

ORDINANCE NO. 216

AN ORDINANCE OF THE TOWN OF GRANITE FALLS DEFINING DANGEROUS BUILDINGS AND AUTHORIZING THE REPAIR, CLOSING AND DEMOLITION OF SUCH BUILDINGS.

BE IT ORDAINED by the council of the Town of Granite Falls:

1. All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings".

(a) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

(b) Those which exclusive of the foundation show 33% or more of damage or deterioration of the supporting member or members, or 50% of damage or deterioration of the non-supporting enclosing or outside walls or coverings.

(c) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.

(d) Those which have become damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or to the people of the Town of Granite Falls.

(e) Those which have become or are so dilapidated or decayed or unsafe or unsanitary, or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, morals, safety, or general welfare of those living therein.

(f) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein.

(g) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.

(h) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

(i) Those which because of their condition are unsafe or unsanitary or dangerous to the health, morals, safety or general welfare of the people of this Town.

2. The following standards shall be followed in substance by the Improvement Board and the Dangerous Buildings Appeals Board in ordering repair, vacation or demolition of said buildings.

(a) If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of the terms hereof, it shall be ordered repaired by the Improvement Board or the Appeals Board.

(b) If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants it shall be ordered to be vacated by the Improvement Board or the Appeals Board.

(c) If the "dangerous building" is 50% damaged or decayed or deteriorated in value, it shall be demolished. Value as used herein shall be the valuation placed upon the building for purposes of general taxation.

(d) If the "dangerous building" cannot be repaired so that it will no longer exist in violation of the terms hereof, it shall be demolished.

(e) If the "dangerous building" is a fire hazard existing or erected in violation of the terms hereof, or any ordinance of this Town or of the State of Washington, it shall be demolished providing the said hazard is not eliminated by the owner or other interested persons within a reasonable time.

3. Improvement Board. There is hereby created and established a board to be known and designated as the "Improvement Board" of the Town of Granite Falls which shall consist of the members of the Finance and Town Property committee of the town council of the Town of Granite Falls, said members to be appointed every two years by the Mayor of the Town of Granite Falls.

4. Duties of the Improvement Board: The Improvement Board shall:

(a) Inspect or cause to be inspected all buildings including but not necessarily limited to schools, halls, churches, theatres, hotels, all family, commercial, manufacturing or loft buildings which may be brought to its attention by the Fire Chief or any other duly authorized representatives, for the purpose of determining whether any conditions exist which render such places a "dangerous building" within the terms of section 1 hereof.

(b) That if, after a preliminary investigation of any dwelling, building or structure said board finds that it is unfit for human habitation or other use, said board shall cause to be served either personally or by registered mail upon all persons having any interest thereof, as shown upon the records of the Auditors Office of Snohomish County and shall post in a conspicuous place on such property, a complaint stating in what respects such dwelling, building or structure is unfit for human habitation or other uses. If the whereabouts of such persons is unknown and the same cannot be ascertained by the Improvement Board in the exercise of reasonable diligence, it shall make an affidavit by the chairman of the board to the effect and then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two consecutive weeks in the official Town paper. Such complaint shall contain a notice that a hearing will be held before the Improvement Board, at a place therein fixed, not less than ten days nor more than thirty days after serving of said complaint; or in the event of publication, not less than fifteen days nor more than thirty days from the date of the first publication; that all parties in interest shall be given the right to file an answer to the complaint and appear in person, otherwise, and to give testimony at the time and place fixed in the complaint. That he shall cause a copy to be filed with the Auditor of Snohomish County, Washington.

(c) If after said hearing said board shall determine that said structure is in fact a "dangerous building" it shall reduce to writing its findings of fact in support of such determination and shall issue and cause to be served upon the owner or party in interest in the manner provided herein for the serving of the complaint, an order which requires the owner or party in interest within the time specified in the order, to repair, alter or improve such dwelling, building or structure to render it fit for human habitation or other use or to vacate and close the dwelling, building or structure if such action is deemed proper or require the owner or party in interest within the time specified the order, to remove or demolish such dwelling, building, or structure, and if no appeal is filed in the matter in the manner hereinafter provided, said board shall file a copy of such order with the Auditor of Snohomish County.

(d) The owner or any party of interest within thirty days from the date of service upon the owner of a copy of the order referred to herein above may file an appeal with the Appeals Board.

5. Appeals Board . There is hereby created and established an Appeals Board to be known and designated as the "Dangerous Building Appeals Board of the Town of Granite Falls," which shall consist of five members to be appointed by the Mayor

subject to the approval of the Town Council. Said members shall be appointed for a term of three years, provided however, that of the members first appointed one member shall be appointed for a term of one year, two members for a term of two years, and two members for a term of three years. Thereinafter all such appointments shall be for a term of three years. The members of said board shall serve without compensation.

6. Duties of the Appeals Board. The "dangerous buildings appeals board" shall:

(a) Upon receipt of notice of appeal from the decision of the Improvement Board filed by the owner or party in interest within thirty days from the date of said decision or order, the Board shall entertain such appeal and conduct a hearing thereon, as provided in section (b) hereof.

(b) Hold a hearing to hear such testimony as may be presented by any department of the town of Granite Falls or the owner, occupany, mortgagee, lessee or any other person having an interest in said building, as shown by the records of the Snohomish County Auditor, with relation to the "dangerous building."

(c) Make written findings of fact within sixty days from the date of the hearing from the testimony offered pursuant to subsection (b) as to terms of Section 1 herein.

(d) Issue an order based on the findings of fact made prusuant to subsection (c).

(e) If the owner or party in interest fails to comply with the order issued by either the Dangerous Buildings Appeals Board, or in the event no appeal is filed from the order of the Improvement Board, then and in that event, either the Appeals Board or the Improvement Board as the case may be may direct or cause such a dwelling, building or structure to be repaired, altered, improved, vacated, closed, removed or demolished as the facts may warrant under the standards hereinabove provided for in section 2, and the cost of such repair, vacation or demolition shall be assessed against the real property upon which such costs were incurred, unless such amount is previously paid. The Town Treasurer shall determine the amount of the assessment due and owing and shall certify the same to the County Treasurer who shall enter the amount of such assessment upon the tax rolls against the property, all in the manner provided by law and particularly Chapter 82 of the Laws of 1939.

7. Violations and Penalties. That every person violating any of the provisions of this chapter shall be punishable by a fine not to exceed One Hundred Dollars (\$100), or by imprisonment not exceeding thirty days (30), or by both such fine and imprisonment, and each days violation shall constitute a separate offense punishable under this chapter.

PASSED in open session by the Town Council of the Town of Granite Falls this 12th day of April, A.D., 1962.

MALCOLM R. WOOLMAN, Mayor

ATTEST:

ILENE LARSON, Town Clerk

CERTIFICATION

I, ILENE LARSON, hereby certify that the foregoing is a true and correct copy of Ordinance No. 216 which was published and posted according to law.

ILENE LARSON, Town Clerk