the building official shall commence proceedings to cause the repair, vacation, or boarding of the building.
- B. Form of Notice and Order: The building official shall issue a written notice and order directed to the record owner of the building.

1. The notice and order shall:

- a. Identify the property owner of record according to the records of the Salt Lake County Recorder.
- b. Describe the property and contain a statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of this code.
- c. Require the property owner to take action as determined by the building official.
 - i. If the building official has determined that the building or structure must be repaired or boarded, the order shall require that all required permits be secured and the work physically commenced within such time as the building official shall determine is reasonable under all of the circumstances, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
 - ii. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the building official to be reasonable, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
- d. A statement that, if any required repair work not also requiring the vacation of property is not commenced within the time specified in Section 18.48.050.B.1.c.i, the building official will order the building vacated and posted to prevent further occupancy until the work is completed and may proceed to cause the work to be done and recover the costs as set forth in Section 18.48.100.
- e. A statement that (i) any person having any record title or legal interest in the building may appeal from the notice and order of the building official, except for an objection from an itemized statement of costs, to the Housing Advisory and Appeals Board as established in this chapter, provided the appeal is made in writing as provided in this code and filed with the building official within 30 days from the date of service of such notice and order; and (ii) failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.
- C. Service: The written notice and order, and any amended or supplemental notice and order, shall be served on the property owner of record according to the records of the county recorder. Service shall be made in person or by mail, postage prepaid, return receipt requested. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date the notice and order are postmarked.

- D. Proof of Service: Proof of service of the notice and order shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the building official.
- E. Recording of Certificate: If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. If the actions ordered are completed after filing of this certificate or the building is demolished so that it no longer exists as a dangerous building on the property, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

18.48.060: NOTICE TO VACATE:

A. Form of Notice: Every notice to vacate shall, in addition to being served as provided in Section 18.48.050, be posted on the exterior of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official	l
of	

B. Compliance with Notice to Vacate: No person shall remain or enter any building which has been so posted, except that entry may be made to repair or board. No person shall remove or deface any such notice after it is posted.

18.48.070: EXTENSION OF TIME TO PERFORM WORK:

Upon a timely written request by the owner setting forth the requested reasons for an extension of time, the building official or designee may grant an extension of time, not to exceed 120 days from the deadline set forth in the original notice and order, within which to complete said repair, vacation, or boarding, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official's authority to extend time is limited to the physical repair,

vacation, or boarding of the premises and will not in any way affect the time to appeal the notice and order.

18.48.080: APPEALS:

- A. Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
- B. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:

1.	A heading containing the words: "Before the housing advisory and appeals board
	n
2.	A caption reading: "Appeal of ," giving the names of all appellants
	participating in the appeal.

- 3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
- 4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
- 5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
- 6. The signatures of all parties named as appellants and their official mailing addresses.
- 7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- C. Time to File an Appeal: The appeal must be filed within 30 days from the date of the issuance of the notice and order described herein, except as provided in Subsection D.
- D. Time to File an Appeal for an Imminently Dangerous Building: If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 18.48.060, such appeal shall be filed as soon as reasonably practical from the date of the issuance of the notice and order of the building official.

- E. Transmittal of Appeal: Upon receipt of any appeal filed pursuant to this section, the building official shall transmit the appeal to the members of the Housing Advisory and Appeals Board for scheduling of a meeting within 30 days of receipt of a timely appeal.
- F. Scheduling Hearing: As soon as practicable after receiving the written appeal, the Housing Advisory and Appeals Board shall fix a date, time and place for the hearing of the appeal by the board. Such date shall not be less than 10 days nor more than 30 days from the date the appeal was filed with the building official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- G. Failure to Timely Appeal: Failure of any person to file a timely appeal in accordance with the provisions of this code shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
- H. Issues Considered on Appeal: Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
- I. Stays Pending Appeal: Except for vacation or boarding orders made pursuant to Section 18.48.050, enforcement of any notice and order of the building official issued under this Dangerous Building Code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.
- J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall have the authority to hear and evaluate evidence related to the building official's decision and determine whether the decision was arbitrary and capricious or illegal. The Housing Advisory and Appeals Board has no authority relative to interpretation of the administrative provisions of this code nor is the board empowered to waive requirements of this code. After the Housing Advisory and Appeals Board makes a final determination, they shall issue a written determination.
- K. Appeal to Utah District Court: After issuance of a final written determination by the Housing Advisory and Appeals Board, the decision may be appealed to the Utah District Court, Third Judicial District within 30 days from the issuance of the decision.

18.48.090: CITY'S ABATEMENT OF PROPERTY:

If compliance is not had with the order within the time specified in the notice and order and no appeal has been properly and timely filed, the building official or designees may cause the building to be repaired, vacated, or boarded to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order. Any such repair, vacation, or boarding shall be accomplished and the cost thereof paid and recovered as set forth in this code.

18.48.100: RECOVERY OF COSTS:

- A. Permitted Recovery of Costs: If the building official or designee causes the repair, vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050, the division may collect the cost of that abatement, by filing a property tax lien, as set forth in this section.
- B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work, the building official or designee shall prepare an itemized statement of costs and mail it to the property owner by certified mail, demanding payment within thirty (30) days of the date the statement is post marked.
- C. Form of Itemized Statement of Costs: The itemized statement of costs shall:
 - 1. Include:
 - a. the address of the property at issue;
 - b. an itemized list of all expenses incurred by the division, including administrative costs;
 - c. a demand for payment; and
 - d. the address where payment is to be made;
 - 2. Notify the property owner:
 - a. that failure to timely pay the expenses described in the itemized statement may result in a lien on the property in accordance with this chapter and Utah Code Section 10-11-4 or its successor;
 - b. that the property owner may file a written objection to all or part of the statement within twenty (20) days of the date the statement is postmarked; and
 - c. where the property owner may file the objection, including the name of the office and the mailing address.
- D. Delivery of Statement of Costs: The itemized statement of costs described in Subsection C shall be deemed delivered when mailed by certified mail addressed to the last known address of the property owner, according to the records of the county recorder.
- E. Objection to Statement of Costs: If the property owner files a timely written objection, the division will schedule a hearing and will mail or deliver to the property owner prior to the hearing a notice stating the date, time, and location of the hearing.

- F. Objection Hearing: At the hearing described in Subsection E, after the property owner presents the objection to the hearing officer, the fines hearing officer shall review and determine the cost of abatement incurred by the division in abating the property, including administrative costs. The property owner must pay any amount the fines hearing officer determines is due and owing to the Salt Lake City Treasurer at the address provided in the statement of costs within thirty (30) days of the date of the hearing.
- G. Failure to Object or Pay: If the property owner fails to make payment of the amount set forth in the itemized statement within thirty (30) days of the date of the mailing of that statement, or to file a timely objection, then the division may certify the past due costs and expenses to the Salt Lake County Treasurer.
- H. Failure to Pay After Objection Hearing: If the property owner files a timely objection but fails to make payment of any amount found due and owing under Subsection F within thirty (30) days of the date of the hearing, the inspector may certify the past due costs and expense to the Salt Lake County Treasurer.
- I. Lien on Property: After entry by the treasurer of the county, as set forth in Subsections G and H, the amount entered shall have the force and effect of a valid judgment of the district court, is a lien on the property, and shall be collected by the treasurer of the county in which the property is located at the time of the payment of general taxes.
- J. Release of Lien: Upon payment of the amount set forth in the itemized statement of costs or otherwise determined due and owing by the hearing officer in Subsections E and F, the judgment is satisfied, the lien is released from the property, and receipt shall be acknowledged upon the general tax receipt issued by the treasurer.

18.48.110: APPLICABILITY OF BUILDING CODE:

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of the International Building Code, or its successor section.

18.48.120: PUBLIC NUISANCES:

- A. Declaration and Abatement of Public Nuisances: All buildings or structures or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, vacation, or boarding in accordance with the procedures specified herein.
- B. Boarded Building as Public Nuisance: Any structure which has been boarded for over two (2) years may be declared to be a public nuisance as detrimental to the safety and public welfare of the residents and property values of this city.

SECTION 3. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,

<u>Article II.</u> That Chapter 18.48, Article II, of the *Salt Lake City Code* (Buildings and Construction; Dangerous Buildings; Temporary Securing of Buildings) shall be and hereby is repealed in its entirety and replaced as follows:

Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS

18.48.200: SCOPE AND APPLICABILITY:

18.48.205: BOARDING PERMIT:

18.48.210: INITIAL FEES:

18.48.215: YEARLY FEES:

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

18.48.225: METHOD OF SECURING BUILDINGS:

18.48.230: LANDSCAPE MAINTENANCE:

18.48.235: EXTERIOR MAINTENANCE:

18.48.240: SNOW AND ICE REMOVAL:

18.48.245: CITY MAINTENANCE OF PROPERTY:

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

18.48.255: LEGAL ACTION AUTHORIZED:

18.48.260: BUILDING INSPECTIONS REQUIRED:

18.48.200: SCOPE AND APPLICABILITY:

The provisions of this article apply to any person that is ordered to board a building under Article I and any person who voluntarily boards a building.

