

LEGISLATIVE DRAFT

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 A. Apply the provisions of ~~€~~Title 5, ~~e~~Chapter 5.14 and ~~€~~Title 18, ~~e~~Chapter 18.50 of this code;
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31 B. Hear and decide appeals as specified in ~~t~~Title 5, ~~e~~Chapter 5.14 and ~~€~~Title 18, ~~e~~Chapter
32 18.50 of this code;
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34 C. Modify the impact of specific provisions of ~~€~~Title 5, ~~e~~Chapter 5.14 and ~~€~~Title 18,
35 ~~e~~Chapter 18.50 of this code, where strict compliance with the provisions is economically
36 or structurally impracticable and any approved alternative substantially accomplishes the
37 purpose and intent of the requirement deviated from;
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39 D. Conduct housing impact hearings pursuant to ~~€~~Title 18, ~~e~~Chapter 18.64 of this code;
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41 E. Recommend new procedures to the building official and new ordinances regarding
42 housing to the city council; and
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44 F. ~~Conduct abatement hearings pursuant to~~ Hear and decide appeals as specified in ~~€~~Title 18,
45 ~~e~~Chapter 18.48 of this code.
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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49 Dangerous Buildings; Code Adoption and Administration) shall be and hereby is repealed in its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 ~~**18.48.010: Uniform Code For The Abatement Of Dangerous Buildings Adopted**~~
53 ~~**18.48.020: City Council As Governing Body**~~
54 ~~**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 ~~**18.48.080: Public Nuisances; Administrative Review And Limitations**~~

58 **18.48.010: UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS**
59 **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 requirements for the protection of life, limb, health, property, safety and welfare of the
67 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
69 the abatement of dangerous buildings, 1988 edition, adopted by this section, or its successor,
70 are amended and deemed to read the uniform code for the abatement of dangerous buildings,
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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86 **18.48.060: PERFORMANCE OF ABATEMENT WORK:**

87
88 Chapter 6 of the uniform code for the abatement of dangerous buildings, 1994 edition,
89 relating to procedures for conduct of hearing appeals, shall be amended as follows:

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91 **PROCEDURES FOR CONDUCT OF**
92 **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~~

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147 support of such decision. Such exception must also indicate whether or not the party
148 desires to present oral argument, which may be heard only with the consent of the mayor
149 and said argument shall be confined to the issues set forth in the written exceptions or as
150 otherwise limited by the mayor.

151
152 (g) Disposition By The Mayor. The mayor may adopt the report of findings as the basis
153 for its action in the abatement proceedings, or upon filing its own statement of the legal
154 or substantial basis in the record therefor, it may:

155 (i) Reject all or any portion of the report's findings and remand the same back to the
156 same panel of hearing examiners for further hearing and findings on specific issues;

157
158 (ii) Disregard any portion of the report's findings and proceed to take action upon the
159 remainder of the findings;

160
161 (iii) Substitute alternative or additional findings of fact on the issues presented to the
162 examiners, if the substituted findings are supported by a preponderance of the
163 evidence in the record.

164 Upon remand of any portion of the panel's reported findings, the same panel of
165 examiners shall conduct further hearing proceedings to the extent necessary to make
166 findings on the issues remanded for further hearing. Upon remand, the panel of
167 examiners shall prepare and submit its revised report and findings as provided in (d)
168 above. Consideration of the revised report by the mayor shall comply with (e) – (g)
169 above.

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171 (h) Order Of The Mayor. Upon disposition, the decision of the mayor shall be made in
172 written order supported by findings of facts, which may be those submitted by the panel
173 of hearing examiners if approved and adopted by said board or as the report may be
174 modified, reversed or rejected by the mayor. A copy of the decision shall be mailed to
175 parties in interest or their counsel. All orders entered by the mayor shall be final and shall
176 be effective as of the date stated in such written order. Said order shall specify the
177 manner in which the expense of any abatement work ordered shall be charged and
178 collected from the owner(s) as an individual obligation, a special assessment, and/or as a
179 certified property lien as provided below.

180 Section 801 UCADB. Abatement Work.

181 (a) Procedure To Accomplish Abatement Work. Upon the order of the mayor to complete
182 abatement work by demolition or repair, the building official shall cause the work to be
183 accomplished by city personnel or by private parties under his direction. Plans,
184 specifications, bidding proposals, etc. therefor, may be prepared by the building official
185 or his designee, or said official may employ such appropriate professional assistance that
186 he may deem reasonably necessary.

187
188 (b) Expense To Be Charged To Owner. The expense of such work, including costs of

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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
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:

215
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

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

233 ~~Section 903 UCADB. Protests And Objections. How Made.~~

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

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

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

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

266 ~~Section 905 UCADB. Method Of Collection.~~

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

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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

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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.

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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

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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.

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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.

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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:**

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417 **18.48.010: TITLE:**

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

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424 **18.48.020: PURPOSE AND SCOPE:**

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

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432 **18.48.030: DEFINITIONS:**

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434 A. BUILDING CODE: The International Building Code, or its successor, promulgated by
435 the International Code Council, as adopted by the state.

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- 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.

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

527
528 17. Whenever any building or structure is in such a condition as to constitute a public
529 nuisance known to the common law or in equity jurisprudence.

530
531 18. Whenever any portion of a building or structure remains on a site after the demolition
532 or destruction of the building or structure or whenever any building or structure is
533 abandoned for a period in excess of six months so as to constitute such building or
534 portion thereof an attractive nuisance or hazard to the public.

535
536 D. DIVISION: Salt Lake City's Division of Building Services, or the successor Salt Lake
537 City division authorized to perform the repair, vacation, or boarding of a building under
538 this chapter.

539
540 E. HOUSING CODE: The Salt Lake City Existing Residential Housing Ordinance as
541 promulgated in Chapter 18.50 of the City Code.

542
543 F. VACANT/SECURE BUILDING: An unoccupied building having all openings, such as
544 windows and doors, secured against entry, where windows are fully glazed and the doors
545 are secured by means of a lock.

546
547 **18.48.040: AUTHORITY TO ENFORCE:**

548
549 A. Authority to Enforce: The building official or designee is hereby authorized to enforce
550 the provisions of this Dangerous Building Code. The building official shall have the
551 power to render interpretations of this Dangerous Building Code and to adopt and enforce
552 rules and supplemental regulations to clarify the application of its provisions. Such
553 interpretations, rules, and regulations shall be in conformity with the intent and purpose
554 of this Dangerous Building Code.

555
556 B. Authority to Inspect: The building official or their designee is hereby authorized to make
557 inspections and take such actions as may be required to enforce the provisions of this
558 Dangerous Building Code.

559
560 C. Buildings or Structures Subject to Inspection: Any building or structure, where there is
561 reasonable cause to believe a condition exists that renders the building or structure in
562 violation of the provisions of this code, is subject to inspection by the building official or
563 their designee in the manner provided by this Dangerous Building Code.

564
565 D. Inspection When Permit Required: All construction or work for which a permit is
566 required is subject to inspection by the building official or their designee in accordance
567 with and in the manner provided by this Dangerous Building Code.

568
569 E. Inspections: The building official or their designee may enter a building or structure at
570 reasonable times to inspect or to perform the duties imposed by this Dangerous Building
571 Code.

- 573 1. If the building or structure is occupied, the building official or designee shall present
574 credentials to the occupant and request entry.
575
576 2. If the building or structure is unoccupied, the building official or their designee shall
577 make reasonable efforts to locate the owner or other persons having charge or control
578 of the building or premises and request entry.
579
580 3. If entry is refused, the building official or their designee shall have recourse to the
581 remedies provided by law to secure entry.
582

583 **18.48.050: PROCEDURE UPON DETERMINATION OF A VIOLATION:**
584

585 A. Initiation of Action: When the building official has inspected or caused to be inspected
586 any building and has found and determined that such building is a dangerous building,
587 the building official shall commence proceedings to cause the repair, vacation, or
588 boarding of the building.
589

590 B. Form of Notice and Order: The building official shall issue a written notice and order
591 directed to the record owner of the building.
592

593 1. The notice and order shall:
594

595 a. Identify the property owner of record according to the records of the Salt Lake
596 County Recorder;
597

598 b. Describe the property and contain a statement that the building official has found
599 the building to be dangerous with a brief and concise description of the conditions
600 found to render the building dangerous under the provisions of this code; and
601

602 c. Require the property owner to take action as determined by the building official.
603

604 i. If the building official has determined that the building or structure must be
605 repaired or boarded, the order shall require that all required permits be secured
606 and the work physically commenced within such time as the building official
607 shall determine is reasonable under all of the circumstances, which time shall
608 not be less than 10 days from the date after the day the notice is delivered in
609 person or postmarked.
610

611 ii. If the building official has determined that the building or structure must be
612 vacated, the order shall require that the building or structure shall be vacated
613 within a time certain from the date of the order as determined by the building
614 official to be reasonable, which time shall not be less than 10 days from the
615 date after the day the notice is delivered in person or postmarked.
616

617 d. A statement that, if any required repair work not also requiring the vacation of
618 property is not commenced within the time specified in Subsection

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619 18.48.050.B.1.c.i, the building official will order the building vacated and posted
620 to prevent further occupancy until the work is completed and may proceed to
621 cause the work to be done and recover the costs as set forth in Section 18.48.100.

622
623 e. A statement that (i) any person having any record title or legal interest in the
624 building may appeal from the notice and order of the building official, except for
625 an objection from an itemized statement of costs, to the Housing Advisory and
626 Appeals Board as established in this chapter, provided the appeal is made in
627 writing as provided in this code and filed with the building official within 30 days
628 from the date of service of such notice and order; and (ii) failure to appeal will
629 constitute a waiver of all right to an administrative hearing and determination of
630 the matter.

631
632 C. Service: The written notice and order, and any amended or supplemental notice and
633 order, shall be served on the property owner of record according to the records of the
634 county recorder. Service shall be made in person or by certified or commercial courier
635 service. The failure of any such person to receive such notice shall not affect the validity
636 of any proceedings taken under this section. Service by certified mail in the manner
637 herein provided shall be effective on the date the notice and order are postmarked.

638
639 D. Proof of Service: Proof of service of the notice and order shall be certified at the time of
640 service by a written declaration under penalty of perjury executed by the persons
641 effecting service, declaring the time, date, and manner in which service was made. The
642 declaration, together with any receipt card returned in acknowledgment of receipt by
643 certified mail or commercial courier service shall be affixed to the copy of the notice and
644 order retained by the building official.

645
646 E. Recording of Certificate: If compliance is not had with the order within the time specified
647 therein, and no appeal has been properly and timely filed, the building official shall file in
648 the office of the county recorder a certificate describing the property and certifying (i)
649 that the building is a dangerous building and (ii) that the owner has been so notified. If
650 the actions ordered are completed after filing of this certificate or the building is
651 demolished so that it no longer exists as a dangerous building on the property, the
652 building official shall file a new certificate with the county recorder certifying that the
653 building has been demolished or all required corrections have been made so that the
654 building is no longer dangerous, whichever is appropriate.

655 **18.48.060: NOTICE TO VACATE:**

656
657
658 A. Form of Notice: Every notice to vacate shall, in addition to being served as provided in
659 Section 18.48.050, be posted on the exterior of the building and shall be in substantially
660 the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

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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;

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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.

757 J. Authority to Hear and Evaluate Appeal: The Housing Advisory and Appeals Board shall
758 have the authority to hear and evaluate evidence related to the building official's decision
759 and determine whether the decision was arbitrary and capricious or illegal. The Housing
760 Advisory and Appeals Board has no authority relative to interpretation of the
761 administrative provisions of this code nor is the board empowered to waive requirements
762 of this code. After the Housing Advisory and Appeals Board makes a final determination,
763 they shall issue a written determination.

764
765 K. Appeal to Utah District Court: After issuance of a final written determination by the
766 Housing Advisory and Appeals Board, the decision may be appealed to the Utah District
767 Court, Third Judicial District within 30 days from the issuance of the decision.

768
769 **18.48.090: CITY'S ABATEMENT OF PROPERTY:**

770
771 If the property owner does not comply with the order within the time specified in the notice
772 and order and no appeal has been properly and timely filed, the building official or designees
773 may cause the building to be repaired, vacated, or boarded to the extent necessary to correct
774 the conditions which render the building dangerous as set forth in the notice and order. Any
775 such repair, vacation, or boarding shall be completed and the cost thereof paid and recovered
776 as set forth in this code.

777
778 **18.48.100: RECOVERY OF COSTS:**

779
780 A. Permitted Recovery of Costs: If the building official or designee causes the repair,
781 vacation, or boarding of a building pursuant to a notice issued under Section 18.48.050,
782 the division may collect the cost of that abatement, by filing a property tax lien, as set
783 forth in this section.

784
785 B. Itemized Statement of Costs: Upon completion of the repair, vacation, or boarding work,
786 the building official or designee shall prepare an itemized statement of costs and mail it
787 to the property owner by certified mail, demanding payment within thirty (30) days of the
788 date the statement is post marked.

789
790 C. Form of Itemized Statement of Costs: The itemized statement of costs shall:

791
792 1. Include:

793
794 a. the address of the property at issue;

795
796 b. an itemized list of all expenses incurred by the division, including administrative
797 costs;

798
799 c. a demand for payment; and

800
801 d. the address where payment is to be made;

802

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803 2. Notify the property owner:

804
805 a. that failure to timely pay the expenses described in the itemized statement may
806 result in a lien on the property in accordance with this chapter and Utah Code
807 Section 10-11-4 or its successor;

808
809 b. that the property owner may file a written objection to all or part of the statement
810 within twenty (20) days of the date the statement is postmarked; and

811
812 c. where the property owner may file the objection, including the name of the office
813 and the mailing address.

814
815 D. Delivery of Statement of Costs: The itemized statement of costs described in Subsection
816 C shall be deemed delivered when mailed by certified mail addressed to the last known
817 address of the property owner, according to the records of the county recorder.

818
819 E. Objection to Statement of Costs: If the property owner files a timely written objection,
820 the division will schedule a hearing and will mail or deliver to the property owner prior to
821 the hearing a notice stating the date, time, and location of the hearing. A fines hearing
822 officer, appointed pursuant to Section 21A.06.090, shall preside at the hearing and
823 consider the property owner's objection as set forth in Subsection F.

824
825 F. Objection Hearing: At the hearing described in Subsection E, after the property owner
826 presents the objection to the hearing officer, the fines hearing officer shall review and
827 determine the cost of abatement incurred by the division in abating the property,
828 including administrative costs. The property owner must pay any amount the fines
829 hearing officer determines is due and owing to the Salt Lake City Treasurer at the address
830 provided in the statement of costs within thirty (30) days of the date of the hearing.

831
832 G. Failure to Object or Pay: If the property owner fails to make payment of the amount set
833 forth in the itemized statement within thirty (30) days of the date of the mailing of that
834 statement, or to file a timely objection, then the division may certify the past due costs
835 and expenses to the Salt Lake County Treasurer.

836
837 H. Failure to Pay After Objection Hearing: If the property owner files a timely objection but
838 fails to make payment of any amount found due and owing under Subsection F within
839 thirty (30) days of the date of the hearing, the inspector may certify the past due costs and
840 expense to the Salt Lake County Treasurer.

841
842 I. Lien on Property: After entry by the treasurer of the county, as set forth in Subsections G
843 and H, the amount entered shall have the force and effect of a valid judgment of the
844 district court, is a lien on the property, and shall be collected by the treasurer of the
845 county in which the property is located at the time of the payment of general taxes.

846
847 J. Release of Lien: Upon payment of the amount set forth in the itemized statement of costs
848 or otherwise determined due and owing by the hearing officer in Subsections E and F, the

849 judgment is satisfied, the lien is released from the property, and receipt shall be
850 acknowledged upon the general tax receipt issued by the treasurer.

851
852
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854

18.48.110: APPLICABILITY OF BUILDING CODE:

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

857
858

18.48.120: PUBLIC NUISANCES:

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868

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.

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

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

871 Construction: Dangerous Buildings: Temporary Securing of Buildings) shall be and hereby is

872 repealed in its entirety and replaced as follows:

873 **Article II Temporary Securing Of Buildings**

874 **Part 1. Boarding Process**

- 875 **18.48.090: Definitions**
- 876 **18.48.100: Notice And Order To Temporarily Secure**
- 877 **18.48.110: City Boarding Or Securing**
- 878 **18.48.120: Boarding Permit Required**
- 879 **18.48.130: Boarding Permit Application**
- 880 **18.48.140: Initial Fees**
- 881 **18.48.150: Separate Salvage Permit Required**
- 882 **18.48.160: Completion Of Boarding**
- 883 **18.48.170: Boarding Without Permit**
- 884 **18.48.180: Yearly Fees**
- 885 **18.48.185: Posting Of Boarded Or Closed To Occupancy Buildings**

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886 **18.48.090: DEFINITIONS:**

887
888 ~~BOARDED BUILDING: A building in which all or some of the utilities have been~~
889 ~~disconnected and all windows and doors are boarded against entry at the ground and second~~
890 ~~level (if a second level exists). Entry doors may be locked or boarded and windows adjacent~~
891 ~~to entry doors are boarded against entry.~~

892
893 ~~BOARDING: The secured covering of openings to a building or structure to prevent entrance~~
894 ~~pursuant to the provisions and standards of this article due to the nonoccupancy of the~~
895 ~~building or structure.~~

896
897 ~~CLOSED TO OCCUPANCY: A building in which no person may eat, sleep, live or~~
898 ~~otherwise reside or occupy the building or any portion thereof. Buildings closed to~~
899 ~~occupancy may only be entered by the owner, owner's agent or other authorized persons to~~
900 ~~do repair work.~~

901
902 ~~EMERGENCY CONDITIONS: One or more conditions which exist in a building or on a~~
903 ~~property that create a likelihood of imminent danger to life or safety if anyone were to enter~~
904 ~~or occupy the property or building.~~

905
906 ~~UNBOARDED/UNSECURED BUILDING: A building whose window(s) and/or door(s) are~~
907 ~~missing or broken and other openings are not secured against unauthorized persons entering~~
908 ~~the building.~~

909
910 ~~VACANT/SECURED BUILDING: A building having utility meters that may be locked off~~
911 ~~but the meters and service lines are in place. All windows are secured and glazed and the~~
912 ~~doors are secured by means of a lock.~~

