8.20.050 Unfit buildings generally.

A. Determination of Building Fitness. In reaching a judgment that a building is unfit for human habitation, the director shall consider:

1. Dilapidation;

2. Disrepair;

3. Structural defects;

4. Defects increasing the hazards of fire, accidents or other calamities, such as parts standing or attached in such a manner as to be likely to fall and cause damage or injury;

5. Inadequate ventilation;

6. Uncleanliness;

7. Inadequate light;

8. Inadequate sanitary facilities;

9. Inadequate drainage;

10. Substandard conditions.

If these or other conditions are found to exist to an extent dangerous or injurious to the health or safety of the building's occupants, or the occupants of neighboring buildings or of other residents of the city, and if:

a. Structural deterioration is of such a degree that: (i) vertical members list, lean or buckle to the extent that a plumb line passing through the center of gravity falls outside the middle third of its base; or (ii) thirty-three (33) percent of the supporting members shows damage or deterioration; or

b. The cost of restoration exceeds sixty-six (66) percent of the value of the building; or

c. The building has been damaged by fire or other calamity, the cost of restoration exceeds thirty-three (33) percent of the value of the building and it has remained vacant for six months or more (Value shall be determined by reference to a current edition of "Building Valuation Data" published by the International Conference of Building Officials or, if not published, as determined by the board of aldermen. Cost of restoration is the actual estimated cost, which may be determined in the same manner as "value".); the director shall declare the building a public nuisance and order the abatement of the nuisance in compliance with Sections 8.20.070 through 8.20.100.

B. Restoration or Repair. An undertaking by a party in interest to restore or repair an unfit building, entered into at or prior to the determination of building fitness by the director, creates a presumption that the building or premises can be reasonably repaired. The director may then grant additional time in accordance with Section 8.20.110(E). The failure to accomplish such an undertaking is grounds for the building inspector to order demolition. If by reason of any of the above conditions is unfit, but no public necessity is found for its immediate demolition, the building inspector may take other action, such as causing the property to be cleaned, cleared, vacated, secured or otherwise repaired, which will promote the public health, safety or general welfare.

(Ord. 3667 § 1 (part), 1998: prior code § 20-3(3.4))

8.20.060 Substandard buildings.

A. Substandard Criteria. In reaching a judgment that a building or premises is substandard, the building inspector shall be guided by such factors as:

1. Structural soundness;

2. Improper sanitation;

3. Improper safety;

4. Improper weatherproofing;

5. Defective or hazardous wiring, including wiring which:

a. Did not conform with law applicable at the time of installation, or

b. Has not been maintained in good condition, or

c. Is not being used in a safe manner;

6. Defective or hazardous plumbing, including plumbing which:

a. Did not conform with law applicable at the time of installation, or

b. Has not been maintained in good condition, or

c. Is not being used in a safe manner;

7. Defective or hazardous heating or ventilating equipment, including equipment, vents and piping which:

a. Did not conform with law applicable at the time of installation, or

b. Has not been maintained in a good and safe condition;

8. Fire hazard, including any building, device, apparatus, equipment, combustible waste or debris, or vegetation which may cause fire or explosion or provide fuel to augment the spread or intensity thereof;

9. Nuisance.

B. Remedial Action. If these or similar conditions are found to exist, the building inspector shall declare the building a public nuisance and order the building or premises repaired, cleaned, cleared or otherwise brought into compliance with current city codes or ordinances, and may order the property vacated and secured as completely as possible pending such repair or other action.

(Ord. 3667 § 1 (part), 1998: prior code § 20-3(3.5))