18.48.205: BOARDING PERMIT:

- A. Permit Required: A permit is required to board a building.
- B. Form of Permit: Permits for boarding a building must be applied for on a form provided by the building official or designee. The form shall specify the following:
 - 1. The address of the structure to be boarded or temporarily secured;
 - 2. The type of building;
 - 3. For residential structures, the number of dwelling units;
 - 4. For nonresidential buildings, the number of square feet of all building faces at ground level:

- 5. The name, address, and telephone number of a person authorized to act as an agent for the owner for performing the owner's obligations under this article, who lives within forty (40) miles of Salt Lake City; and
- 6. Whether the property has the required external water source for landscaping, if landscaping is required.

18.48.210: INITIAL FEES:

For the first year of any boarding, at the time of filing the application, the applicant shall pay the fees shown on the Salt Lake City consolidated fee schedule for each structure.

18.48.215: YEARLY FEES:

- A. Annual Fee: On or before each yearly anniversary of the issuance of a boarding permit, a property owner desiring to maintain a boarded building shall pay the annual boarding fee shown on the Salt Lake City consolidated fee schedule.
- B. Late Fee: A late fee of twenty five dollars (\$25.00) shall be assessed by the city for each thirty (30) days, or any portion thereof, in which the annual fees have not been paid up to amounts allowed by state law.
- C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this article shall result in a fine of up to twenty five percent (25%) of the boarding application fee specified in the Salt Lake City consolidated fee schedule.
- D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or the annual boarding fees, the city may take legal action to collect any amounts owed.

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

Whenever a building is boarded or closed to occupancy, the city shall be authorized to install a sign to be mounted on the exterior of the building. The sign shall state that the building is closed to occupancy and that it is unlawful for any unauthorized person to enter the building. The sign shall also provide phone numbers to call if people are seen on the property or if doors or windows are unsecured.

18.48.225: METHOD OF SECURING BUILDINGS:

All buildings shall be boarded in the following manner:

A. Securing Opening: All openings in the structure on the first floor, other openings easily accessible from the ground, and openings with broken glass, shall be secured either by erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar material, not to include chipboard/OSB, covering over all exterior openings, overlapping

the opening on every edge by three inches (3"), affixed along the edges by nails or screws spaced every six inches (6").

- B. Alternatives to Securing Openings: Alternately, the openings may be secured by conventional wood frame construction. The frames shall use wood studs of a size not less than two inches by four inches (2" x 4") (nominal dimension) placed not more than twenty four inches (24") apart on center. The frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the face of the wall. Each side of the frame shall be covered with plywood sheathing or similar material of at least one-half inch (1/2") thickness or equivalent lumber nailed over the opening by using nails or screws spaced every six inches (6") on the outside edges and every twelve inches (12") along intermediate stud supports; and
- C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately locked to preclude entry of unauthorized persons, or shall be covered as an opening described in Subsection A or B of this section or successor sections.

18.48.230: LANDSCAPE MAINTENANCE:

Existing landscaping and lawn on the property shall be maintained in the manner otherwise required by Chapters 9.16 and 21A.48.

18.48.235: EXTERIOR MAINTENANCE:

- A. Exterior of Building: The exterior of a boarded building shall be maintained as required by relevant requirements set forth in Section 18.50.140 of this title. In particular, exterior walls and surfaces shall be properly maintained and severely weathered, peeling, or unpainted wood and damaged siding and roofing shall be replaced or repaired with similar materials and colors.
- B. Salvage Permit Required: Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials within the interior of a boarded building shall not be salvaged except upon the issuance of a permit as provided in Section 18.64.070 of this title.
- C. Enforcement of Exterior Maintenance Requirements: If the owner of a boarded building fails to maintain the building and its premises as required by this section and section 18.64.045 of this title, the city may take appropriate legal action to enforce such requirements.

18.48.240: SNOW AND ICE REMOVAL:

Snow and ice must be removed from public sidewalk areas surrounding the boarded property in the manner indicated in Section 14.20.070 of this code.

18.48.245: CITY MAINTENANCE OF PROPERTY:

- A. Notice: If the building official or the building official's designee determines that a boarded building and/or property is not being maintained, the building official or the building official's designee shall send a notice to the property owner and/or the property owner's agent requiring compliance with the building maintenance standards as required in city code.
- B. Failure to Comply with Notice: If the building official or designee determines that the property owner has failed to comply with the notice, the city may cause the work to be done by a contractor hired by the city.
- C. City's Recovery of Costs: The city shall bill the property owner:
 - 1. The administrative fee shown on the Salt Lake City consolidated fee schedule to cover the city's administrative expenses in contracting for the building maintenance; and
 - 2. The actual cost of building maintenance billed to the city by the city's contractor.

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

If the building official or the building official's designee determines that the landscaping on the property surrounding a boarded building is not being maintained as required by city code, the building official or the building official's designee shall follow the notice of violation and corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.

18.48.255: LEGAL ACTION AUTHORIZED:

The city may recover any costs it incurs in for enforcing the provisions of this title, as set forth in city code.

18.48.260: BUILDING INSPECTIONS REQUIRED:

Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or reoccupy a building that has been boarded, the building is to be inspected by the building official or designee and a permit must be issued by building services or its successor prior to the building owner, manager, or tenant initiating any of the above actions. Any person conducting any work on a building that has been boarded or closed to occupancy must have a valid building permit at all times.

SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,

Article III. That Chapter 18.48, Article III, of the Salt Lake City Code (Buildings and

Construction; Dangerous Buildings; Emergency Demolition) shall be and hereby is repealed in its entirety and moved to Chapter 18.64.

SECTION 5. <u>Amending the Text of Salt Lake City Code</u> Section 18.64. That Section 18.64, of the Salt Lake City Code (Buildings and Construction; Demolition) shall be amended to read as follows:

Article I. Demolition

18.64.005: PURPOSE AND INTENT:

18.64.010: PERMIT REQUIRED:

18.64.020: APPLICATION AND PERMIT:

18.64.030: FEES AND SIGNATURE:

18.64.040: ISSUANCE OF DEMOLITION PERMIT:

18.64.045: DEMOLITION BY NEGLECT:

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

18.64.070: PREDEMOLITION SALVAGE PERMITS:

18.64.080: EXPIRATION; DILIGENCE:

18.64.090: QUALIFICATIONS TO DO WORK:

18.64.100: DEMLITION REQUIREMENTS:

18.64.110: RELATIOSHIPTO OTHER ORDINANCE:

18.64.120: VIOLATIONS:

18.64.005: PURPOSE AND INTENT:

- A. The purpose of the provisions in this chapter is to:
 - 1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;
 - 2. Provide an orderly and predictable process for demolition of buildings and structures when appropriate;
 - 3. Ensure demolition occurs safely;
 - 4. Protect utilities and other infrastructure from damage during demolition;

- 5. Provide for enforcement of timely completion of demolition and for improvement of property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;
- 6. Provide for enforcement and maintenance of property to avoid purposeful demolition by neglect; and
- 7. Encourage preservation of the city's housing stock where appropriate.
- B. A primary intent of the city council with respect to this chapter is to promote responsible re-use of existing housing stock where practical and provide an orderly process for demolition where it is not practical or cost efficient to rebuild/reuse. Accordingly, the council finds that it is in the public interest to require existing buildings to be maintained in a manner that does not constitute a public nuisance until replaced by new construction, except as otherwise permitted by this code.

18.64.010: PERMIT REQUIRED:

It is unlawful to demolish any building or structure in the city, or cause the same to be demolished, without first obtaining a permit for demolition of each such building or structure from the city building official as provided in this chapter.

