

Chapter 2
Boarding Unsecured Buildings

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Section 5-2-1. Definitions.

A. As used in this Chapter the following definitions shall apply:

- 1. "Boarded building" means a building in which all or some of the utilities have been disconnected and all windows and doors are boarded against entry at the ground and second level (if a second level exists). Entry doors shall be locked or boarded and windows adjacent to entry doors are boarded against entry.
- 2. "Boarding" means the secured covering of openings to a building or structure to prevent entrance pursuant to the provisions and standards of this Chapter, due to the nonoccupancy of the building or structure.
- 3. "Closed to occupancy" means a building in which no person may eat, sleep, live or otherwise reside or occupy the building or any portion thereof. Buildings closed to occupancy may only be entered by the owner, owner's agent or other authorized persons to do repair work.
- 4. "Emergency conditions" means one or more conditions which exist in a building or on a property that create a likelihood of imminent danger to life or safety if anyone were to enter or occupy the property or building.
- 5. "Unboarded/unsecured building" means a building whose window(s) and or door(s) are missing or broken and other openings are not secured against unauthorized persons entering the building.
- 6. "Vacant/secured building" means a building having utility meters that have been locked off but the meters and service lines are in place. All windows are secured and glazed and the doors are secured by means of a lock.

Section 5-2-2. Notice and order to secure building.

A. If the Building Official determines that a building is unsecured and needs to be boarded, the Building Official shall send a notice by certified mail, return receipt requested and regular mail, to the property owner requiring the owner to board the

building. The Building Official shall also, on the same day, post a notice on the property.

B. If, due to the existence of emergency conditions, as identified by the Building Official, it is not possible or practical to give notice in advance, the City may nevertheless board the building without giving prior notice to the owner or occupant, but the City shall provide all required notices immediately following the boarding of the building.

Section 5-2-3. City boarding or securing.

A. If, within the time specified in the notice and order, the property owner fails to comply with the notice, the City may cause the property to be boarded.

B. If the Building Official determines that emergency conditions exist, the City may board the building.

C. If the City boards a building, the City shall send the property owner a bill for:

1. A one hundred dollar (\$100.00) fee to partially recover the City's costs in administering the boarding; and
2. The actual costs of the boarding incurred by the City.

Section 5-2-4. Posting of boarded or closed to occupancy building.

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

Section 5-2-5. Board of appeals.

A. General. Any person may appeal an order, decision or determination made by Grantsville City Building Officials relative to the application and interpretation of the provisions of this Chapter. Any appeal shall be directed to the Board of Appeals established under Chapter 1 of this Title. All three members of the Board shall hear each appeal and a majority decision of the Board Members shall constitute the decision of the Board.

B. Limitations on authority. An application for appeal shall be based on a claim that the true intent of the provisions of this Chapter have been incorrectly interpreted. The Board of Appeals shall have no authority to waive requirements of this Chapter.

Section 5-2-6. Enforcement and penalty.

It shall be unlawful for any person, firm or corporation to perform any act prohibited by this chapter or to fail or refuse to perform any act commanded in this chapter or to aid or abet there in or to fail or refuse to comply with any valid order issued by the Building Official or other officer or his designate, pursuant to the provisions of this chapter. It shall be illegal to occupy or allow to be occupied any boarded structure without a certificate of occupancy. It shall be illegal to work or cause a person to work on any structure without the proper Utah State License. Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a Class C Misdemeanor, and each day that any violation of this chapter if permitted to continue shall constitute a separate offense.