913
914 **18.48.100: NOTICE AND ORDER TO TEMPORARILY SECURE:**

915 ~~A. If the director of housing and neighborhood development determines that a building~~
916 ~~needs to be boarded, the director of housing and neighborhood development shall send a~~
917 ~~notice by certified mail, return receipt requested, and regular mail, to the property owner~~
918 ~~requiring the owner to board the building. The director of housing and neighborhood~~
919 ~~development shall also, on the same day, post a notice on the property.~~

920 ~~B. If, due to the existence of emergency conditions, as identified by the director of housing~~
921 ~~and neighborhood development, it is not possible or practical to give notice in advance,~~
922 ~~the city may nevertheless board the building without giving prior notice to the owner or~~
923 ~~occupant, but the city shall provide all required notices immediately following the~~
924 ~~boarding of the building.~~

925 **18.48.110: CITY BOARDING OR SECURING:**

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926 A. ~~If, within the time specified in the notice and order, the property owner fails to comply~~
927 ~~with the notice and order by taking out a permit to board the building pursuant to this~~
928 ~~article, or apply for a stay pursuant to part 2 of this article, the city may cause the~~
929 ~~property to be boarded.~~

930 B. ~~If the director of housing and neighborhood development determines that emergency~~
931 ~~conditions exist, the city may board the building.~~

932 C. ~~If the city boards a building, the city shall send the property owner a bill for:~~

933 1. ~~The fees and charges for services which would otherwise have been charged for the~~
934 ~~securing of a boarding permit pursuant to section 18.48.140 of this chapter;~~

935 2. ~~The fee shown on the Salt Lake City consolidated fee schedule to partially recover the~~
936 ~~city's costs in administering the boarding; and~~

937 3. ~~The actual costs of the boarding incurred by the city.~~

938 **18.48.120: BOARDING PERMIT REQUIRED:**

939

940 ~~It is unlawful to board a building except pursuant to a permit issued under this article.~~

941

942 **18.48.130: BOARDING PERMIT APPLICATION:**

943

944 ~~Permits for boarding a building must be applied for on a form provided by the director of~~
945 ~~housing and neighborhood development. The form shall specify the following:~~

946 A. ~~The address of the structure to be boarded or temporarily secured;~~

947 B. ~~The type of building;~~

948 C. ~~For residential structures, the number of dwelling units;~~

949 D. ~~For nonresidential buildings, the number of building square feet and the linear footage of~~
950 ~~all building faces at ground level;~~

951 E. ~~The name, address and telephone number of a person authorized to act as an agent for the~~
952 ~~owner for performing the owner's obligations under this article, who lives within forty~~
953 ~~(40) miles of Salt Lake City;~~

954 F. ~~Whether the property has the required external water source for landscaping, if~~
955 ~~landscaping is required; and~~

956 G. ~~A description of the condition of the building and the landscaping of the surrounding~~
957 ~~property.~~

958 **18.48.140: INITIAL FEES:**

959
960 For the first year of any boarding, at the time of filing the application, the applicant shall pay
961 the following fees:

962 A. ~~The fee shown on the Salt Lake City consolidated fee schedule for each structure; and~~

963 B. ~~A plumbing permit fee shown on the Salt Lake City consolidated fee schedule to install~~
964 ~~the external irrigation hose bib, if required, and not already present.~~

965 **18.48.150: SEPARATE SALVAGE PERMIT REQUIRED:**

966
967 ~~If the property owner intends to salvage any of the structure or other building components,~~
968 ~~hardware or equipment prior to or during the boarding, the property owner must secure a~~
969 ~~salvage permit as otherwise required by law.~~

970
971 **18.48.160: COMPLETION OF BOARDING:**

972
973 ~~Boarding must be completed within ten (10) days of the issuance of a permit.~~

974 **18.48.170: BOARDING WITHOUT PERMIT:**

975
976 ~~Boarding a building before obtaining a permit pursuant to this article will require payment of~~
977 ~~double the initial boarding application fee specified in subsection 18.48.140A of this chapter~~
978 ~~or its successor.~~

979
980 **18.48.180: YEARLY FEES:**

981
982 A. ~~On or before each yearly anniversary of a boarding permit, a property owner desiring to~~
983 ~~continue to board a building shall pay the annual boarding fee shown on the Salt Lake~~
984 ~~City consolidated fee schedule.~~

985 B. ~~A late fee of twenty five dollars (\$25.00) shall be assessed by the City for each thirty~~
986 ~~(30) days, or any portion thereof, in which the annual fees have not been paid.~~

987 C. ~~If the property owner fails to pay either the initial boarding fees or the annual boarding~~
988 ~~fee, the City may take legal action to collect any amounts owed.~~

989 **18.48.185: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:**

990
991 ~~Whenever a building is boarded or closed to occupancy, the City shall be authorized to install~~
992 ~~a sign to be mounted on the front facade of the building. The sign shall state that the building~~
993 ~~is closed to occupancy and that it is unlawful for any unauthorized person to enter the~~
994 ~~building. The sign shall also provide phone numbers to call if people are seen on the property~~
995 ~~or if doors or windows are unsecured.~~

996 **Part 2. Stays**

997 **18.48.190: Stays Authorized**

998 **18.48.200: Stay Process**

999 **18.48.210: Actions During The Stay**

1000 **18.48.220: Work On Building Permit**

1001 **18.48.190: STAYS AUTHORIZED:**

1002

1003 ~~The owner of any property which should be boarded pursuant to this article, either~~
1004 ~~voluntarily by the owner or pursuant to a notice and order, may apply for a stay of the~~
1005 ~~boarding requirement.~~

1006 **18.48.200: STAY PROCESS:**

1007 ~~A. An owner seeking a stay shall obtain and complete the boarding application provided in~~
1008 ~~section 18.48.130 of this article or its successor.~~

1009 ~~B. The building official shall promptly inspect the building and render a determination, in~~
1010 ~~writing, regarding the building's suitability for a stay.~~

1011 ~~C. If the building official determines that the building is in such a condition as to pose an~~
1012 ~~imminent danger of collapse or fire or is an attractive nuisance which creates a significant~~
1013 ~~risk of transient occupancy or vandalism, the building official shall deny the request for a~~
1014 ~~stay~~

1015 ~~D. If the Director of Housing and Neighborhood Development denies a stay request, the~~
1016 ~~building owner shall obtain a boarding or demolition permit within seven (7) days or the~~
1017 ~~City may proceed to board the property pursuant to section 18.48.110 of this article, or its~~
1018 ~~successor. In addition to the provisions of this section, the issuance of demolition permits~~
1019 ~~in historic districts and landmark sites are subject to the provisions of~~
1020 ~~subsection 21A.34.020K of this Code. In the event of a conflict between the provisions of~~
1021 ~~this subsection and subsection 21A.34.020K of this Code, the latter shall control~~

1022 ~~E. If the Director of Housing and Neighborhood Development determines that a stay is~~
1023 ~~appropriate, the Director of Housing and Neighborhood Development shall certify in~~
1024 ~~writing that a stay of up to four (4) months has been issued.~~

1025 **18.48.210: ACTIONS DURING THE STAY:**

1026 ~~A. Within the stay period, the building owner shall obtain either a boarding permit pursuant~~
1027 ~~to this article or a building permit to rehabilitate the building.~~

1028 ~~B. If the owner obtains a boarding permit, the owner shall, at that time, pay all the fees~~
1029 ~~required pursuant to this article.~~

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1030 C. ~~If the owner obtains a building permit for rehabilitation, the owner shall not be required~~
1031 ~~to pay the boarding application fee but shall pay, instead, the appropriate building permit~~
1032 ~~fees.~~

1033 **18.48.220: WORK ON BUILDING PERMIT:**

1034 A. ~~If an owner has obtained a stay pursuant to this article and subsequently secures a~~
1035 ~~building permit for rehabilitation, work under the building permit must be begun within~~
1036 ~~thirty (30) days of obtaining the permit and must be prosecuted to completion with~~
1037 ~~reasonable diligence.~~

1038 B. ~~If work under the building permit is not begun or pursued as required, the city may~~
1039 ~~revoke the building permit without further notice and board the building as necessary.~~

1040 **Part 3. Boarding Standards**

1041 **18.48.230: Method Of Securing Buildings**

1042 **18.48.240: Landscape Maintenance**

1043 **18.48.250: Exterior Maintenance**

1044 **18.48.260: Snow And Ice Removal**

1045 **18.48.270: City Maintenance Of Building**

1046 **18.48.280: City Maintenance Of Landscaping**

1047 **18.48.290: City Removal Of Snow**

1048 **18.48.230: METHOD OF SECURING BUILDINGS:**

1049
1050 All buildings shall be boarded in the following manner:

1051 A. ~~All openings in the structure on the first two (2) floors, other openings easily accessible~~
1052 ~~from the ground, and openings with broken glass, shall be secured either by erecting a~~
1053 ~~single one-half inch ($\frac{1}{2}$ ") thick layer of plywood sheathing, or exterior grade chipboard,~~
1054 ~~covering over all exterior openings, overlapping the opening on every edge by three~~
1055 ~~inches (3"), nailed along the edges by eightpenny common nails spaced every six inches~~
1056 ~~(6");~~

1057 B. ~~Alternately, the openings may be secured by conventional wood frame construction. The~~
1058 ~~frames shall use wood studs of a size not less than two inches by four inches (2" x 4")~~
1059 ~~(nominal dimension) placed not more than twenty four inches (24") apart on center. The~~
1060 ~~frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the~~
1061 ~~face of the wall. Each side of the frame shall be covered with plywood or chipboard~~
1062 ~~sheathing of at least one-half inch ($\frac{1}{2}$ ") thickness or equivalent lumber nailed over the~~
1063 ~~opening by using eightpenny common nails spaced every six inches (6") on the outside~~
1064 ~~edges and every twelve inches (12") along intermediate stud supports;~~

1065 C. ~~All coverings shall be painted with the same color as the building or its trim; and~~

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1066 D. ~~Exterior doors shall be secured by a strong nonglass door adequately locked to preclude~~
1067 ~~entry of unauthorized persons, or shall be covered as an opening described in subsection~~
1068 ~~A or B of this section or successor sections.~~

1069 **~~18.48.240: LANDSCAPE MAINTENANCE:~~**
1070

1071 ~~Existing landscaping and lawn on the property shall be maintained in the manner otherwise~~
1072 ~~required by law.~~

1073
1074 **~~18.48.250: EXTERIOR MAINTENANCE:~~**

1075 A. ~~The exterior of a boarded building shall be maintained as required by relevant~~
1076 ~~requirements set forth in sections 18.50.140 to 18.50.230 of this title. In particular,~~
1077 ~~exterior walls and surfaces shall be properly maintained and severely weathered, peeling,~~
1078 ~~or unpainted wood and damaged siding and roofing shall be replaced or repaired with~~
1079 ~~similar materials and colors.~~

1080 B. ~~Doors, windows, special glass, fixtures, fittings, pipes, railings, posts, panels, boards,~~
1081 ~~lumber, stones, bricks, marble, or similar materials within the interior of a boarded~~
1082 ~~building shall not be salvaged except upon the issuance of a predemolition salvage permit~~
1083 ~~as provided in section 18.64.070 of this title.~~

1084 C. ~~If the owner of a boarded building fails to maintain the building and its premises as~~
1085 ~~required by this section and section 18.64.045 of this title, the city may take appropriate~~
1086 ~~legal action to enforce such requirements.~~

1087 **~~18.48.260: SNOW AND ICE REMOVAL:~~**
1088

1089 ~~Snow and ice must be removed from public sidewalk areas surrounding the property in the~~
1090 ~~manner indicated in section 14.20.070 of this code.~~

1091
1092 **~~18.48.270: CITY MAINTENANCE OF BUILDING:~~**

1093 A. ~~If the director of housing and neighborhood development determines that a boarded~~
1094 ~~building is not being maintained, the director of housing and neighborhood development~~
1095 ~~shall send a notice to the property owner and/or the property owner's agent requiring~~
1096 ~~compliance with the building maintenance standards within seven (7) days.~~

1097 B. ~~If the director of housing and neighborhood development determines that the property~~
1098 ~~owner has failed to comply with the notice and order, the city may cause the work to be~~
1099 ~~done by a contractor employed by the city.~~

1100 C. ~~The city shall bill the property owner:~~

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1101 1. ~~The administrative fee shown on the Salt Lake City consolidated fee schedule, per~~
1102 ~~year to cover the city's administrative expenses in contracting for the building~~
1103 ~~maintenance; and~~

1104 2. ~~The actual cost of building maintenance billed to the city by the city's contractor.~~

1105 **~~18.48.280: CITY MAINTENANCE OF LANDSCAPING:~~**

1106 A. ~~If the director of housing and neighborhood development determines that the~~
1107 ~~landscaping on the property surrounding a boarded building is not being maintained as~~
1108 ~~required by city code, the director of housing and neighborhood development shall send a~~
1109 ~~notice to the property owner and/or the property owner's agent, requiring compliance~~
1110 ~~with landscaping standards within seven (7) days.~~

1111 B. ~~If the director of housing and neighborhood development determines that the property~~
1112 ~~owner has failed to comply with the notice and order, the city may cause the work to be~~
1113 ~~done by a contractor employed by the city.~~

1114 C. ~~The city shall bill the property owner:~~

1115 1. ~~The administrative fee shown on the Salt Lake City consolidated fee schedule, per~~
1116 ~~year, to cover the city's administrative expenses in contracting for the landscaping~~
1117 ~~maintenance; and~~

1118 2. ~~The actual cost of landscaping maintenance billed to the city by the city's contractor.~~

1119 **~~18.48.290: CITY REMOVAL OF SNOW:~~**

1120 A. ~~If the director of housing and neighborhood development determines that sidewalks~~
1121 ~~adjacent to a boarded building are not having the snow removed as required by~~
1122 ~~section 18.48.260 of this chapter or its successor, the director of housing and~~
1123 ~~neighborhood development shall send a notice to the property owner and/or the property~~
1124 ~~owner's agent, requiring snow from the present snowfall to be removed and notifying the~~
1125 ~~property owner that if snow from a subsequent snowfall is not removed as required, the~~
1126 ~~city will contract for the removal and charge the property owner, pursuant to this section~~
1127 ~~or its successor.~~

1128 B. ~~If the director of housing and neighborhood development determines that the property~~
1129 ~~owner has failed to comply with the notice and order, the city may cause snow, during the~~
1130 ~~winter, to be removed by a contractor employed by the city.~~

1131 C. ~~The city shall bill the property owner:~~

1132 1. ~~The administrative fee shown on the Salt Lake City consolidated fee schedule, per~~
1133 ~~year, to cover the city's administrative expenses in contracting for snow removal; and~~

1134 2. ~~The actual cost of snow removal billed to the city by the city's contractor.~~

1135 ~~Part 4. Miscellaneous Provisions~~

1136 ~~18.48.300: Appeal Process~~

1137 ~~18.48.310: Legal Action Authorized~~

1138 ~~18.48.320: Existing Boarded Properties~~

1139 ~~18.48.325: Building Inspections Required~~

1140 ~~18.48.300: APPEAL PROCESS:~~

1141 ~~A. Any person aggrieved by the decision of the director of housing and neighborhood~~
1142 ~~development may appeal the decision to the housing advisory and appeals board (HAAB)~~
1143 ~~by filing a notice with HAAB within seven (7) days of the director of housing and~~
1144 ~~neighborhood development's decision. The notice shall specify the basis for the appeal.~~

1145 ~~B. An HAAB panel of at least three (3) HAAB members shall schedule a hearing not less~~
1146 ~~than seven (7) days after the notice of appeal nor more than fourteen (14) days after the~~
1147 ~~notice.~~

1148 ~~C. HAAB shall notify the applicant and any appellant of the hearing and, at the hearing,~~
1149 ~~shall take testimony and evidence.~~

1150 ~~D. HAAB shall sustain the decision of the director of housing and neighborhood~~
1151 ~~development unless HAAB finds that the director of housing and neighborhood~~
1152 ~~development has failed to comply with the provisions of this article.~~

1153 ~~E. Any person aggrieved by any decision of HAAB under this article may appeal such~~
1154 ~~decision to the mayor within seven (7) days of HAAB's decision. The appeal shall~~
1155 ~~specify any objection to HAAB's decision.~~

1156 ~~F. The mayor, or the mayor's designated hearing officer, shall not take any additional~~
1157 ~~evidence and shall consider the appeal only on the basis of the material presented to~~
1158 ~~HAAB.~~

1159 ~~G. The mayor, or the mayor's designated hearing officer, shall sustain the decision of~~
1160 ~~HAAB, unless it appears that the decision of HAAB is not supported by any competent~~
1161 ~~evidence or is arbitrary or capricious. If the mayor or the mayor's designated hearing~~
1162 ~~officer does not reverse or otherwise modify the HAAB decision within seven (7) days~~
1163 ~~after the matter is submitted, the HAAB decision shall be sustained.~~

1164 ~~18.48.310: LEGAL ACTION AUTHORIZED:~~

1165 ~~The city may take appropriate legal action to collect all unpaid fees or bills provided by this~~
1166 ~~article.~~

1168

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1169 **18.48.320: EXISTING BOARDED PROPERTIES:**

1170 A. ~~The director of housing and neighborhood development shall take reasonable actions to~~
1171 ~~notify the owners of buildings boarded as of the effective date hereof.~~

1172 B. ~~The notice shall generally inform the property owner of the enactment of the ordinance~~
1173 ~~codified herein and shall notify the owner that a permit is required for the boarded~~
1174 ~~building.~~

1175 C. ~~Owners of buildings boarded as of the effective date hereof shall apply for a permit no~~
1176 ~~later than January 31, 1995.~~

1177 D. ~~The permit for buildings boarded as of the effective date hereof shall be processed as a~~
1178 ~~new permit pursuant to the provisions of section 18.48.130 of this chapter or its~~
1179 ~~successor.~~

1180 E. ~~To partially even the burden of processing applications, any owner of a building boarded~~
1181 ~~as of the effective date hereof shall receive a discount of thirty percent (30%) of the fees~~
1182 ~~required by section 18.48.140 of this chapter or its successor, if the owner applies for a~~
1183 ~~permit prior to October 31, 1994.~~

1184 **18.48.325: BUILDING INSPECTIONS REQUIRED:**

1185
1186 Whenever a property owner, manager or tenant intends to clean, repair, renovate, reopen or
1187 reoccupy a building that has been boarded, the building is to be inspected and a permit must
1188 be issued by the Salt Lake City building services and licensing division prior to the building
1189 owner, manager or tenant initiating any of the above actions. Any person conducting any
1190 work on a building that has been boarded or closed to occupancy must have a copy of the
1191 permit on the site at all times. Any person conducting work without a permit on the site, will
1192 be evicted from the premises.
1193

1194 **Article II. BOARDING OR TEMPORARILY SECURING BUILDINGS**

1195
1196 **18.48.200: SCOPE AND APPLICABILITY:**

1197 **18.48.205: BOARDING PERMIT:**

1198 **18.48.210: INITIAL FEES:**

1199 **18.48.215: YEARLY FEES:**

1200 **18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:**

1201 **18.48.225: METHOD OF SECURING BUILDINGS:**

1202 **18.48.230: LANDSCAPE MAINTENANCE:**

1203 **18.48.235: EXTERIOR MAINTENANCE:**

1204 **18.48.240: SNOW AND ICE REMOVAL:**

1205 **18.48.245: CITY MAINTENANCE OF PROPERTY:**

1206 **18.48.250: CITY MAINTENANCE OF LANDSCAPING:**

1207 **18.48.255: VIOLATIONS:**

1208 **18.48.260: BUILDING INSPECTIONS REQUIRED:**

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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.

1255
1256 C. Failure to Obtain Permit: Boarding a building before obtaining a permit pursuant to this
1257 article shall result in a fine of up to twenty five percent (25%) of the boarding application
1258 fee specified in the Salt Lake City consolidated fee schedule.

1259
1260 D. Collection of Fees: If the property owner fails to pay either the initial boarding fees or
1261 the annual boarding fees, the city may take legal action to collect any amounts owed.

1262
1263 **18.48.220: POSTING OF BOARDED OR CLOSED TO OCCUPANCY BUILDINGS:**

1264
1265 Whenever a building is boarded or closed to occupancy, the city shall be authorized to install
1266 a sign to be mounted on the exterior of the building. The sign shall state that the building is
1267 closed to occupancy and that it is unlawful for any unauthorized person to enter the building.
1268 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 **18.48.225: METHOD OF SECURING BUILDINGS:**

1272
1273 All buildings shall be boarded in the following manner:

1274
1275 A. Securing Opening: All openings in the structure on the first floor, other openings easily
1276 accessible from the ground, and openings with broken glass, shall be secured either by
1277 erecting a single one-half inch (1/2") thick layer of plywood sheathing or similar
1278 material, not to include chipboard/OSB, covering over all exterior openings, overlapping
1279 the opening on every edge by three inches (3"), affixed along the edges by nails or screws
1280 spaced every six inches (6").

1281
1282 B. Alternatives to Securing Openings: Alternately, the openings may be secured by
1283 conventional wood frame construction. The frames shall use wood studs of a size not less
1284 than two inches by four inches (2" x 4") (nominal dimension) placed not more than
1285 twenty four inches (24") apart on center. The frame stud shall have the four inch (4")
1286 sides or the wide dimension perpendicular to the face of the wall. Each side of the frame
1287 shall be covered with plywood sheathing or similar material of at least one-half inch
1288 (1/2") thickness or equivalent lumber nailed over the opening by using nails or screws
1289 spaced every six inches (6") on the outside edges and every twelve inches (12") along
1290 intermediate stud supports; and

1291
1292 C. Exterior Doors: Exterior doors shall be secured by a strong non-glass door adequately
1293 locked to preclude entry of unauthorized persons, or shall be covered as an opening
1294 described in Subsection A or B of this section or successor sections.

1295
1296 **18.48.230: LANDSCAPE MAINTENANCE:**

1297
1298 Existing landscaping and lawn on the property shall be maintained in the manner otherwise
1299 required by Chapters 9.16 and 21A.48.

1300

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:

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1346 If the building official or the building official’s designee determines that the landscaping on
1347 the property surrounding a boarded building is not being maintained as required by city code,
1348 the building official or the building official’s designee shall follow the notice of violation and
1349 corrective measures procedures as detailed in Sections 9.16.050 and 9.16.060.

1350
1351 **18.48.255: VIOLATIONS:**

1352
1353 A. It is unlawful for the building owner to fail to maintain the boarded building or ensure the
1354 building remains vacated after the property has been abated by either the city or the
1355 building owner. Each day a violation occurs shall be a separate offense.

1356
1357 B. Violations of the provisions of this chapter are punishable by imposing a civil penalty as
1358 provided in Section 21A.20.010 et seq., of this code.

1359
1360
1361 **18.48.260: BUILDING INSPECTIONS REQUIRED:**

1362
1363 Whenever a property owner, manager, or tenant intends to clean, repair, renovate, reopen or
1364 reoccupy a building that has been boarded, the building is to be inspected by the building
1365 official or designee and a permit must be issued by building services or its successor prior to
1366 the building owner, manager, or tenant initiating any of the above actions. Any person
1367 conducting any work on a building that has been boarded or closed to occupancy must have a
1368 valid building permit at all times.

1369
1370
1371 SECTION 4. Repealing and Moving the Text of Salt Lake City Code Chapter 18.48,

1372 Article III. That Chapter 18.48, Article III, of the Salt Lake City Code (Buildings and
1373 Construction: Dangerous Buildings: Emergency Demolition) shall be and hereby is repealed in
1374 its entirety and moved to Chapter 18.64 as provided in Section 5 herein.

1375 ~~**Article III. Emergency Demolition**~~

- 1376 ~~**18.48.330: Purpose**~~
- 1377 ~~**18.48.340: Emergency Demolitions Applicability**~~
- 1378 ~~**18.48.350: Immediate City Demolition**~~
- 1379 ~~**18.48.360: Level 3 Emergencies**~~
- 1380 ~~**18.48.370: Bill For Costs; Collection**~~

1381 ~~**18.48.330: PURPOSE:**~~

1382
 1383 Notwithstanding the other provisions of this chapter, the UCADB, the process for
 1384 demolishing buildings in an emergency situation, shall be as provided by this article.

1385
 1386 **18.48.340: EMERGENCY DEMOLITIONS APPLICABILITY:**
 1387

1388 If the building official determines that the walls or roof of a building or structure are
 1389 collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to
 1390 fall on other structures, property or public rights of way, or create a danger to persons who
 1391 may enter the property, or create a danger of fire, the building official may seek an order that
 1392 the building should be demolished pursuant to this article.
 1393

1394 **18.48.350: IMMEDIATE CITY DEMOLITION:**

1395 A.— If the building official determines that demolition should be begun immediately, the
 1396 building official shall schedule an emergency meeting of the housing advisory and
 1397 appeals board (HAAB) as soon as practical.

1398 B.— The director of housing and neighborhood development shall make reasonable efforts to
 1399 notify the recorded property owner, all HAAB members, the historic landmark
 1400 commission staff person, the city council member and the chairperson of the
 1401 neighborhood council recognized pursuant to title 2, chapter 2.60 of this code in which
 1402 the property is located.

1403 C.— At least three (3) HAAB members, and any others available, shall attend the emergency
 1404 meeting to consider the immediate demolition.

1405 D.— The emergency HAAB meeting shall hear any evidence or testimony regarding the
 1406 immediate demolition and shall determine whether immediate demolition is appropriate
 1407 under the standards of section 18.48.340 of this chapter or its successor.

1408 E.— If the emergency HAAB meeting authorizes immediate demolition, and the property
 1409 owner was present or represented at the emergency HAAB meeting, the property owner
 1410 shall have twenty four (24) hours in which to have a licensed contractor take out a permit
 1411 for the demolition. Work under any such permit shall be commenced within twenty four
 1412 (24) hours of the permit's issuance. Within twenty four (24) hours of the start of the
 1413 work, the property shall be secured to prevent entry and the structure demolished so that
 1414 no part of the structure is in imminent danger of collapsing in such a way as to fall on
 1415 other structures, property or public rights of way, or create a danger of fire. Work under
 1416 the demolition permit shall be completed within seven (7) days of the permit's issuance.

1417 F.— If the property owner was unrepresented at the emergency HAAB meeting, or the
 1418 property owner fails to proceed with the demolition pursuant to the requirements of
 1419 subsection E of this section or its successor, the city may contract with a licensed
 1420 demolition contractor to demolish the building.