18.64.020: APPLICATION FOR PERMIT:

To obtain a permit for demolition, an applicant shall submit an application in writing on a form furnished by the building official for that purpose. Each application shall:

- A. Identify and describe the type of work to be performed under the permit;
- B. State the address of the structure or building to be demolished;
- C. Describe the building or structure to be demolished including the type of use, type of building construction, size and square footage, number of stories, and number of residential dwelling units (if any);
- D. Indicate the method and location of demolished material disposal;
- E. Identify the approximate date of commencement and completion of demolition;
- F. Indicate if fences, barricades, scaffolds or other protections are required by any city code for the demolition and, if so, their proposed location and compliance;
- G. State whether fill material will be required to restore the site to level grade after demolition and, if required, the approximate amount of fill material;

- H. If the building or structure to be demolished contains any dwelling units, state whether any of the dwelling units are presently occupied; and
- I. State the proposed use of the premises following demolition. If new construction is proposed following demolition, state the anticipated start date and whether any development applications have been submitted to and/or approved by the city.

18.64.030: FEES AND SIGNATURE:

- A. The permit application shall be signed by the party or the party's authorized agent requesting the permit. A signature on the permit application constitutes a certification by the signee that the information contained in the application is true and correct.
- B. The fee for a demolition permit application shall be as shown on the Salt Lake City consolidated fee schedule.
- C. An additional fee for the cost of inspecting the property to determine compliance with the requirements of this chapter and to assure the property is kept free of weeds and junk materials shall be collected in the amount shown on the Salt Lake City consolidated fee schedule.

18.64.040: ISSUANCE OF DEMOLITION PERMIT:

- A. A demolition permit may be issued upon completion of an application in accordance with Section 18.64.020 herein; or the chief building official or fire marshal orders immediate demolition:
 - 1. Due to an emergency as provided in Chapter 18.64, Article II of this title; or
 - 2. Because the premises have been damaged beyond repair because of a natural disaster, fire, or other similar event; or
 - 3. The chief building official or fire marshal authorizes immediate demolition because clearing of land is necessary to remove a nuisance as defined in this code or Section 76-10-801 et seq., Utah Code or its successor.
- B. The chief building official or fire marshal may request that an administrative committee, appointed by the mayor, render an opinion regarding whether a particular building or structure should be demolished pursuant to the provisions of subsection B1 or B2 of this section.
 - 1. If a committee demolition opinion is requested, information regarding the factual and legal basis for determining the propriety of the request shall be provided to the committee. The property owner shall be notified of the opinion request and may submit any information to the committee deemed relevant by the owner.

- 2. If after considering the factual and legal information provided, the committee recommends the building or structure should be demolished, the chief building official or fire marshal, as the case may be, shall consider such information in determining whether to authorize demolition.
- C. If proposed demolition involves a landmark site, a contributing structure, or a structure located in the H Historic Preservation Overlay District, as provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall be issued only upon compliance with applicable provisions of that section or its successor.

18.64.045: DEMOLITION BY NEGLECT:

The owner of a boarded building shall maintain the exterior of the building as provided in Section 18.48.235, "Exterior Maintenance", of this title or its successor.

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

- A. Except as provided in Subsection B of this section, if the structure for which a demolition permit is sought contains one or more dwelling units, whether or not occupied, the building official shall consider the impact of the requested demolition on the housing stock of Salt Lake City pursuant to the provisions of this section.
- B. This section shall not apply to any housing which:
 - 1. Is a nonconforming use as provided by relevant provisions of Title 21A, "Zoning", of this code; or
 - 2. Is located on property for which an applicable master plan or the current zoning envisions exclusive nonresidential use; or
 - 3.
- a. Is proposed to be demolished for health or safety reasons as provided in this section or its successors.
- b. Notwithstanding Subsection B3a of this section, housing which is demolished for health or safety reasons, which is the result of neglect pursuant to Section 18.64.045 of this chapter, shall be subject to the provisions of this section.
- C. The building official, within ten (10) days after receipt of a demolition permit application, shall determine whether the requested demolition will result in:
 - 1. Construction of one or more residential units with a net loss of one or more dwelling units; or

2. No net loss of dwelling units will occur due to the anticipated construction of new dwelling units pursuant to an approved and issued building permit for the premises where the demolition will occur.

D.

- 1. If Subsection C2 of this section applies, the building official shall issue a finding of no residential impact and the demolition permit may be issued.
- 2. If Subsection C1 of this section applies, the building official shall issue a finding of residential impact.
- E. Upon making a finding of residential impact, the building official shall follow the procedures outlined in Chapter 18.97. Once the fee is paid, the demolition permit may be issued immediately upon completion of the application process in Section 18.64.020.

18.64.070: PREDEMOLITION SALVAGE PERMITS:

- A. A predemolition salvage permit shall be required for removal of doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials on the exterior or interior of any building prior to demolition of the structure. A predemolition salvage permit may be issued only contemporaneously with, or after, city approval of:
 - 1. A building permit for new construction on the premises following demolition, or
 - 2. A demolition permit.
- B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidated fee schedule.

18.64.080: EXPIRATION; DILIGENCE:

A demolition permit shall expire forty five (45) calendar days from the date of issuance, unless a completion date allowing more time is requested and approved by the building official at the time of application. A demolition permit may be renewed upon request prior to expiration with approval of the building official for one-half (1/2) of the original permit fee, provided continuous progress is being made. If a permit is allowed to expire without prior renewal, any subsequent request for reinstatement shall be accompanied by a reinstatement fee equal to the original demolition permit fee.

18.64.090: QUALIFICATIONS TO DO WORK:

A. It shall be unlawful for demolition work permitted under this chapter to be performed except by a wrecking and demolition contractor having a license in good standing issued by the Division of Occupational and Professional Licensing in the Utah Department of Commerce.

B. Salvage work under a predemolition salvage permit may be done without a contractor's license provided all other applicable conditions of this chapter are met.

18.64.100: DEMOLITION REQUIREMENTS:

- A. Prior to the commencement of any demolition or moving, the permittee shall plug all sewer laterals at or near sidewalk lines as staked out by the department of public utilities. No excavation shall be covered until such plugging is approved by the department or by the building official. The permittee shall further ensure all utility services to the structure and/or premises have been shut off and meters removed prior to commencement of demolition work.
- B. When the applicant indicates the demolition will require more than thirty (30) days to complete, and where required by the building official for the safety of the public, the applicant shall also provide plans to fence the demolition site so that it is inaccessible to unauthorized persons in a manner acceptable to the building official. The building official may waive the fencing requirement if it is determined that fencing would be inappropriate or unnecessary to protect safety or health.
- C. A permit for demolition shall require that all materials comprising part of the existing structure(s), including the foundation and footings, be removed from the site. Unless otherwise approved under a building permit for redevelopment of the site, the depression caused by the removal of such debris shall be filled back and compacted to the original grade, as approved by the building official, with fill material excluding detrimental amounts of organic material or large dimension nonorganic material.
- D. Permitted demolition work, including filling and leveling back to grade and removal of required pedestrian walkways and fences, shall be completed within the permit period unless the building official finds that any part of the foundation of building or site will form an integral part of a new structure to be erected on the same site for which plans have already been approved by the building services and licensing division. In such event, the building official may approve plans for appropriate adjustments to the completion time and may impose reasonable conditions including the posting of a bond, erection of fences, securing, or similar preventions to ensure the site does not create a hazard after the demolition is completed.

18.64.110: RELATIONSHIP TO OTHER ORDINANCE:

Provisions of this chapter shall be subordinate to any contrary specific provisions of Title 21A, Chapter 21A.34 of this code, dealing with demolition in historic districts, or its successor.

18.64.120: VIOLATIONS:

- A. It is unlawful for the owner of a building or structure to violate the provisions of this chapter. Each day a violation occurs shall be a separate offense.
- B. Violation of the provisions of this chapter is punishable as a class B misdemeanor or by imposing a civil penalty as provided in Section 21A.20.010 et seq., of this code.

SECTION 6. Enacting the Text of Salt Lake City Code Section Chapter 18.64, Article

II. That Section 18.64, Article II, of the Salt Lake City Code is enacted to read as follows:

Article II. Emergency Demolition

18.64.130: PURPOSE:

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

18.64.150: IMMEDIATE CITY DEMOLITION:

18.64.160: EMERGENCY DEMOLITION:

18.64.170: BILL FOR COSTS; COLLECTION:

18.64.130: PURPOSE:

Notwithstanding the other provisions of this chapter, the process for demolishing buildings in an emergency situation shall be as provided by this article.

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

If the building official determines that the walls or roof of a building or structure are collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to fall on other structures, property or public rights of way, or create a danger to persons who may enter the property, or create a danger of fire, the building official may issue an order that the building should be demolished pursuant to this article.

