

Minimum Standards for Securing Abandoned or Damaged Structures

PURPOSE

To minimize the impact of abandoned or damaged structures to a neighborhood and mitigate public nuisance properties.

GENERAL

Both the Uniform Code for the Abatement of Dangerous Buildings (UCADB) and the Uniform Housing Code (UHC) authorize the Building Official to order a structure vacated. In most cases, a structure can be repaired within a short time period. On occasion, a structure cannot be rehabilitated or repaired for an extended time period. Sometimes a structure becomes an imminent hazard that requires immediate securement. Regardless of cause, reasonable measures are necessary to mitigate dangerous and public nuisance properties.

Structures that have been so damaged, dilapidated or partially collapsed, as to be considered a dangerous building as defined in the UCADB, shall be secured as well as vacant or abandoned buildings that are a nuisance as defined in the UHC. Property owners that elect to voluntarily vacate a structure as allowed in a Notice and Order shall secure the structure to prevent nuisance conditions from being created.

Preference should be given to boarding a structure. If boarding is not possible, the property owner may be given the opportunity to place a fence around the structure. If site conditions prohibit the ability to secure a property by boarding or fencing, the subject structure must be demolished pursuant to Section 17980.10 of the Health and Safety Code.

This policy shall not apply to agricultural buildings and rural built owner occupied single family dwellings ("Class K" housing).

AUTHORITY

Section 17980 Health & Safety Code
Section 403 Uniform Code for the Abatement of Dangerous Buildings (UCADB)
Section 1103 Uniform Housing Code (UHC)

PROCEDURE

A. Any of the following conditions will require a structure to be secured by either boarding all windows and doors or by fencing:

1. When a structure has been damaged by fire, wind, landslide or other cause that render a structure uninhabitable as determined by the Building Official pursuant to the UCADB and a

Notice and Order has been served to the property owner requiring the structure secured.

2. When a structure or property has been noticed and declared to be substandard or hazardous as defined in Chapter 10 in the UHC and a repair permit cannot be issued for 90 days or more due to the inability to connect to a public utility or obtain necessary approvals for obtaining a permit. Additional time may be granted beyond 90 days due to extenuating circumstances as determined by supervisory or management staff.

3. When a property owner elects to vacate a structure in response to any Notice and Order.

4. Any abandoned structure or property where nuisance conditions as defined in Chapter 4 in the UHC are observed.

B. Boarding or fencing shall be completed per Permit & Resource Management Department (PRMD) form Minimum Standards for Securing Abandoned or Damaged Buildings CDE-006.

C. Maintaining property and monitoring:

1. The land surrounding the structure shall be maintained free from junk, trash, debris, high grass or weeds during all times which the structure is vacant.

2. Boarding or fencing shall be maintained until such a time that repair permits are issued or the structure is demolished.

D. Permit required for securing and monitoring the structure.

1. A permit is required to verify correct boarding and to monitor the structure once secured.

a. An A-BLD permit shall be issued for securing the structure per this policy. The permit shall be charged the board and secure permit fee per the annually adopted rate. Investigation and penalty fees shall not be applied unless specifically imposed by a Hearing Officer or by court order. The permit shall be issued for a three year period and require renewal every three years.

b. Once the initial boarding of the structure is complete and approved by Building Inspection staff, the permit shall be turned over to Code Enforcement for monitoring.

c. Code Enforcement staff shall monitor the structure as necessary to maintain compliance.

d. If staff determines the property/structure is not being maintained, Code Enforcement staff shall send a letter identifying the non-compliant feature and give the property owner sufficient time to obtain compliance. If the property owner fails to comply, staff shall initiate progressive abatement steps as required to achieve compliance.

2. If the structure or property cannot be secured and demolition is required, a demolition permit is required pursuant to Section 7-5 of the Sonoma County Code.

ATTACHMENTS

A. Minimum Standards for Securing Abandoned or Damaged Buildings CDE-006

Approved by:

/s/ Pete Parkinson

Pete Parkinson, Director

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