

ORDINANCE NO. 1230

AN ORDINANCE PERTAINING TO THE REGULATION OF NUISANCE BUILDINGS AND STRUCTURES WITHIN THE CITY OF SWEET HOME.

The City of Sweet Home does ordain as follows:

SECTION 1. Sweet Home Municipal Code Section 8.04.045 is hereby created to read as follows:

**Section 8.04.045  
Nuisance Buildings and Structures**

**8.04.045 Nuisance Buildings and Structures.**

- A. Purpose. The provisions of this Section promote the health, safety and general welfare of the public by requiring a level of maintenance of property which will protect the livability, appearance and social and economic stability of the City. These provisions will protect the public from the health and safety hazards and the impairment of property values which results from the neglect and deterioration of buildings and structures.
- B. Definitions. For the purpose of this Section, the following definitions apply:
1. Deterioration - To diminish in quality, character, or value.
  2. Dilapidate - To fall into a state of partial ruin, decay, or disrepair.
  3. Obsolescence - in the process of passing out of use or usefulness.
  4. Occupy - To be a resident or tenant of a building.
  5. Structure - Something built or constructed, such as a tower, bridge, or dam.
  6. Use - The intended purpose for which a building or structure is used.
  7. Similar Color - A color that has like characteristics of shade, tone, or tint.
- C. Blighted property. Any property on which there exists any one or more of the following conditions is a blighted property for the purpose of this Section:
1. A building or structure which is not being occupied and which is unsecured. A building or structure is unsecured when the public can gain entry without the consent of the owner. To be secure means that the building or structure is protected against unauthorized entry, including having doors, windows, foundation walls, and other openings all firmly closed and locked or otherwise closed off such as by a grille, grating, or boarding.
  2. A partially constructed, reconstructed or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or when there has been no substantial work on the project for a period of six months or more.
  3. A building or structure when it is in a state of disrepair with one or more of the following:
    - a. Exterior walls and/or roof coverings do not provide adequate weather protection, which may result in infestations of pests and/or dry rot. Pest means animals commonly considered detrimental to humans or human concerns, including but not limited to insects and rodents.
    - b. Broken or missing windows or doors.
    - c. Building exteriors and structures which are broken, deteriorated, or substantially defaced, to the extent that the disrepair is visible from any public right-of-way or

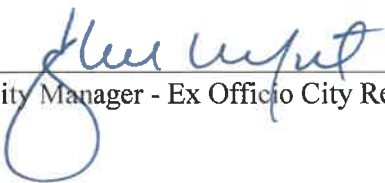
visually impacts neighboring public or private property or presents an endangerment to public safety.

4. A building or structure that is used, or intended to be used, for living, commercial, industrial or other purposes, and is unfit or unsafe to occupy for those purposes because of any one or a combination of the following conditions:
  - a. Defective design and quality of physical construction.
  - b. Obsolescence, deterioration, or dilapidation.
- D. Property Blight Nuisance. Any property which has been determined to be vacant and has a building or structure deemed to be blighted is hereby declared and determined to be a public nuisance.
- E. Vacant Buildings and Structures. A building or structure is deemed to be vacant after three (3) months with no occupancy. No person shall allow a building or structure that is vacant to lack adequate maintenance to keep the building or structure in a safe, secure, and sanitary condition.
- F. Temporary Protection. No person shall use a tarp, black plastic, or similar material in place of a customary building component for siding, doors, windows, or similar components, excluding roofs, for a period exceeding ninety (90) days in total, whether such use is continuous or interrupted, except when a longer period is needed for the processing of an insurance claim or the Code Enforcement Officer grants a one time extension for up to thirty (30) days.
- G. All boarding used to secure windows, doors, or other parts of a building or structure under this section shall be the same or a similar color as the building or structure to which they are attached.

PASSED by the Council and approved by the Mayor this 23<sup>rd</sup> day of October

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Manager - Ex Officio City Recorder