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1421 G. ~~If HAAB does not authorize the immediate demolition, the building official may appeal~~
1422 ~~such a denial on an expedited basis to the mayor.~~

1423 1. ~~All parties specified in subsection B of this section, or its successor, shall be notified~~
1424 ~~of the appeal hearing before the mayor or the mayor’s designee.~~

1425 2. ~~The mayor, or the mayor’s designee, shall hear evidence regarding the immediate~~
1426 ~~demolition.~~

1427 H. ~~If the mayor or the mayor’s designee authorizes immediate demolition under the~~
1428 ~~standards of section 18.48.340 of this chapter, or its successor, the provisions of~~
1429 ~~subsections E and F of this section, or their successors, shall apply.~~

1430 **18.48.360: LEVEL 3 EMERGENCIES:**

1431
1432 ~~If the mayor has declared a level 3 emergency, the notification and hearing provisions of~~
1433 ~~section 18.48.350 of this chapter, or its successor, shall be waived and the building official~~
1434 ~~may immediately secure the demolition of any structure which meets the standards of~~
1435 ~~section 18.48.340 of this chapter or its successor.~~

1436
1437 **18.48.370: BILL FOR COSTS; COLLECTION:**

1438 A. ~~Upon the completion of any city demolition pursuant to this article, the city shall mail a~~
1439 ~~bill to the property owner for the city’s costs of demolition which shall include the cost of~~
1440 ~~the demolition contractor and a reasonable amount to pay the costs of city personnel~~
1441 ~~involved in the demolition.~~

1442 B. ~~If the bill is not paid within thirty (30) days, the city may take legal action to collect the~~
1443 ~~bill.~~

1444
1445
1446 SECTION 5. Amending the Text of Salt Lake City Code Section 18.64. That Section

1447 18.64, of the *Salt Lake City Code* (Buildings and Construction: Demolition) shall be amended to
1448 read as follows:

1449 **Article I. Demolition**

1450
1451 **18.64.005: PURPOSE AND INTENT:**

1452 **18.64.010: PERMIT REQUIRED:**

1453 **18.64.020: APPLICATION AND PERMIT:**

1454 **18.64.030: FEES AND SIGNATURE, BOND:**

1455 **18.64.040: ISSUANCE OF DEMOLITION PERMIT:**

1456 **18.64.045: DEMOLITION BY NEGLECT:**

1457 **18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:**

1458 **18.64.070: PREDEMOLITION SALVAGE PERMITS:**

1459 **18.64.080: EXPIRATION; DILIGENCE:**

1460 **18.64.090: QUALIFICATIONS TO DO WORK:**

1461 **18.64.100: DEMOLITION REQUIREMENTS:**

1462 **18.64.110: RELATIONSHIP TO OTHER ORDINANCE:**

1463 **18.64.120: VIOLATIONS:**

1464

1465 **18.64.005: PURPOSE AND INTENT:**

1466 A. The purpose of the provisions in this chapter is to:

1467 1. Promote the public welfare by maintaining the integrity and continuity of the urban
1468 fabric and economic vitality;

1469 2. Provide an orderly and predictable process for demolition of buildings and structures
1470 when appropriate;

1471 3. Ensure demolition occurs safely;

1472 4. Protect utilities and other infrastructure from damage during demolition;

1473 5. Provide for enforcement of timely completion of demolition and for improvement of
1474 property following demolition to ensure the site is not detrimental to the use and
1475 enjoyment of surrounding property;

1476 6. Provide for enforcement and maintenance of property to avoid purposeful demolition
1477 by neglect; and

1478 7. Encourage preservation of the city's housing stock where appropriate.

1479 B. A primary intent of the city council with respect to this chapter is to ~~avoid~~ promote
1480 responsible re-use of existing housing stock where practical and provide an orderly
1481 process for demolition, where it is not practical or partial demolition, of buildings in a
1482 manner that disrupts the character and development pattern of established neighborhood
1483 and business areas cost efficient to rebuild/reuse. Accordingly, the council finds that it is
1484 in the public interest to

1485 1. ~~Require~~ existing buildings to be maintained in a ~~habitable condition~~ manner that
1486 does not constitute a public nuisance until replaced by new construction, except as
1487 otherwise permitted by this code.

1488 2. ~~Avoid demolition of existing structures until a complete building permit application is~~
1489 ~~submitted for new construction, except as otherwise provided in this chapter; and~~

1490 3. ~~Avoid creation of vacant demolition sites with minimal or no landscaping or other~~
1491 ~~improvements.~~

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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; and.
- J. Affirm that the property will comply with the landscaping requirements for the zoning district that the property is located in as required under the provisions of Chapter 21A.48.

18.64.030: FEES AND SIGNATURE, ~~BOND~~:

- 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.

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- 1530 B. The fee for a demolition permit application shall be as shown on the Salt Lake City
1531 consolidated fee schedule.
- 1532 C. An additional fee for the cost of inspecting the property to determine compliance with the
1533 requirements of this chapter and to assure the property is kept free of weeds and junk
1534 materials shall be collected in the amount shown on the Salt Lake City consolidated fee
1535 schedule.
- 1536 ~~D. Except as otherwise permitted under this chapter, a performance bond shall be provided~~
1537 ~~prior to issuance of a demolition permit. The bond amount shall be determined by the~~
1538 ~~building official and shall be sufficient to ensure abatement of potential impacts to public~~
1539 ~~health and safety, including environmental impacts resulting from demolition, general~~
1540 ~~cleanup of the demolition site, and installation and maintenance of landscaping if~~
1541 ~~landscaping is required under this chapter.~~
- 1542 1. ~~The form of the bond shall be approved by the city attorney or designee and may~~
1543 ~~include any commercially reasonable method of bonding.~~
- 1544 2. ~~The building official may require adjustment of bond amount if the scope of work~~
1545 ~~changes after demolition work has begun.~~
- 1546 3. ~~If the applicant fails to comply with provisions of the demolition permit and the city~~
1547 ~~has any unreimbursed cost resulting from such failure, the building official or~~
1548 ~~designee may call on the bond for reimbursement. After such cost has been finally~~
1549 ~~determined, if the amount of the bond exceeds such cost, the remainder shall be~~
1550 ~~released to the applicant. If the amount of the bond is less than the cost incurred by~~
1551 ~~the city, the applicant shall be liable to the city for the difference in cost.~~
- 1552 4. ~~The bond shall remain in place until all required work is complete, final inspection~~
1553 ~~has been approved, and a building permit for new construction on the subject property~~
1554 ~~has been approved by the city.~~

1555
1556

18.64.040: ISSUANCE OF DEMOLITION PERMIT:

- 1557 A. ~~Except as otherwise provided in subsection D of this section, a~~ A demolition permit shall
1558 may be issued only upon ~~compliance with subsection B of this section, if applicable, and~~
1559 ~~if:~~
- 1560 1. ~~A complete building permit completion of an application for a use replacing the~~
1561 ~~demolished building or structure has been submitted to the building services and~~
1562 ~~licensing division; or~~
- 1563 2. ~~The~~ in accordance with Section 18.64.020 herein; or the chief building official or fire
1564 ~~marshal orders immediate demolition:~~

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- 1565 1. Due to an emergency as provided in ~~chapter 18.48~~ of Chapter 18.64, Article II of this
1566 title; or
- 1567 2. Because the premises have been damaged beyond repair because of a natural disaster,
1568 fire, or other similar event; or
- 1569 3. The chief building official or fire marshal authorizes immediate demolition because
1570 clearing of land is necessary to remove a nuisance as defined in ~~section~~ this code or
1571 Section 76-10-801 et seq., Utah Code or its successor.
- 1572 4. ~~a. The chief building official or Fire Marshal may request that an administrative~~
1573 ~~committee, appointed by the Mayor, render an opinion regarding whether a particular~~
1574 ~~building or structure should be demolished pursuant to the provisions of subsection A2 or~~
1575 ~~A3 of this section.~~
- 1576 ~~b. If a committee demolition opinion is requested, information regarding the factual and~~
1577 ~~legal basis for determining the propriety of the request shall be provided to the~~
1578 ~~committee. The property owner shall be notified of the opinion request and may~~
1579 ~~submit any information to the committee deemed relevant by the owner.~~
- 1580 ~~c. If after considering the factual and legal information provided, the committee~~
1581 ~~recommends the building or structure should be demolished, the chief building~~
1582 ~~official or Fire Marshal, as the case may be, shall consider such information in~~
1583 ~~determining whether to authorize demolition.~~
- 1584 ~~B. Except as provided in subsection B1 of this section, unless a building permit has been~~
1585 ~~issued for one or more new buildings or structures located on the same site as the~~
1586 ~~demolished building or structure, within thirty (30) days after demolition is completed,~~
1587 ~~landscaping shall be installed on the property according to the standards set forth in~~
1588 ~~subsection 21A.48.100D2 of this Code.~~
- 1589 ~~1. A bond for landscaping shall not be required when a single-family dwelling is~~
1590 ~~demolished and will be replaced by a new single-family dwelling.~~
- 1591 ~~2. This subsection B shall apply regardless of the zoning district in which the subject~~
1592 ~~property is located and any contrary provision in title 21A of this Code.~~
- 1593 ~~3. Timely and proper installation and maintenance of landscaping shall be assured by a~~
1594 ~~bond filed with the City as provided in section 18.64.030D of this chapter.~~
- 1595 ~~4. Required landscaping shall remain in place and shall be maintained until new~~
1596 ~~construction is commenced on the subject property and may be removed to facilitate~~
1597 ~~such construction. Thereafter, replacement landscaping shall be installed as may be~~
1598 ~~required by this Code.~~

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1599 5. ~~A park strip abutting the subject property shall be maintained as provided in~~
1600 ~~section 21A.48.060 of this Code or its successor.~~

1601 6. ~~Notwithstanding the thirty (30) day requirement in this subsection B, installation of~~
1602 ~~landscaping may be delayed due to weather conditions so long as landscaping is~~
1603 ~~completed within six (6) months after demolition and the property owner escrows~~
1604 ~~funds sufficient to assure installation of landscaping as determined by the Building~~
1605 ~~Services and Licensing Division.~~

