

CITY OF GARIBALDI
ORDINANCE NO. 246

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF PERMITS
FOR THE DEMOLITION OF BUILDINGS IN THE CITY OF
GARIBALDI.

SECTIONS

- 1 *Nuisance Prohibited*
- 2 *Permits Authorized; Form of Permits*
- 3 *Additional Limitations on Permits*
- 4 *When Performance Bonds Required*
- 5 *Notice to Landowners*
- 6 *Donations to Fire Department*
- 7 *Penalties*

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. NUISANCE PROHIBITED: No building within the City limits of the City of Garibaldi shall be permitted to become a public nuisance by virtue of having been wholly or partially destroyed by fire or other means, or by having been wholly or partially torn down or demolished.

Section 2. PERMITS AUTHORIZED; FORM OF PERMITS: The City Administrator or his designee may issue a demolition permit at no charge to a property owner so requesting. The permit shall be in the form of an agreement between the City and the property owner providing for the prompt and orderly cleanup of the subject property following demolition, and shall include, but not be limited to, provisions which require that:

- (a) all unburned materials and trash be removed to a site approved by the City Administrator or his or her designee.
- (b) all unsalvageable building materials be removed to a site approved by the City Administrator or his or her designee.
- (c) all basements, pits, trenches, and other excavations on the subject property be filled or fenced as approved by the City Administrator or his or her designee.
- (d) all sewer lateral connections be properly capped and mapped or otherwise located to enable future development.

- (e) all salvageable materials be removed from the site, and be neatly stacked for storage prior to removal from the site.
- (f) the site be graded to a uniform gradient.

Section 3. ADDITIONAL LIMITATIONS ON PERMITS: The agreement shall also provide that:

- (a) the actions specified in Section 2, above, shall be completed within sixty (60) days following issuance of the demolition permit by the City, *provided* that the City Administrator may grant, upon request of the applicant, an extension of time to complete the work, so long as the extension requested is reasonable and does not create or continue a public health, fire or safety problem.
- (b) if the actions required by the agreement are not completed within sixty (60) days following issuance of the permit, or by such other deadline as granted by the City pursuant to subsection (1) of this Section, the City may, at the City's option, complete the cleanup, or cause it to be completed, the entire cost of said cleanup, including administrative costs, to be a lien against the subject property, which lien may be foreclosed on at the City's option if the costs remain unpaid more than thirty (30) days after the bill therefor is tendered to the property owner.

Section 4. WHEN PERFORMANCE BONDS REQUIRED: Notwithstanding other provisions of this Ordinance, the City Administrator may, upon the advice of the Fire Chief or Public Works Director, refuse to issue a demolition permit unless and until a performance bond sufficient to cover the estimated cost of the cleanup work has been posted with the City.

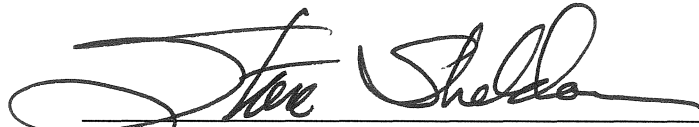
Section 5. NOTICE TO LANDOWNERS: Where the wholly or partially demolished or destroyed condition of a structure has resulted from fire or other disaster, or where the City has declared a structure dangerous and ordered its destruction pursuant to the Dangerous Buildings Ordinance, the City Administrator shall issue, or cause to be issued, as soon as practicable, notice to the owner of the subject property that cleanup of the site, and a demolition permit, are required. Demolition permits must be applied for within ten (10) days of tendering notice. Notice shall be by certified mail (return receipt requested), addressed to the owner of the subject property at the address to which tax statements are sent.

Section 6. DONATIONS TO FIRE DEPARTMENT: A property owner may donate a structure to the Garibaldi Fire Department for training purposes, irrespective of condition; however, no such donation shall be accepted without the owner thereof also providing a waiver of liability in a form and content acceptable to the Fire Chief. The property owner shall remain responsible for cleanup of the site following the

training exercise, pursuant to the provisions of this Ordinance.

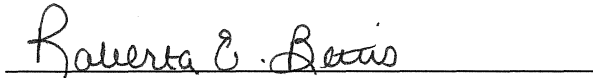
Section 7. PENALTIES: Violation of this Ordinance shall, upon conviction, be punishable by a fine of not less than \$170.00, nor more than \$300.00. Each day on which a violation occurs shall constitute a separate offense. Prosecution of a violation under this Ordinance shall not be an exclusive remedy, but may be undertaken in addition to other remedies which may be available to the City under state statute or other City ordinance.

PASSED by the Common Council and approved by the Mayor of the City of Garibaldi, this 20th day of November, 2000.



Mayor

ATTEST:



City Recorder

[PAUL\WSWIN\DOCS\DEMOLISH.W2K]