

AN ORDINANCE RELATING TO UNSAFE BUILDINGS BY REASON OF DELAPIDATION, OBSOLESCEMENT, OR ABANDONMENT, DETERMINING THE SAME TO BE A PUBLIC NUISANCE AND ESTABLISHING A CITY BUILDING INSPECTOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

SECTION I: It is hereby established as an office and officer of the City of Las Animas, a "City Building Inspector" who in the absence of other designation shall be the city engineer.

SECTION II: The City Building Officer is hereby authorized and directed to enforce all the provisions of this ordinance. For such purposes he shall have all the powers of a police officer.

SECTION III: Upon presentation of proper credentials, the City Building Officer, or his duly authorized representative, may enter at reasonable time any building, structure or premises in the city to perform any duties imposed upon him by this ordinance.

SECTION IV: The City Building Officer, or any employee charged with the enforcement of this ordinance, acting in good faith and without malice, for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damages that may accrue to persons or property as the result of any act required, or by reason of any act or omission in the discharge of his duties. Any suit brought against the City Building Officer, or employee, because of such act or omission performed by him in the enforcement of any provisions of this ordinance, shall be defended by the legal department of the city until final termination of the proceedings.

SECTION V: The City Building Officer may request, and shall receive insofar as may be necessary in the discharge of his duties, the assistance and

co-operation of other officials of the city.

SECTION VI: (a) GENERAL. All buildings or structures which are structurally unsafe or not provided with adequate means of egress, or which constitute a fire hazard, or which are otherwise dangerous to human life or which in relation to existing use constitute a hazard to the safety or health of public welfare by reason of inadequate maintenance, delapidation, obsolescence, or abandonment, as specified in this code, or any other effective ordinance, are, for the purpose of this section, unsafe buildings, all such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal.

(b) NOTICE TO OWNER. The City Building Officer shall examine, or cause to be examined every building structure or portion thereof reported as dangerous or damaged, and, if such is found to be an unsafe building as defined in this section, the City Building Officer shall give to the owner of such building or structure, written notice stating the defects thereof. This notice may require the owner or persons in charge of the building or premises to commence within forty-eight hours, either required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from date of notice, unless otherwise stipulated by the City Building Officer. If necessary, such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected and approved by the City Building Officer.

Proper service of such notice shall be by personal service upon owner of record if he shall be found within the city limits. If he is not found within the city limits, such service may be made upon said owner by registered or certified mail, provided that if such notice is by regis-

tered mail or certified mail, the designated period within which said owner or person in charge is required to comply with the order of the City Building Officer shall begin as of the date he receives such notice.

(c) POSTING OF SIGNS. The City Building Officer shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. City Building Officer, City of Las Animas." Such notice shall remain posted until the required repair, demolition or removal is completed. Such notice shall not be removed without written permission from the Building Officer, and no persons shall enter the building, except for the purpose of making the required repairs or demolition to building.

(d) RIGHT TO DEMOLISH. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish and to remove said building or structure, or portion thereof, the City Council may order the owner of the building prosecuted as a violator of the provision of this ordinance, and may order the City Building Officer to proceed with the works specified in such notice. A statement of the costs of such works will be transmitted to the city council, and shall cause the same to be paid and levied as a special assessment against the property.

(e) COSTS. Costs incurred under Subsection (d) shall be paid out of the City Treasury. Such costs shall be charged to the owner of the premises involved as a special assessment of the land on which the building or structure is located and shall be collected in the manner provided for special assessments.

Read and adopted on third and final reading and ordered published this 3rd day of September, 1963.

Approved.

A. F. COFFEY,
Mayor.

Attest:
VERA WYGLE,
City Clerk.

CERTIFICATION:

I, Vera Wygle, City Clerk of the City of Las Animas, Colorado do hereby certify that the above and foregoing ordinance was introduced and read in full, passed on first reading at a regular meeting of the City Council on ~~Monday~~ the 5th day of August, 1963 and published in the Las Animas Leader in its issue of August 8, 1963 and was finally passed and adopted and approved at a regular meeting held September 3, 1963 and ordered published in the Las Animas Leader in its issue of September 5th, 1963 and numbered 349.

IN WITNESS WHEREOF I hereunto set my hand and the seal of the City of Las Animas, Colorado this 10th day of September, 1963.

Vera Wygle

Vera Wygle, City Clerk