



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

Honorable Councilmembers:

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

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

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

18.64.005: PURPOSE AND INTENT:

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

- 1. Promote the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;*
- 2. Provide an orderly and predictable process for demolition of buildings and structures when appropriate;*
- 3. Ensure demolition occurs safely;*
- 4. Protect utilities and other infrastructure from damage during demolition;*

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

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

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

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

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

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

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