18.64.150: IMMEDIATE CITY DEMOLITION:

- A. If the building official determines that demolition should begin immediately, the building official shall schedule an emergency meeting of the Housing Advisory and Appeals Board (HAAB) as soon as practical.
- B. The director of housing and neighborhood development shall make reasonable efforts to notify the recorded property owner, all HAAB members, the historic landmark commission staff person, the city council member and the community organization recognized pursuant to Title 2, Chapter 2.60 of this code in which the property is located.
- C. At least three (3) HAAB members, and any others available, shall attend the emergency meeting to consider the immediate demolition.

- D. The emergency HAAB meeting shall hear any evidence or testimony regarding the immediate demolition and shall determine whether immediate demolition is appropriate under the standards of or its successor.
- E. If the emergency HAAB meeting authorizes immediate demolition, and the property owner was present or represented at the emergency HAAB meeting, the property owner shall have twenty four (24) hours in which to have a licensed contractor obtain a permit for the demolition. Work under any such permit shall be commenced within twenty four (24) hours of the permit's issuance. Within twenty four (24) hours of the start of the work, the property shall be secured to prevent entry and the structure demolished so that no part of the structure is in imminent danger of collapsing in such a way as to fall on other structures, property or public rights of way, or create a danger of fire. Work under the demolition permit shall be completed within seven (7) days of the permit's issuance.
- F. If the property owner was notified but unrepresented at the emergency HAAB meeting, or the property owner fails to proceed with the demolition pursuant to the requirements of Subsection E of this section or its successor, the city may contract with a licensed demolition contractor to demolish the building.
- G. If HAAB does not authorize the immediate demolition, the building official may appeal such a denial on an expedited basis to the mayor.
 - 1. All parties specified in Subsection B of this section, or its successor, shall be notified of the appeal hearing before the mayor or the mayor's designee.
 - 2. The mayor, or the mayor's designee, shall hear evidence regarding the immediate demolition.
- H. If the mayor or the mayor's designee authorizes immediate demolition under the standards of Section 18.64.160 of this chapter, or its successor, the provisions of Subsections E and F of this section, or their successors, shall apply.

18.64.160: EMERGENCY DEMOLITION:

If the chief building official declares an emergency, the notification and hearing provisions of section this chapter, or its successor, shall be waived and the building official may authorize immediate demolition of any structure that meets the standards of Section 18.64.140 of this chapter or its successor. The chief building official must make an emergency declaration in writing.

18.64.170: BILL FOR COSTS; COLLECTION:

A. Upon the completion of any city demolition pursuant to this article, the city shall mail a bill to the property owner for the city's costs of demolition which shall include the cost of the demolition contractor and a reasonable amount to pay the costs of city personnel involved in the demolition.

B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the bill.		
SECTION 7. Effective Date. This ordinance shall become effective on the date of its		
first publication.		
Passed by the City Council of Salt Lake City, Utah, this day of, 201		
CHAIRPERSON		
ATTEST:		
CHIEF DEPUTY CITY RECORDER		
Transmitted to the Mayor on		
Mayor's Action:ApprovedVetoed.		
MAYOR		
ATTEST:		
APPROVED AS TO FORM Salt Lake City Attorney's Office Date: \(\sup \) \(\lambda \) \(\lambda \) \(\lambda \)		
CITY RECORDER By: Allison Parks, Assistant City Attorney		
(SEAL)		
Bill No of 201 Published:		



DEPARTMENT of **COMMUNITY** and **NEIGHBORHOODS**

Jennifer McGrath Interim Director

CITY COUNCIL TRANSMITTAL

15 THU 122. 2020 14:09 MDT1	Date Received:	July 21, 2020
Lisa Shaffer, Chief Administrative Officer	Date sent to Council:	July 22, 2020
To: Salt Lake City Council	Date: 07/21/2020	

Chris Wharton, Chair

From: Jennifer McGrath, Interim Director; Department of Community & Neighborhoods

Jenn der McGrath (Jul 21, 2020 12:10 MDT)

SUBJECT: Demolition/Dangerous/Boarded Buildings; Title 18.48, 18.64 & 2.21.030

STAFF CONTACT: Orion Goff CBO, Building Official Director- Building Services and Civil

Enforcement; 801-535-6681, Orion.goff@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the proposed Text Amendment to the Current Ordinance(s)

BUDGET IMPACT: None

BACKGROUND/DISCUSSION:

In December of 2012, significant changes were made to the ordinance regulating the obtaining of demolition permits and the process for documenting and maintaining boarded buildings throughout the City. The passing of the new ordinance was a culmination of nearly four years of intense discussion and study by the Administration, City Council and Council Staff.

Perhaps the most impactful change was the added requirement for the replacement use to either be permitted, in the case of residential construction, or submitted with fees paid and bonding for landscaping for commercial construction. Both of these requirements were new to the ordinance and created additional complications for property owners interested in the re-use of their property.

Currently the ordinance requires an approved replacement use to be submitted for review with plan review fees paid prior to issuance of the demolition permit. For residential demolition, the permit for the replacement use must actually be issued prior to the City issuing a demolition permit. The only redress from these requirements was a nuisance abatement process provided by a committee appointed by the Mayor or posting a bond for the cost of landscaping the site should the project not be commenced within 18 months of demolition. Processing, tracking and refunding these bonds was time consuming and problematic for Building Services Staff.

Recently, we have moved several structures through a nuisance abatement process that has been very popular. This process allows demolition after approval by a committee appointed by the Mayor. Specifically, this is intended to expedite demolition for buildings that have been boarded for over two years, have little or no possibility for rehabilitation and have created a disproportionate number of calls for service from the City Police and Fire Departments.

The changes proposed in this transmittal provide a streamlined process for demolition on commercial and residential properties. The requirements for either a permitted replacement use or a landscape plan and bond have been removed. In addition, there are better definitions of what constitutes a "boarded building". The proposed ordinance is like the ordinance that predated the current ordinance, which was adopted in December of 2012.

Amend Section 2.21.030 HAAB Powers and Authority

• Hear and decide appeals from 18.48. This is a change from "Conduct Abatement Hearings"

Amend Section 18.48 - Dangerous Building Code

- Scope: Provide a just, equitable, and practicable method to require the repair, vacation, or temporary boarding of buildings and a means to remedy dangerous buildings.
- Goals/Intent:
 - o Ensure accessibility by codifying applicable provisions of the most recent version of the Uniform Code for the Abatement of Dangerous Buildings.
 - Relocate the provisions related to emergency demolition of dangerous building to 18.64.
 - Authority to Enforce: Clarify that the building official/designee has the authority to enforce the provisions of the Code.
 - o Make clear the procedures, action, and noticing upon the building official's determination of a violation.
 - O Clarify the City's role and authority to abate a building that is declared dangerous and unsafe to occupy.
 - Establish a means for the City to recover costs of any abatement when such abatement work is done by the City.
 - o Clarify the process(s) in which a property owner can appeal decisions of the building official and costs of abatement.
 - o Improve language in the Code pertaining to:
 - the provisions for and permitting of any person ordered to board a building;
 - notification requirements;
 - the manner in which a building shall be boarded; and
 - the way property shall be maintained and/or landscaped while boarded.

Amend Section 18.64 – Demolition

- 1. Purpose statement is changed to "promote responsible reuse of existing housing where practical and provide an orderly process for demolition"
 - It no longer cites the following purposes:
 - avoid demolition of buildings in a manner that disrupts the character of established neighborhoods
 - o avoid demolition until a complete building permit is submitted
 - o avoid the creation of vacant sites with minimal or no landscaping
- 2. Eliminates performance bond requirements
- 3. Eliminates landscaping requirements
- 4. Eliminates public notice requirements if there is a net loss of residential units caused by a demolition (finding of residential impact).
 - Instead Chapter 18.97 (mitigation of residential housing loss) would apply
- 5. Eliminates HAAB hearing process after a finding of residential impact (net loss of residential units)
- 6. Eliminates requirement to complete demolition work "diligently" or the bond may be forfeited
- 7. Move Emergency Demolitions section from 18.48-Dangerous Buildings to 18.64-Demolition
 - Outlines rules and procedures of emergency meeting
 - Appeal process to be heard by the Mayor or Mayor's designee
 - Demolition process for Extreme Emergencies
 - Procedures for City to recoup costs from property owner for emergency demolitions

PUBLIC PROCESS: The proposal has been to an open house and to the Planning Commission in March of 2018. Public comment was very limited, but in favor of the changes.

