

CITY COUNCIL AGENDA COVER-SHEET
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From: Nancy Batchelder, City Recorder

- ☒ Regular Meeting Agenda Item ☐ Work Session Discussion Topic
- o Add to agenda for _____ meeting.
 - o Continue this item until _____.
 - o Item dismissed.

DATE: February 3, 2010

Title: Recommendation from the Planning Commission: Code Amendment

Item: The Planning Commission recommends the following Code Amendment as a way of dealing with “stalled developments.”

This is an amendment to the Nuisance Section, and therefore does not require a public hearing before the Planning Commission and/or Council.

If City Council agrees staff should be directed to return the draft ordinance for adoption at the next meeting.

Section 5.08.060 Maintenance of property--Nuisances.

It is declared a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city:

A. To so maintain such premises as to permit the same to become so defective, unsightly or in such condition of deterioration or disrepair that the same causes appreciable harm or is materially detrimental to proximal properties or improvements; or

B. To keep or maintain such premises so out of harmony or conformity with the landscaping and maintenance standards of adjacent properties, as to cause substantial diminution in the enjoyment, use or property value of such adjacent properties;

C. To allow a construction site where there has been no noticeable progress toward completion for a period of six months or more to become unsightly with construction debris, mud, standing water, overgrown vegetation, open ditches, or uneven bare ground;

D. To keep or maintain a structure in such condition that it would be considered a "dangerous building" under the following definitions:

1. A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connection, defective heating apparatus, or for any other cause or reason, is especially susceptible to fire and which is so situated or occupied as to endanger any other building or property or human life,

2. A structure containing combustible or explosive material, rubbish, rags, waste, oils, gasoline or flammable substance of any kind especially liable to cause fire or other danger to the safety of such building, premises or to human life,

3. A structure which has been damaged by fire, earthquake, wind, flood or other natural force to a point that it is a danger to other buildings, property or human life,

4. A structure which is kept or maintained in a filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious disease or diseases,

5. A structure in such weak or weakened, dilapidated or deteriorated condition, as to endanger any person or property by reason of probability of partial or entire collapse. (Ord. 174 § 10, 1995)
E. To keep or maintain such premises in a manner as to constitute a violation of any provision of Title Nine, the Zoning and Land Use provisions of the Yachats Municipal Code.

Related Goal: Provide for the effective governance of the City of Yachats

Reference And Review Material:

Budget Impact: 0

Additional Information:

Attachments: