

# CITY OF SACRAMENTO

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DIVISION OF BUILDING INSPECTIONS  
927-10TH STREET SACRAMENTO, CALIFORNIA 95814  
ROOM 100

November 4, 1981

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Amendment to Section 49.1130 of the Sacramento City Code (Board & Secure)

SUMMARY:

On October 14, 1981, the Planning and Community Development Commission reviewed the attached proposed amendment with the recommendation that the City Council adopt the ordinance.

RECOMMENDATION:

It is recommended that the City Council pass this ordinance for publication on November 24, 1981, and adopt the ordinance on December 1, 1981.

A letter to the Planning and Community Development Commission and a copy of Section 49.1130 of the City Code is attached.

Respectfully submitted,



Tim Sullivan  
Superintendent, Building Inspections Division

Recommendation Approved:



Walter J. Slipes, City Manager

PASSED FOR  
PUBLICATION  
& CONTINUED  
TO 12-1-81



# CITY OF SACRAMENTO

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DIVISION OF BUILDING INSPECTIONS  
927 - 10TH STREET SACRAMENTO, CALIFORNIA 95814  
ROOM 100

September 24, 1981

Planning and Community Development Commission  
Sacramento  
California

Honorable Members in Session:

Subject: Amend Section 49.1130 of Sacramento City Code (Board & Secure)

SUMMARY:

The procedure for the repair or demolition of a structure is by a Resolution adopted by the Housing Code Advisory and Appeals Board. In order to prolong the life and use of a repairable structure, it is necessary to amend the City Code to include a board and secure alternate so as to preserve repairable structures within the City.

BACKGROUND:

In the present procedure to adopt a Resolution to repair or demolish, we are forced to demolish repairable structures just because an owner cannot afford to repair the building. The above amendment will allow an owner time to acquire funds to repair or to sell to someone who can afford to repair the structure. It will help to maintain affordable housing in the City.

FINANCIAL DATA:

This will add no cost to our present procedure of Housing Board action, but it may save some of our City demolition costs.

October 8, 1981

Planning and Community Development Commission

September 23, 1981

RECOMMENDATION:

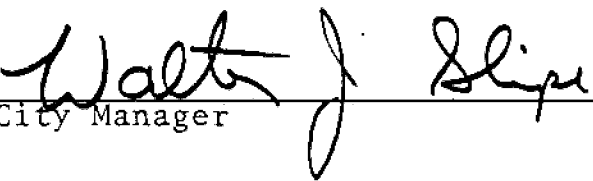
It is recommended that the City Council adopt the attached amendment to Section 49.1130 of the Sacramento City Code.

A copy of Section 49.1130 of the City Code is attached.

Respectfully submitted,

   
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Director, Building Inspections Division

Recommendation Approved:

  
\_\_\_\_\_  
City Manager

October 8, 1981

AN ORDINANCE AMENDING SECTION 49.1130 OF THE  
SACRAMENTO CITY CODE RELATING TO THE  
SECURING OF SUBSTANDARD DWELLINGS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 49.1130 of the Sacramento City Code is hereby amended to read as follows:

Sec. 49.1130 Order of board--In form of resolution.

(a) The board shall make its order in the form of a resolution which declares the building to be a public nuisance and directs the owner to abate the nuisance. The board may order the nuisance abated by having the building properly repaired, by having the building properly secured as provided herein, or by having the building demolished. The order shall notify the owner that if the nuisance is not so abated the building will be demolished, as may be ordered by the director, and the expense thereof made a lien on the lot or parcel of land involved.

(b) The resolution shall contain or shall have attached thereto a brief and concise description of the conditions found to render the building substandard and a public nuisance.

(c) The resolution shall provide for either of the following:

(1) The resolution shall order that abatement of the nuisance by repair or demolition be physically commenced not later than thirty (30) days after the passage of the resolution and be completed within such time as may be specified therein or completed within such time as the director shall determine to be reasonable under all of the circumstances; or

(2) Where the board finds the building to be repairable, but determines the owner is unable, for financial reasons or otherwise, to begin repair of the building within thirty (30) days, the resolution shall order that the nuisance be abated by repair or demolition in the manner and within the time periods specified in paragraph (c)(1) above or, at the option of the owner, that the nuisance be abated by vacating and securing the building and maintaining the building in a secured condition for a period not exceeding one (1) year from the passage of the resolution. The resolution shall

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

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~~The board shall make its order in the form of a resolution which declares the building to be a public nuisance and directs the owner to abate the nuisance by having the building properly reconstructed or repaired or by having the same razed or removed, and notifying him that if the nuisance is not so abated the building will be reconstructed, repaired, razed, or removed, as may be ordered by the director and the expense thereof made a lien on the lot or parcel of land involved.~~

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(b) The resolution shall contain or shall have attached thereto a brief and concise description of the conditions found to render the building substandard and a public nuisance.

(c) The resolution shall provide for either of the following:

(1) The resolution shall order that abatement of the nuisance by repair or demolition be physically commenced not later than thirty (30) days after the passage of the resolution and be completed within such time as may be specified therein or completed within such time as the director shall determine to be reasonable under all of the circumstances; or

(2) Where the board finds the building to be repairable, but determines the owner is unable, for financial reasons or otherwise, to begin repair of the building within thirty (30) days, the resolution shall order that the nuisance be abated by repair or demolition in the manner and within the time periods specified in paragraph (c) (1) above or, at the option of the owner, that the nuisance be abated by vacating and securing the building and maintaining the building in a secured condition for a period not exceeding one (1) year from the passage of the resolution. The resolution shall provide that if the owner chooses to vacate and secure the building, the building must be vacated and secured within thirty (30) days from the passage of the resolution and repair or demolition must be physically commenced within the one year period or within thirty (30) days thereafter and completed within such time as may be specified in the order or completed within such time as the director shall determine to be reasonable under all of the circumstances.

(d) When an owner opts to abate a nuisance by vacating and securing a building under the provisions of paragraph (c) (2) of this Section, the following provisions shall apply throughout the period of time the building must be maintained in a secured condition:

(1) All doors and windows and all other openings into the building which are accessible to trespassers shall be covered with 1/2" plywood cut to fit the window, door, or other opening. The plywood shall be bolted or securely nailed to the frame so as not to be easily removed and shall be painted a neutral color.

(2) All utilities shall be properly removed or disconnected as may be necessary to eliminate the hazards from fire and explosion and to prevent occupancy.

(3) All combustible material and debris shall be removed from the building prior to securing.

(4) The land surrounding the building shall be kept free from junk, trash, debris, and high grass or weeds as may be necessary to avoid fire hazard at all times during which the order is in effect.

SECTION 2.

Section 49.1203 of the Sacramento City Code is hereby amended to read as follows:

Sec. 49.1203 Failure to commence work.

Whenever the required repair or demolition is not commenced, or whenever the required securing is not completed, within thirty days after an order issued under this code becomes final or effective:

(1) The director may cause the building prescribed in such notice and order to be vacated by posting at each entrance thereto a notice reading:

"SUBSTANDARD BUILDING  
DO NOT OCCUPY

It is a misdemeanor to occupy this building or to remove or deface this notice.

Director of Building  
Inspections Division  
City of Sacramento

By \_\_\_\_\_ "

(2) No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice, ~~so posted~~ <sup>have</sup> until the ~~work~~ <sup>repairs, demolition or removal</sup> ordered by the director ~~or by the board~~ has been completed and a certificate of occupancy issued pursuant to the provisions of the Uniform Building Code.

(3) The director may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building substandard as set forth in the notice and order; or may cause the building to be secured as set forth in the order; or may cause the building to be sold and demolished; or, to be demolished, and the materials, rubble and debris therefrom removed and the lot cleaned and leveled. Any such ~~work~~ <sup>repair or demolition</sup> shall be accomplished and the cost thereof paid and recovered in the manner provided in articles VIII and IX of Chapter 50 of the Sacramento City Code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot shall be paid over to the person or persons lawfully entitled thereto.

SECTION 3.

Section 50.901 of the Sacramento City Code is hereby amended to read as follows:

Sec. 50.901 Account of expenses; filing of report; contents.

The city engineer shall keep an itemized account of the expense incurred by the City in the repair, <sup>or</sup> demolition or securing of any building or structure done pursuant to the provisions of section 50.701(c)3 of section 50.1002 of this code; or pursuant to the provisions of section 49.1203(3) of Chapter 49 of the Sacramento City Code. Upon the completion of the work ~~of repair or demolition~~, such engineer shall prepare and file with the city clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located and the names and addresses of the persons entitled to notice pursuant to subsection (c) of section 50.401.

DATE ENACTED:  
DATE EFFECTIVE:

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MAYOR

ATTEST:

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CITY CLERK