1606 C. 1. ~~Except as otherwise provided in section 18.64.050 of this chapter, if one or more~~
1607 ~~dwelling units located in a residential zone, whether or not occupied, will be removed~~
1608 ~~under a demolition permit, a housing mitigation plan shall be prepared as required in~~
1609 ~~chapter 18.97 of this title prior to issuance of the permit.~~

1610 2B. ~~If proposed demolition involves a landmark site, a contributing principal building;~~
1611 ~~structure, or a structure located in a the H Historic Preservation Overlay District, as~~
1612 ~~provided in Section 21A.34.020 of this code, or its successor, a demolition permit shall~~
1613 ~~be issued only upon compliance with applicable provisions of that section or its~~
1614 ~~successor.~~

1615 D. 1. ~~Notwithstanding contrary provisions of this section, a demolition permit for a building~~
1616 ~~or structure may be issued if the Community Development Director certifies that the land~~
1617 ~~on which the building or structure is located:~~

1618 a. ~~Is subject to a Master Plan that envisions redevelopment of the land unless~~
1619 ~~removal of the building or structure is inconsistent with the Master Plan;~~

1620 b. ~~Is being assembled for redevelopment purposes; and~~

1621 c. ~~Is part of a larger area being joined to create one or more larger parcels of~~
1622 ~~developable land in order to implement the Master Plan.~~

1623 2. ~~If a building permit for new construction is not issued within eighteen (18) months~~
1624 ~~after demolition occurs pursuant to subsection D1 of this section, landscaping shall be~~
1625 ~~installed as provided in subsection B of this section.~~

1626
1627 **18.64.045: DEMOLITION BY NEGLECT:**

1628 A. ~~Except as otherwise provided in subsection B of this section, a property owner shall not~~
1629 ~~neglect a building or structure to the point that the building or structure fails to~~
1630 ~~substantially conform to applicable standards of the state construction code and~~
1631 ~~sections 18.50.140 to 18.50.230 of this title.~~

1632 B. 1. ~~The owner of a boarded building shall maintain the exterior of the building as~~
1633 ~~provided in sSection 18.48.2505, “Exterior Maintenance”, of this title or its successor.~~

1634 2. ~~The interior of a boarded building shall not be subject to the provisions of subsection~~
 1635 ~~A of this section but shall be maintained as provided in section 18.48.250 of this title.~~

1636
 1637 **18.64.050: RESIDENTIAL DEMOLITION PROVISIONS:**
 1638

1639 A. Except as provided in sSubsection B of this section, if the structure for which a
 1640 demolition permit is sought contains one or more dwelling units, whether or not
 1641 occupied, the building official shall consider the impact of the requested demolition on
 1642 the housing stock of Salt Lake City pursuant to the provisions of this section.
 1643

1644 B. This section shall not apply to any housing which:

1645 1. Is a nonconforming use as provided by relevant provisions of ~~¶~~Title 21A, “Zoning”,
 1646 of this code; or

1647 2. Is located on property for which an applicable master plan or the current zoning
 1648 envisions exclusive nonresidential use; or

1649 3.
 1650 a. Is proposed to be demolished for health or safety reasons as provided in this
 1651 ~~section 18.64.045 of this chapter or chapter 18.48 of this title or their its~~
 1652 successors.

1653 b. Notwithstanding sSubsection B.3.a of this section, housing which is demolished
 1654 for health or safety reasons, which is the result of neglect pursuant to sSection
 1655 18.64.045 of this chapter, shall be subject to the provisions of this section.
 1656

1657 C. The building official, within ten (10) days after receipt of a demolition permit
 1658 application, shall determine whether the requested demolition will result in:
 1659

1660 1. Construction of one or more residential units with a net loss of one or more dwelling
 1661 units; or
 1662

1663 2. No net loss of dwelling units will occur due to the anticipated construction of new
 1664 dwelling units pursuant to an approved and issued building permit for the premises
 1665 where the demolition will occur.
 1666

1667 D.

1668 1. If sSubsection C.2 of this section applies, the building official shall issue a finding of
 1669 no residential impact and the demolition permit may be issued.
 1670

1671 2. If sSubsection C.1 of this section applies, the building official shall issue a finding of
 1672 residential impact.
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1678 E. Upon making a finding of residential impact, the building official shall ~~mail-written~~
1679 ~~notice to follow the owners and residents of property located within six hundred feet~~
1680 ~~(600') from procedures outlined in Chapter 18.97. Once the property line of fee is paid,~~
1681 ~~the lot where the proposed demolition work will take place as shown on the last equalized~~
1682 ~~property tax assessment roll. Notice shall also permit may be mailed to any affected~~
1683 ~~community organization recognized pursuant to section 2.60.040 of this code. The notice~~
1684 ~~shall specify: issued immediately upon completion of the application process in Section~~
1685 ~~18.64.020.~~

- 1686
- 1687 ~~1. The property proposed for demolition,~~
- 1688 ~~2. The proposed replacement use,~~
- 1689 ~~3. The proposed housing mitigation plan,~~
- 1690 ~~4. The basis for the finding of residential impact, and~~
- 1691 ~~5. The date and time of a hearing before the housing advisory and appeals board.~~

1692

1693 F.

1694 ~~1. To allow time for effective consideration by the notified parties, the hearing before~~
1695 ~~the HAAB shall take place not less than thirty (30) days after the finding of~~
1696 ~~residential impact issued by the building official and not more than sixty (60) days~~
1697 ~~after the finding.~~

- 1698
- 1699 ~~2. The HAAB shall take evidence from the applicant and all interested parties regarding:~~
- 1700
- 1701 ~~a. The effect of the proposed demolition and replacement use plan on:~~
 - 1702
 - 1703 ~~(1) The city's housing stock,~~
 - 1704 ~~(2) The city's employment and economic base,~~
 - 1705 ~~(3) The character of the neighborhood where the subject property is located,~~
 - 1706 ~~(4) The city's master plans for the area,~~
 - 1707 ~~(5) The city's adopted housing policy, and~~
 - 1708 ~~(6) Any other policy adopted by the city which applies to the subject property;~~
 - 1709 ~~b. The cost and economic practicality of repairing or remodeling the structure~~
1710 ~~proposed for demolition to comply with zoning requirements and with building~~
1711 ~~and housing codes; and~~
 - 1712 ~~c. The proposed method of housing mitigation, including the factual basis upon~~
1713 ~~which the housing mitigation plan is premised and justified.~~

1714

1715 ~~3. The HAAB may encourage an applicant to work with the city and interested parties to~~
1716 ~~repair, remodel, preserve, or increase the city's housing stock.~~

1717

1718 ~~4. The HAAB shall issue its decision not more than ten (10) days after the hearing.~~

1719

1720 G.

1721 ~~1. Notwithstanding the acceptability of a housing mitigation plan, the HAAB may order~~
1722 ~~that a demolition permit not be issued for an additional period not to exceed six (6)~~

LEGISLATIVE DRAFT

1723 months to allow the city and interested parties time to make further attempts to
1724 preserve the housing stock if the HAAB finds:

1725
1726 a. ~~The proposed demolition and replacement use plan are likely to:~~

- 1727
1728 (1) ~~Adversely impact the city's housing stock and character of the neighborhood;~~
1729 ~~and~~
1730 (2) ~~Such impact is not outweighed by any positive effects on the city's economic~~
1731 ~~and employment base; and~~

1732
1733 b. ~~The structure proposed for demolition is economically practical to repair or~~
1734 ~~remodel to comply with zoning requirements and building and housing codes.~~

1735
1736 2. ~~After any additional time period ordered by the HAAB has expired, the requested~~
1737 ~~permit shall be immediately issued subject to compliance with the housing mitigation~~
1738 ~~plan.~~

1739
1740 3. ~~If the HAAB does not make the findings required by this subsection G, the~~
1741 ~~demolition permit shall be issued ten (10) days after the HAAB decision.~~

1742
1743 H.

1744 1. ~~The applicant or any person or entity required to be notified of the demolition~~
1745 ~~pursuant to subsection E of this section, if aggrieved by the HAAB decision, may~~
1746 ~~appeal to the mayor by filing a written notice specifying the grounds for such an~~
1747 ~~appeal within ten (10) days of the HAAB decision.~~

1748
1749 2. ~~Any other party identified in subsection H1 of this section may respond to the appeal~~
1750 ~~in writing within ten (10) days of the appeal.~~

1751
1752 3. ~~The mayor or the mayor's designee shall consider the appeal on the written record~~
1753 ~~and shall issue a decision within ten (10) days of the close of any written submissions.~~
1754 ~~Such decision shall be based on the criteria set forth in subsection F of this section~~
1755 ~~and may be appealed within ten (10) days to a court of competent jurisdiction.~~

1756
1757 **18.64.070: PREDEMOLITION SALVAGE PERMITS:**

1758
1759 A. A predemolition salvage permit shall be required for removal of doors, windows, special
1760 glass, fixtures, fittings, pipes, railings, posts, panels, boards, lumber, stones, bricks,
1761 marble, or similar materials on the exterior or interior of any building prior to demolition
1762 of the structure. A predemolition salvage permit may be issued only contemporaneously
1763 with, or after, city approval of:

- 1764 1. A building permit for new construction on the premises following demolition, or
1765
1766 2. A demolition permit.