EXHIBITS: None

SALT LAKE CITY ORDINANCE No. of 2020

(Amending Section 2.21.030; Repealing Chapter 18.48 and Enacting Chapter 18.48, Articles I and II; Amending Chapter 18.64, Article I and Enacting Chapter 18.64, Article II)

An ordinance amending Section 2.21.030, repealing Chapter 18.48 and enacting Chapter 18.48, Articles I & II, and amending Chapter 18.64, Article I and enacting Chapter 18.64, Article II of the *Salt Lake City Code*; and

WHEREAS, it is proposed that Section 2.21.030 of the *Salt Lake City Code* relating to appeals, be amended to clarify the appeals authority of the Housing Advisory and Appeals Board;

WHEREAS, it is proposed that Chapters 18.48 and 18.64 of the *Salt Lake City Code* relating to dangerous buildings and demolition be amended to modify the requirements for boarding, abatement, and demolition of dangerous buildings and structures, adequately describe what constitutes a dangerous and/or boarded building, and what constitutes emergency demolition;

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 28, 2018 at which the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. <u>Amending the Text of Salt Lake City Code</u> Section 2.21.030. That Section 2.21.030, of the Salt Lake City Code (Administration and Personnel: Housing Advisory Appeals Board: Powers and Authority) shall be amended to read as follows:

2.21.030: POWERS AND AUTHORITY:

HAAB shall have the power and authority to:

- A. Apply the provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- B. Hear and decide appeals as specified in Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code;
- C. Modify the impact of specific provisions of Title 5, Chapter 5.14 and Title 18, Chapter 18.50 of this code, where strict compliance with the provisions is economically or structurally impracticable and any approved alternative substantially accomplishes the purpose and intent of the requirement deviated from;
- D. Conduct housing impact hearings pursuant to Title 18, Chapter 18.64 of this code;
- E. Recommend new procedures to the building official and new ordinances regarding housing to the city council; and
- F. Hear and decide appeals as specified in Title 18, Chapter 18.48 of this code.

SECTION 2. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,

Article I. That Chapter 18.48, Article I, of the Salt Lake City Code (Buildings and Construction:

Dangerous Buildings: Code Adoption and Administration) shall be and hereby is repealed in its entirety and replaced as follows:

Article I. Repair, Vacation, or Boarding of Dangerous Buildings

18.48.010: Title:

18.48.020: Purpose and Scope:

18.48.030: Definitions:

18.48.040: Authority to Enforce:

18.48.050: Procedure Upon Determination of a Violation:

18.48.060: Notice to Vacate:

18.48.070: Extension of Time to Perform Work:

18.48.080: Appeals:

18.48.090: City's Abatement of Property:

18.48.100: Recovery of Costs:

18.48.110: Applicability of Building Code:

18.48.120: Public Nuisances:

18.48.010: TITLE:

This chapter and the provisions included herein constitute Salt Lake City's Dangerous Building Code, and will be referred to hereinafter as "the Dangerous Building Code" or "this Code." This Code is modeled after the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, and has only been adopted as stated herein.

18.48.020: PURPOSE AND SCOPE:

It is the purpose of the Dangerous Building Code to provide just, equitable, and practicable methods to require the repair, vacation, or temporary boarding of buildings or structures that endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants. The provisions of this Dangerous Building Code are cumulative and in addition to any other remedy provided by law.

18.48.030: DEFINITIONS:

- A. BUILDING CODE: The International Building Code, or its successor, promulgated by the International Code Council, as adopted by the state.
- B. BOARDED BUILDING: A building in which accessible openings, such as windows and doors, are secured by a secondary means against entry. Examples of securing a building by a secondary means includes, but is not limited to, boarding and fencing.
- C. DANGEROUS BUILDINGS: For the purpose of this Dangerous Building Code, any building or structure that has any or all of the conditions or defects hereinafter described may be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered.
 - 1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
 - 2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

- 3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
- 4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.
- 5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- 6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- 7. Whenever any portion of a building or structure has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- 8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
- 9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- 10. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- 11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- 12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become an attractive

- nuisance to children or as to enable persons to resort thereto for the purpose of committing unlawful acts.
- 13. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
- 14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- 15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- 16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- 17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- 18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
- D. DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake City division authorized to perform the repair, vacation, or boarding of a building under this chapter.
- E. HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as promulgated in Chapter 18.50 of the City Code.
- F. VACANT/SECURE BUILDING: An unoccupied building having all openings, such as windows and doors, secured against entry, where windows are fully glazed and the doors are secured by means of a lock.

18.48.040: AUTHORITY TO ENFORCE:

- A. Authority to Enforce: The building official or designee is hereby authorized to enforce the provisions of this Dangerous Building Code. The building official shall have the power to render interpretations of this Dangerous Building Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Dangerous Building Code.
- B. Authority to Inspect: The building official or their designee is hereby authorized to make inspections and take such actions as may be required to enforce the provisions of this Dangerous Building Code.
- C. Buildings or Structures Subject to Inspection: Any building or structure, where there is reasonable cause to believe a condition exists that renders the building or structure in violation of the provisions of this code, is subject to inspection by the building official or their designee in the manner provided by this Dangerous Building Code.
- D. Inspection When Permit Required: All construction or work for which a permit is required is subject to inspection by the building official or their designee in accordance with and in the manner provided by this Dangerous Building Code.
- E. Inspections: The building official or their designee may enter a building or structure at reasonable times to inspect or to perform the duties imposed by this Dangerous Building Code.
 - 1. If the building or structure is occupied, the building official or designee shall present credentials to the occupant and request entry.
 - 2. If the building or structure is unoccupied, the building official or their designee shall make reasonable efforts to locate the owner or other persons having charge or control of the building or premises and request entry.
 - 3. If entry is refused, the building official or their designee shall have recourse to the remedies provided by law to secure entry.

18.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:

- A. Initiation of Action: When the building official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the building official shall commence proceedings to cause the repair, vacation, or boarding of the building.
- B. Form of Notice and Order: The building official shall issue a written notice and order directed to the record owner of the building.

1. The notice and order shall:

- a. Identify the property owner of record according to the records of the Salt Lake County Recorder;
- b. Describe the property and contain a statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of this code; and
- c. Require the property owner to take action as determined by the building official.
 - i. If the building official has determined that the building or structure must be repaired or boarded, the order shall require that all required permits be secured and the work physically commenced within such time as the building official shall determine is reasonable under all of the circumstances, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
 - ii. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the building official to be reasonable, which time shall not be less than 10 days from the date after the day the notice is delivered in person or postmarked.
- d. A statement that, if any required repair work not also requiring the vacation of property is not commenced within the time specified in Subsection 18.48.050.B.1.c.i, the building official will order the building vacated and posted to prevent further occupancy until the work is completed and may proceed to cause the work to be done and recover the costs as set forth in Section 18.48.100.
- e. A statement that (i) any person having any record title or legal interest in the building may appeal from the notice and order of the building official, except for an objection from an itemized statement of costs, to the Housing Advisory and Appeals Board as established in this chapter, provided the appeal is made in writing as provided in this code and filed with the building official within 30 days from the date of service of such notice and order; and (ii) failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.
- C. Service: The written notice and order, and any amended or supplemental notice and order, shall be served on the property owner of record according to the records of the county recorder. Service shall be made in person or by certified or registered mail. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date the notice and order are postmarked.

- D. Proof of Service: Proof of service of the notice and order shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail or proof of registered mail shall be affixed to the copy of the notice and order retained by the building official.
- E. Recording of Certificate: If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. If the actions ordered are completed after filing of this certificate or the building is demolished so that it no longer exists as a dangerous building on the property, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

18.48.060: NOTICE TO VACATE:

A. Form of Notice: Every notice to vacate shall, in addition to being served as provided in Section 18.48.050, be posted on the exterior of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....
Salt Lake City

B. Compliance with Notice to Vacate: No person shall remain or enter any building which has been so posted, except that entry may be made to repair or board. No person shall remove or deface any such notice after it is posted.

18.48.070: EXTENSION OF TIME TO PERFORM WORK:

Upon a timely written request by the owner setting forth the requested reasons for an extension of time, the building official or designee may grant an extension of time, not to exceed 120 days from the deadline set forth in the original notice and order, within which to complete said repair, vacation, or boarding, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or

property. The building official's authority to extend time is limited to the physical repair, vacation, or boarding of the premises and will not in any way affect the time to appeal the notice and order.

18.48.080: APPEALS:

- A. Hearing Appeals: Timely written appeals of notice and orders or any action of the building official, except for an objection from an itemized statement of costs, shall be heard and decided by the Housing Advisory and Appeals Board.
- B. Form of Notice: Any person entitled to service under Section 18.48.050 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal containing:

 A heading containing the words: "Before the housing advisory and ap 	bears	board
u.		
,		

- 2. A caption reading: "Appeal of______," giving the names of all appellants participating in the appeal;
- 3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order;
- 4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
- 5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
- 6. The signatures of all parties named as appellants and their official mailing addresses; and
- 7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- C. Time to File an Appeal: The appeal must be filed within 30 days from the date of the issuance of the notice and order described herein, except as provided in Subsection D.
- D. Time to File an Appeal for an Imminently Dangerous Building: If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 18.48.060, such appeal shall be filed as soon as reasonably practical from the date of the issuance of the notice and order of the building official.

- E. Transmittal of Appeal: Upon receipt of any appeal filed pursuant to this section, the building official shall transmit the appeal to the members of the Housing Advisory and Appeals Board for scheduling of a meeting within 30 days of receipt of a timely appeal.
- F. Scheduling Hearing: As soon as practicable after receiving the written appeal, the Housing Advisory and Appeals board shall fix a date, time and place for the hearing of the appeal by the board. Such date shall not be less than 10 days nor more than 30 days from the date the appeal was filed with the building official, unless extraordinary circumstances are present. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- G. Failure to Timely Appeal: Failure of any person to file a timely appeal in accordance with the provisions of this code shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
- H. Issues Considered on Appeal: Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
- I. Stays Pending Appeal: Except for vacation or boarding orders made pursuant to Section 18.48.050, enforcement of any notice and order of the building official issued under this Dangerous Building Code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.
- J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall have the authority to hear and evaluate evidence related to the building official's decision and determine whether the decision was arbitrary and capricious or illegal. The Housing Advisory and Appeals Board has no authority relative to interpretation of the administrative provisions of this code nor is the board empowered to waive requirements of this code. After the Housing Advisory and Appeals Board makes a final determination, they shall issue a written determination.
- K. Appeal to Utah District Court: After issuance of a final written determination by the Housing Advisory and Appeals Board, the decision may be appealed to the Utah District Court, Third Judicial District within 30 days from the issuance of the decision.

18.48.090: CITY'S ABATEMENT OF PROPERTY:

If the property owner does not comply with the order within the time specified in the notice and order and no appeal has been properly and timely filed, the building official or designees may cause the building to be repaired, vacated, or boarded to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order. Any such repair, vacation, or boarding shall be completed and the cost thereof paid and recovered as set forth in this code.

18.48.100: RECOVERY OF COSTS:

- A. Permitted Recovery of Costs: If the building official or designee causes the repair, vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050, the division may collect the cost of that abatement, by filing a property tax lien, as set forth in this section.
- B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work, the building official or designee shall prepare an itemized statement of costs and mail it to the property owner by certified mail, demanding payment within thirty (30) days of the date the statement is post marked.
- C. Form of Itemized Statement of Costs: The itemized statement of costs shall:
 - 1. Include:
 - a. the address of the property at issue;
 - b. an itemized list of all expenses incurred by the division, including administrative costs;
 - c. a demand for payment; and
 - d. the address where payment is to be made;
 - 2. Notify the property owner:
 - a. that failure to timely pay the expenses described in the itemized statement may result in a lien on the property in accordance with this chapter and Utah Code Section 10-11-4 or its successor;
 - b. that the property owner may file a written objection to all or part of the statement within twenty (20) days of the date the statement is postmarked; and
 - c. where the property owner may file the objection, including the name of the office and the mailing address.
- D. Delivery of Statement of Costs: The itemized statement of costs described in Subsection C shall be deemed delivered when mailed by certified mail addressed to the last known address of the property owner, according to the records of the county recorder.
- E. Objection to Statement of Costs: If the property owner files a timely written objection, the division will schedule a hearing and will mail or deliver to the property owner prior to the hearing a notice stating the date, time, and location of the hearing. A fines hearing

- officer, appointed pursuant to Section 21A.06.090, shall preside at the hearing and consider the property owner's objection as set forth in Subsection F.
- F. Objection Hearing: At the hearing described in Subsection E, after the property owner presents the objection to the hearing officer, the fines hearing officer shall review and determine the cost of abatement incurred by the division in abating the property, including administrative costs. The property owner must pay any amount the fines hearing officer determines is due and owing to the Salt Lake City Treasurer at the address provided in the statement of costs within thirty (30) days of the date of the hearing.
- G. Failure to Object or Pay: If the property owner fails to make payment of the amount set forth in the itemized statement within thirty (30) days of the date of the mailing of that statement, or to file a timely objection, then the division may certify the past due costs and expenses to the Salt Lake County Treasurer.
- H. Failure to Pay After Objection Hearing: If the property owner files a timely objection but fails to make payment of any amount found due and owing under Subsection F within thirty (30) days of the date of the hearing, the inspector may certify the past due costs and expense to the Salt Lake County Treasurer.
- I. Lien on Property: After entry by the treasurer of the county, as set forth in Subsections G and H, the amount entered shall have the force and effect of a valid judgment of the district court, is a lien on the property, and shall be collected by the treasurer of the county in which the property is located at the time of the payment of general taxes.
- J. Release of Lien: Upon payment of the amount set forth in the itemized statement of costs or otherwise determined due and owing by the hearing officer in Subsections E and F, the judgment is satisfied, the lien is released from the property, and receipt shall be acknowledged upon the general tax receipt issued by the treasurer.

18.48.110: APPLICABILITY OF BUILDING CODE:

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of the International Building Code, or its successor section.

18.48.120: PUBLIC NUISANCES:

- A. Declaration and Abatement of Public Nuisances: All buildings or structures or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, vacation, or boarding in accordance with the procedures specified herein.
- B. Boarded Building as Public Nuisance: Any structure which has been boarded for over two (2) years may be declared to be a public nuisance as detrimental to the safety and public welfare of the residents and property values of this city.

SECTION 3. Repealing and Replacing the Text of Salt Lake City Code Chapter 18.48,

Article II. That Chapter 18.48, Article II, of the Salt Lake City Code (Buildings and

Construction: Dangerous Buildings: Temporary Securing of Buildings) shall be and hereby is repealed in its entirety and replaced as follows:

Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS

18.48.200: SCOPE AND APPLICABILITY:

18.48.205: BOARDING PERMIT:

18.48.210: INITIAL FEES:

18.48.215: YEARLY FEES:

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

18.48.225: METHOD OF SECURING BUILDINGS:

18.48.230: LANDSCAPE MAINTENANCE:

18.48.235: EXTERIOR MAINTENANCE:

18.48.240: SNOW AND ICE REMOVAL:

18.48.245: CITY MAINTENANCE OF PROPERTY:

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

18.48.255: LEGAL ACTION AUTHORIZED:

18.48.260: BUILDING INSPECTIONS REQUIRED:

18.48.200: SCOPE AND APPLICABILITY:

The provisions of this article apply to any person or entity who is ordered to board a building under Article I and any person or entity who voluntarily boards a building.

18.48.205: BOARDING PERMIT:

- A. Permit Required: A permit is required to board a building. In the case where the city causes the boarding work to be done pursuant to Section 18.48.245, the city is not required to obtain a boarding permit.
- B. Form of Permit: Permits for boarding a building must be applied for on a form provided by the building official or designee. The form shall specify the following:
 - 1. The address of the structure to be boarded or temporarily secured;
 - 2. The type of building;

- 3. For residential structures, the number of dwelling units;
- 4. For nonresidential buildings, the number of square feet of all building faces at ground level;
- 5. The name, address, and telephone number of a person authorized to act as an agent for the owner for performing the owner's obligations under this article, who lives within forty (40) miles of Salt Lake City; and
- 6. Whether the property has the required external water source for landscaping, if landscaping is required.

18.48.210: INITIAL FEES:

For the first year of any boarding, at the time of filing the application, the applicant shall pay the fees shown on the Salt Lake City consolidated fee schedule for each structure.

18.48.215: YEARLY FEES:

- A. Annual Fee: On or before each yearly anniversary of the issuance of a boarding permit, a property owner desiring to maintain a boarded building shall pay the annual boarding fee shown on the Salt Lake City consolidated fee schedule.
- B. Late Fee: A late fee of twenty five dollars (\$25.00) shall be assessed by the city for each thirty (30) days, or any portion thereof, in which the annual fees have not been paid up to amounts allowed by state law.
- C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this article shall result in a fine of up to twenty five percent (25%) of the boarding application fee specified in the Salt Lake City consolidated fee schedule.
- D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or the annual boarding fees, the city may take legal action to collect any amounts owed.

18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:

Whenever a building is boarded or closed to occupancy, the city shall be authorized to install a sign to be mounted on the exterior of the building. The sign shall state that the building is closed to occupancy and that it is unlawful for any unauthorized person to enter the building. The sign shall also provide phone numbers to call if people are seen on the property or if doors or windows are unsecured.

18.48.225: METHOD OF SECURING BUILDINGS:

All buildings shall be boarded in the following manner:

- A. Securing Opening: All openings in the structure on the first floor, other openings easily accessible from the ground, and openings with broken glass, shall be secured either by erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar material, not to include chipboard/OSB, covering over all exterior openings, overlapping the opening on every edge by three inches (3"), affixed along the edges by nails or screws spaced every six inches (6").
- B. Alternatives to Securing Openings: Alternately, the openings may be secured by conventional wood frame construction. The frames shall use wood studs of a size not less than two inches by four inches (2" x 4") (nominal dimension) placed not more than twenty four inches (24") apart on center. The frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the face of the wall. Each side of the frame shall be covered with plywood sheathing or similar material of at least one-half inch (1/2") thickness or equivalent lumber nailed over the opening by using nails or screws spaced every six inches (6") on the outside edges and every twelve inches (12") along intermediate stud supports; and
- C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately locked to preclude entry of unauthorized persons, or shall be covered as an opening described in Subsection A or B of this section or successor sections.

18.48.230: LANDSCAPE MAINTENANCE:

Existing landscaping and lawn on the property shall be maintained in the manner otherwise required by Chapters 9.16 and 21A.48.

18.48.235: EXTERIOR MAINTENANCE:

- A. Exterior of Building: The exterior of a boarded building shall be maintained as required by relevant requirements set forth in Section 18.50.140 of this title. In particular, exterior walls and surfaces shall be properly maintained and severely weathered, peeling, or unpainted wood and damaged siding and roofing shall be replaced or repaired with similar materials and colors.
- B. Salvage Permit Required: Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials within the interior of a boarded building shall not be salvaged except upon the issuance of a permit as provided in Section 18.64.070 of this title.
- C. Enforcement of Exterior Maintenance Requirements: If the owner of a boarded building fails to maintain the building and its premises as required by this section and Section 18.64.045 of this title, the city may take appropriate legal action to enforce such requirements.

18.48.240: SNOW AND ICE REMOVAL:

Snow and ice must be removed from public sidewalk areas surrounding the boarded property in the manner indicated in Section 14.20.070 of this code.

18.48.245: CITY MAINTENANCE OF PROPERTY:

- A. Notice: If the building official or the building official's designee determines that a boarded building and/or property is not being maintained, the building official or the building official's designee shall send a notice to the property owner and/or the property owner's agent requiring compliance with the building maintenance standards as required in city code.
- B. Failure to Comply with Notice: If the building official or designee determines that the property owner has failed to comply with the notice, the city may cause the work to be done by a contractor hired by the city.
- C. City's Recovery of Costs: The city shall bill the property owner:
 - 1. The administrative fee shown on the Salt Lake City consolidated fee schedule to cover the city's administrative expenses in contracting for the building maintenance; and
 - 2. The actual cost of building maintenance billed to the city by the city's contractor.

18.48.250: CITY MAINTENANCE OF LANDSCAPING:

If the building official or the building official's designee determines that the landscaping on the property surrounding a boarded building is not being maintained as required by city code, the building official or the building official's designee shall follow the notice of violation and corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.

18.48.255: LEGAL ACTION AUTHORIZED:

The city may recover any costs it incurs in for enforcing the provisions of this title, as set forth in city code.

18.48.260: BUILDING INSPECTIONS REQUIRED:

Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or reoccupy a building that has been boarded, the building is to be inspected by the building official or designee and a permit must be issued by building services or its successor prior to the building owner, manager, or tenant initiating any of the above actions. Any person conducting any work on a building that has been boarded or closed to occupancy must have a valid building permit at all times.

SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,

Article III. That Chapter 18.48, Article III, of the *Salt Lake City Code* (Buildings and Construction: Dangerous Buildings: Emergency Demolition) shall be and hereby is repealed in its entirety and moved to Chapter 18.64 as provided in Section 5 herein.

SECTION 5. <u>Amending the Text of Salt Lake City Code</u> Section 18.64. That Section 18.64, of the Salt Lake City Code (Buildings and Construction: Demolition) shall be amended to read as follows:

Article I. Demolition

18.64.005: PURPOSE AND INTENT:

18.64.010: PERMIT REQUIRED:

18.64.020: APPLICATION AND PERMIT:

18.64.030: FEES AND SIGNATURE. BOND:

18.64.040: ISSUANCE OF DEMOLITIONPERMIT:

18.64.045: DEMOLITION BY NEGLECT:

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

18.64.070: PREDEMOLITION SALVAGE PERMITS:

18.64.080: EXPIRATION; DILIGENCE:

18.64.090: QUALIFICATIONS TO DO WORK:

18.64.100: DEMOLITION REQUIREMENTS:

18.64.110: RELATIOSHIPTO OTHER ORDINANCE:

18.64.120: VIOLATIONS:

18.64.005: PURPOSE AND INTENT:

- A. The purpose of the provisions in this chapter is to:
 - 1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;
 - 2. Provide an orderly and predictable process for demolition of buildings and structures when appropriate;
 - 3. Ensure demolition occurs safely;

- 4. Protect utilities and other infrastructure from damage during demolition;
- 5. Provide for enforcement of timely completion of demolition and for improvement of property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;
- 6. Provide for enforcement and maintenance of property to avoid purposeful demolition by neglect; and
- 7. Encourage preservation of the city's housing stock where appropriate.
- B. A primary intent of the city council with respect to this chapter is to promote responsible re-use of existing housing stock where practical and provide an orderly process for demolition where it is not practical or cost efficient to rebuild/reuse. Accordingly, the council finds that it is in the public interest to require existing buildings to be maintained in a manner that does not constitute a public nuisance until replaced by new construction, except as otherwise permitted by this code.

18.64.010: PERMIT REQUIRED:

It is unlawful to demolish any building or structure in the city, or cause the same to be demolished, without first obtaining a permit for demolition of each such building or structure from the city building official as provided in this chapter.

18.64.020: APPLICATION FOR PERMIT

To obtain a permit for demolition, an applicant shall submit an application in writing on a form furnished by the building official for that purpose. Each application shall:

- A. Identify and describe the type of work to be performed under the permit;
- B. State the address of the structure or building to be demolished;
- C. Describe the building or structure to be demolished including the type of use, type of building construction, size and square footage, number of stories, and number of residential dwelling units (if any);
- D. Indicate the method and location of demolished material disposal;
- E. Identify the approximate date of commencement and completion of demolition;
- F. Indicate if fences, barricades, scaffolds or other protections are required by any city code for the demolition and, if so, their proposed location and compliance;
- G. State whether fill material will be required to restore the site to level grade after demolition and, if required, the approximate amount of fill material;

- H. If the building or structure to be demolished contains any dwelling units, state whether any of the dwelling units are presently occupied; and
- I. State the proposed use of the premises following demolition. If new construction is proposed following demolition, state the anticipated start date and whether any development applications have been submitted to and/or approved by the city.

18.64.030: FEES AND SIGNATURE:

- A. The permit application shall be signed by the party or the party's authorized agent requesting the permit. A signature on the permit application constitutes a certification by the signee that the information contained in the application is true and correct.
- B. The fee for a demolition permit application shall be as shown on the Salt Lake City consolidated fee schedule.
- C. An additional fee for the cost of inspecting the property to determine compliance with the requirements of this chapter and to assure the property is kept free of weeds and junk materials shall be collected in the amount shown on the Salt Lake City consolidated fee schedule.

18.64.040: ISSUANCE OF DEMOLITION PERMIT:

- A. A demolition permit may be issued only upon completion of an application in accordance with Section 18.64.020 herein; or the chief building official or fire marshal orders immediate demolition:
 - 1. Due to an emergency as provided in Chapter 18.64, Article II of this title; or
 - 2. Because the premises have been damaged beyond repair because of a natural disaster, fire, or other similar event; or
 - 3. The chief building official or fire marshal authorizes immediate demolition because clearing of land is necessary to remove a nuisance as defined in this code or Section 76-10-801 et seq., Utah Code or its successor.
- B. If proposed demolition involves a landmark site, a contributing structure, or a structure located in the H Historic Preservation Overlay District, as provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall be issued only upon compliance with applicable provisions of that section or its successor.

18.64.045: DEMOLITION BY NEGLECT:

The owner of a boarded building shall maintain the exterior of the building as provided in Section 18.48.255, "Exterior Maintenance", of this title or its successor.

18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:

- A. Except as provided in Subsection B of this section, if the structure for which a demolition permit is sought contains one or more dwelling units, whether or not occupied, the building official shall consider the impact of the requested demolition on the housing stock of Salt Lake City pursuant to the provisions of this section.
- B. This section shall not apply to any housing which:
 - 1. Is a nonconforming use as provided by relevant provisions of Title 21A, "Zoning", of this code; or
 - 2. Is located on property for which an applicable master plan or the current zoning envisions exclusive nonresidential use; or
 - 3.
- a. Is proposed to be demolished for health or safety reasons as provided in this section its successors.
- b. Notwithstanding Subsection B.3.a of this section, housing which is demolished for health or safety reasons, which is the result of neglect pursuant to Section 18.64.045 of this chapter, shall be subject to the provisions of this section.
- C. The building official, within ten (10) days after receipt of a demolition permit application, shall determine whether the requested demolition will result in:
 - 1. Construction of one or more residential units with a net loss of one or more dwelling units; or
 - 2. No net loss of dwelling units will occur due to the anticipated construction of new dwelling units pursuant to an approved and issued building permit for the premises where the demolition will occur.
- D.
- 1. If Subsection C.2 of this section applies, the building official shall issue a finding of no residential impact and the demolition permit may be issued.
- 2. If Subsection C.1 of this section applies, the building official shall issue a finding of residential impact.
- E. Upon making a finding of residential impact, the building official shall follow the procedures outlined in Chapter 18.97. Once the fee is paid, the demolition permit may be issued immediately upon completion of the application process in Section 18.64.020.

18.64.070: PREDEMOLITION SALVAGE PERMITS:

- A. A predemolition salvage permit shall be required for removal of doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks, marble, or similar materials on the exterior or interior of any building prior to demolition of the structure. A predemolition salvage permit may be issued only contemporaneously with, or after, city approval of:
 - 1. A building permit for new construction on the premises following demolition, or
 - 2. A demolition permit.
- B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidated fee schedule.

18.64.080: EXPIRATION; DILIGENCE:

A demolition permit shall expire forty five (45) calendar days from the date of issuance, unless a completion date allowing more time is requested and approved by the building official at the time of application. A demolition permit may be renewed upon request prior to expiration with approval of the building official for one-half (1/2) of the original permit fee, provided continuous progress is being made. If a permit is allowed to expire without prior renewal, any subsequent request for reinstatement shall be accompanied by a reinstatement fee equal to the original demolition permit fee.

18.64.090: QUALIFICATIONS TO DO WORK:

- A. It shall be unlawful for demolition work permitted under this chapter to be performed except by a wrecking and demolition contractor having a license in good standing issued by the Division of Occupational and Professional Licensing in the Utah Department of Commerce.
- B. Salvage work under a predemolition salvage permit may be done without a contractor's license provided all other applicable conditions of this chapter are met.

18.64.100: DEMOLITION REQUIREMENTS:

- A. Prior to the commencement of any demolition or moving, the permittee shall plug all sewer laterals at or near sidewalk lines as staked out by the department of public utilities. No excavation shall be covered until such plugging is approved by the department or by the building official. The permittee shall further ensure all utility services to the structure and/or premises have been shut off and meters removed prior to commencement of demolition work.
- B. When the applicant indicates the demolition will require more than thirty (30) days to complete, and where required by the building official for the safety of the public, the applicant shall also provide plans to fence the demolition site so that it is inaccessible to

unauthorized persons in a manner acceptable to the building official. The building official may waive the fencing requirement if it is determined that fencing would be inappropriate or unnecessary to protect safety or health.

- C. A permit for demolition shall require that all materials comprising part of the existing structure(s), including the foundation and footings, be removed from the site. Unless otherwise approved under a building permit for redevelopment of the site, the depression caused by the removal of such debris shall be filled back and compacted to the original grade, as approved by the building official, with fill material excluding detrimental amounts of organic material or large dimension nonorganic material.
- D. Permitted demolition work, including filling and leveling back to grade and removal of required pedestrian walkways and fences, shall be completed within the permit period unless the building official finds that any part of the foundation of building or site will form an integral part of a new structure to be erected on the same site for which plans have already been approved by the building services and licensing division. In such event, the building official may approve plans for appropriate adjustments to the completion time and may impose reasonable conditions including the posting of a bond, erection of fences, securing, or similar preventions to ensure the site does not create a hazard after the demolition is completed.

18.64.110: RELATIONSHIP TO OTHER ORDINANCE:

Provisions of this chapter shall be subordinate to any contrary specific provisions of Title 21A, Chapter 21A.34 of this code, dealing with demolition in historic districts, or its successor.

18.64.120: VIOLATIONS:

- A. It is unlawful for the owner of a building or structure to violate the provisions of this chapter. Each day a violation occurs shall be a separate offense.
- B. Violation of the provisions of this chapter is punishable as a class B misdemeanor or by imposing a civil penalty as provided in Section 21A.20.010 et seq., of this code.

SECTION 6. Enacting the Text of Salt Lake City Code Section Chapter 18.64, Article

<u>II.</u> That Section 18.64, Article II, of the *Salt Lake City Code* is enacted to read as follows:

Article II. Emergency Demolition

18.64.130: PURPOSE:

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

18.64.150: IMMEDIATE CITY DEMOLITION:

18.64.160: EMERGENCY DEMOLITION:

18.64.170: BILL FOR COSTS; COLLECTION:

18.64.130: PURPOSE:

Notwithstanding the other provisions of this chapter, the process for demolishing buildings in an emergency situation shall be as provided by this article.

18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:

If the building official determines that the walls or roof of a building or structure are collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to fall on other structures, property, or public rights of way, or create a danger to persons who may enter the property, or create a danger of fire, the building official may issue an order that the building should be demolished pursuant to this article.

18.64.150: EMERGENCY DEMOLITION:

If the chief building official declares an emergency, the notification and hearing provisions of section this chapter, or its successor, shall be waived and the building official may authorize immediate demolition of any structure that meets the standards of Section 18.64.140 of this chapter or its successor. The chief building official must make an emergency declaration in writing.

18.64.160: BILL FOR COSTS; COLLECTION:

- A. Upon the completion of any city demolition pursuant to this article, the city shall mail a bill to the property owner for the city's costs of demolition which shall include the cost of the demolition contractor and a reasonable amount to pay the costs of city personnel involved in the demolition.
- B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the bill.

SECTION 7. Amending the Text of Salt Lake City Code Section 21A.06.090. That

Section 21A.06.090 of the Salt Lake City Code (Zoning: Decision Making Bodies and Officials:

Fines Hearing Officer) shall be amended to read as follows:

21A.06.090: FINES HEARING OFFICER:

- A. Creation: The position of fines hearing officer is created pursuant to the enabling authority granted by the Municipal Land Use, Development, and Management Act, Section 10-9a-701 of the Utah Code.
- B. Jurisdiction and Authority: The fines hearing officer shall have the powers and duties set forth in Chapter 21A.20 of this title and Subsections 18.48.100.E and 18.48.100.F.
- C. Qualifications: The fines hearing officer shall be appointed by the mayor with the advice and consent of the city council. The mayor may appoint more than one fines hearing officer, but only one fines hearing officer shall consider and decide upon any matter properly presented for fines hearing officer review pursuant to Chapter 21A.20 of this title or Subsections 18.48.100.E and 18.48.100.F as the case may be. The fines hearing officer may serve terms of four (4) years each, which may be renewed at the mayor's discretion. The fines hearing officer shall either be law trained or have significant experience with the requirements and operations of administrative hearing processes.
- D. Conflict of Interest: The fines hearing officer shall not participate in any appeal in which the fines hearing officer has a conflict of interest prohibited by Title 2, Chapter 2.44 of this code.
- E. Removal of The Fines Hearing Officer: The fines hearing officer may be removed by the mayor for violation of this title, any relevant policies and procedures or any relevant provision of state law following receipt by the mayor of a written complaint filed against the fines hearing officer. If requested by the fines hearing officer, the mayor shall provide the fines hearing officer with a public hearing conducted by a hearing officer appointed by the mayor.

SECTION 8. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ______ day of ______, 2020

Passed by the City Council of Salt Lake C	City, Utah, thisday of	, 2020.
	CHAIRPERSON	
ATTEST:		
CITY RECORDER		
Transmitted to the Mayor on		

Mayor's Action:ApprovedVeto	ed.
	MAYOR
ATTEST:	
	APPROVED AS TO FORM Salt Lake City Attorney's Office
CITY RECORDER	Date: July 20, 2020 By:
(SEAL)	
Bill Noof 2020.	

Demolition Dangerous Boarded Buildings Transmittal

Final Audit Report 2020-07-22

Created: 2020-07-22

By: Garrett A. Danielson (Garrett.Danielson@slcgov.com)

Status: Signed

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