1768 B. A predemolition salvage permit fee shall be as shown on the Salt Lake City consolidated
 1769 fee schedule.

1770
 1771 **18.64.080: EXPIRATION; DILIGENCE:**
 1772

1773 ~~A.~~—A demolition permit shall expire forty five (45) calendar days from the date of issuance,
 1774 unless a completion date allowing more time is requested and approved by the building
 1775 official at the time of application. A demolition permit may be renewed upon request
 1776 prior to expiration with approval of the building official for one-half (1/2) of the original
 1777 permit fee, provided continuous progress is being made. If a permit is allowed to expire
 1778 without prior renewal, any subsequent request for reinstatement shall be accompanied by
 1779 a reinstatement fee equal to the original demolition permit fee.

1780 ~~B.~~—~~Once demolition has begun pursuant to a demolition permit, the permit holder shall~~
 1781 ~~diligently pursue completion of the work authorized thereunder. If such work is not~~
 1782 ~~diligently pursued the city may declare the bond required under subsection 18.64.030D of~~
 1783 ~~this chapter to be forfeited and may use the proceeds to finish demolition as provided in~~
 1784 ~~such section.~~

1785
 1786 **18.64.090: QUALIFICATIONS TO DO WORK:**
 1787

1788 A. It shall be unlawful for demolition work permitted under this chapter to be performed
 1789 except by a wrecking and demolition contractor having a license in good standing issued
 1790 by the ~~d~~Division of ~~e~~Occupational and ~~p~~Professional ~~l~~icensing in the Utah ~~d~~Department
 1791 of ~~e~~Commerce.
 1792
 1793 B. Salvage work under a predemolition salvage permit may be done without a contractor’s
 1794 license provided all other applicable conditions of this chapter are met.
 1795

1796 **18.64.100: DEMOLITION REQUIREMENTS:**
 1797

1798 A. Prior to the commencement of any demolition or moving, the permittee shall plug all
 1799 sewer laterals at or near sidewalk lines as staked out by the department of public utilities.
 1800 No excavation shall be covered until such plugging is approved by the department or by
 1801 the building official. The permittee shall further ensure all utility services to the structure
 1802 and/or premises have been shut off and meters removed prior to commencement of
 1803 demolition work.
 1804
 1805 B. When the applicant indicates the demolition will require more than thirty (30) days to
 1806 complete, and where required by the building official for the safety of the public, the
 1807 applicant shall also provide plans to fence the demolition site so that it is inaccessible to
 1808 unauthorized persons in a manner acceptable to the building official. The building official
 1809 may waive the fencing requirement if it is determined that fencing would be
 1810 inappropriate or unnecessary to protect safety or health.

- 1811
- 1812 C. A permit for demolition shall require that all materials comprising part of the existing
- 1813 structure(s), including the foundation and footings, be removed from the site. Unless
- 1814 otherwise approved under a building permit for redevelopment of the site, the depression
- 1815 caused by the removal of such debris shall be filled back and compacted to the original
- 1816 grade, as approved by the building official, with fill material excluding detrimental
- 1817 amounts of organic material or large dimension nonorganic material.
- 1818
- 1819 D. Permitted demolition work, including filling and leveling back to grade and removal of
- 1820 required pedestrian walkways and fences, shall be completed within the permit period
- 1821 unless the building official finds that any part of the foundation of building or site will
- 1822 form an integral part of a new structure to be erected on the same site for which plans
- 1823 have already been approved by the building services and licensing division. In such
- 1824 event, the building official may approve plans for appropriate adjustments to the
- 1825 completion time and may impose reasonable conditions including the posting of a bond,
- 1826 erection of fences, securing, or similar preventions to ensure the site does not create a
- 1827 hazard after the demolition is completed.
- 1828

18.64.110: RELATIONSHIP TO OTHER ORDINANCE:

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

18.64.120: VIOLATIONS:

- 1835
- 1836
- 1837 A. It is unlawful for the owner of a building or structure to violate the provisions of this
- 1838 chapter. Each day a violation occurs shall be a separate offense.
- 1839
- 1840 B. Violation of the provisions of this chapter is punishable ~~as a class B misdemeanor or by~~
- 1841 ~~imposing a civil penalty as provided in s~~Section 21A.20.010 et seq., of this code.
- 1842

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

- 1845
- 1846
- 1847 **18.64.130: PURPOSE:**
- 1848 **18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:**
- 1849 **18.64.150: IMMEDIATE CITY DEMOLITION:**
- 1850 **18.64.160: EMERGENCY DEMOLITION:**
- 1851 **18.64.170: BILL FOR COSTS; COLLECTION:**
- 1852

18.64.130: PURPOSE:

1854
1855 Notwithstanding the other provisions of this chapter, the process for demolishing buildings in
1856 an emergency situation shall be as provided by this article.

1857
1858 **18.64.140: EMERGENCY DEMOLITIONS APPLICABILITY:**

1859
1860 If the building official determines that the walls or roof of a building or structure are
1861 collapsing, either in whole or in part, or in imminent danger of collapsing in such a way as to
1862 fall on other structures, property, or public rights of way, or create a danger to persons who
1863 may enter the property, or create a danger of fire, the building official may issue an order that
1864 the building should be demolished pursuant to this article.

1865
1866
1867 **18.64.150: EMERGENCY DEMOLITION:**

1868
1869 If the chief building official declares an emergency, the notification and hearing provisions of
1870 section this chapter, or its successor, shall be waived and the building official may authorize
1871 immediate demolition of any structure that meets the standards of Section 18.64.140 of this
1872 chapter or its successor. The chief building official must make an emergency declaration in
1873 writing.

1874
1875 **18.64.160: BILL FOR COSTS; COLLECTION:**

1876
1877 A. Upon the completion of any city demolition pursuant to this article, the city shall mail a
1878 bill to the property owner for the city's costs of demolition which shall include the cost of
1879 the demolition contractor and a reasonable amount to pay the costs of city personnel
1880 involved in the demolition.

1881
1882 B. If the bill is not paid within thirty (30) days, the city may take legal action to collect the
1883 bill.

1884
1885
1886 SECTION 7. Amending the Text of Salt Lake City Code Section 21A.06.090. That

1887 Section 21A.06.090 of the *Salt Lake City Code* (Zoning: Decision Making Bodies and Officials:
1888 Fines Hearing Officer) shall be amended to read as follows:

1889 **21A.06.090: FINES HEARING OFFICER:**

1890
1891 A. Creation: The position of Fines Hearing Officer is created pursuant to the enabling
1892 authority granted by the Municipal Land Use, Development, and Management Act,
1893 Section 10-9a-701 of the Utah Code.

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- 1895 B. Jurisdiction Aand Authority: The Ffines Hhearing Oofficer shall have the powers and
 1896 duties set forth in eChapter 21A.20 of this title and Subsections 18.48.100.E and
 1897 18.48.100.F.
- 1898
- 1899 C. Qualifications: The Ffines Hhearing Oofficer shall be appointed by the Mmayor with
 1900 the advice and consent of the Ccity Ccouncil. The Mmayor may appoint more than one
 1901 Ffines Hhearing Oofficer, but only one Ffines Hhearing Oofficer shall consider and
 1902 decide upon any matter properly presented for Ffines Hhearing Oofficer review
 1903 pursuant to eChapter 21A.20 of this title or Subsections 18.48.100.E and 18.48.100.F as
 1904 the case may be. The Ffines Hhearing Oofficer may serve terms of four (4) years each,
 1905 which may be renewed at the Mmayor’s discretion. The Ffines Hhearing Oofficer shall
 1906 either be law trained or have significant experience with the requirements and
 1907 operations of administrative hearing processes.
- 1908
- 1909 D. Conflict Oof Interest: The Ffines Hhearing Oofficer shall not participate in any appeal
 1910 in which the Ffines Hhearing Oofficer has a conflict of interest prohibited by tTitle
 1911 2, eChapter 2.44 of this Ccode.
- 1912
- 1913 E. Removal Oof The Fines Hearing Officer: The Ffines Hhearing Oofficer may be
 1914 removed by the Mmayor for violation of this title, any relevant policies and procedures
 1915 or any relevant provision of Sstate law following receipt by the Mmayor of a written
 1916 complaint filed against the Ffines Hhearing Oofficer. If requested by the Ffines
 1917 Hhearing Oofficer, the Mmayor shall provide the Ffines Hhearing Oofficer with a
 1918 public hearing conducted by a Hhearing Oofficer appointed by the Mmayor.

1919

1920 SECTION 8. Effective Date. This ordinance shall become effective on the date of its

1921 first publication.

1922 Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 202_.

1923

1924

1925

1926 _____

1927 CHAIRPERSON

1928 ATTEST:

1929

1930 _____

1931 CITY RECORDER

1932

1933

1934 Transmitted to the Mayor on _____.

1935

1936 Mayor’s Action: _____ Approved. _____ Vetoed.

1937

LEGISLATIVE DRAFT

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1956
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1960

MAYOR

ATTEST:

CITY RECORDER

(SEAL)

Bill No. _____ of 202_.
Published: _____.