

Chapter 15.16

**DANGEROUS BUILDINGS<sup>2</sup>**

Sections:

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**15.16.010 Defined - declared nuisance.**

- A. The term 'dangerous building' as used in this chapter is defined to mean and include:
1. Any building, shed, fence, or other manmade structure which is dangerous to the public health because of its construction or condition, or which may cause or aid in the spread of disease or cause injury to the health of the occupants of it or of neighboring structures;
  2. Any building, shed, fence, or other manmade structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire, and constitutes or creates a fire hazard;
  3. Any building, shed, fence, or other manmade structure which, by reason of faulty construction, age, lack or proper repair or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;
  4. Any building, shed, fence or other manmade structure which, because of its condition or because of lack of doors or windows, is available to and frequented by malefactors or disorderly person who are not lawful occupants of such structure.
- B. Any dangerous building in the city is declared to be a nuisance.  
(Prior code § 13.301.)

**15.16.020 Prohibition.**

It is unlawful to maintain or permit the existence of any dangerous building in the city, and it is unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.  
(Prior code § 13.302.)

**15.16.030 Abatement requirements.**

- A. Whenever the building inspector, the fire chief, any member of the board of health, the city sanitarian, or any other officer of the city, finds that any building or structure in the city is a dangerous building, he shall file a written statement to this effect with the city sanitarian. The sanitarian shall thereupon cause written notice to be served upon the owner thereof, and upon the occupancy thereof, if any, by registered mail or by personal service. Such notice shall state that the building has been declared to be in dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or demolishing it, and that the condition must be remedied at once. Such notice may be in the following form:
- "To \_\_\_\_\_ (owner-occupant of the premises) of the \_\_\_\_\_ premises known and described as \_\_\_\_\_ "You are hereby notified that (describe building) on the premises above described has been condemned as a nuisance and a dangerous building after inspection by \_\_\_\_\_
- "The causes for this decision are (here insert the facts as to the dangerous condition).

## FIRE PREVENTION CODE

"You must remedy this condition or demolish the building immediately, or the City of St. Charles will proceed to do so."

- B. If the person receiving such notice has not complied therewith within ten days from the time when this notice is served upon such person by personal service or by registered mail, the city may, upon orders of the mayor, proceed to remedy the condition or demolish the dangerous building.  
(Prior code § 13.303.)

### **15.16.040 Damaged buildings within fire limits - requirements for removal or rebuilding.**

- A. Any building or structure within the fire limits of the city as herein prescribed by ordinance which has or may be damaged by fire, decay, or other cause to the extent of fifty percent of its value, shall be torn down and removed, or rebuilt with nonflammable walls.
- B. Upon written notice by the building inspector, city sanitarian, fire chief, or any other city officer, filed with the city sanitarian, the sanitarian shall notify the mayor of the receipt of such notice. The mayor shall then appoint three persons to determine whether or not such building or structure has been damaged to the extent of fifty percent of its value. A copy of the notice filed by the city officer, together with a notice of the appointment of this board of three persons to determine the damage, shall be served upon the owner of the premises by personal service or by registered mail to his last known address. Such notice may be in substantially the following form:

"To \_\_\_\_\_

"You are hereby notified that \_\_\_\_\_ has determined that the building owned by you at \_\_\_\_\_, located within the fire limits of the City of St. Charles has been damaged by fire, decay, or otherwise to the extent of fifty percent (50%) of its value; and that a board of three (3) members has been appointed to verify this finding, which board will hold its first meeting in the city hall on the \_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_ o'clock, at which time it will determine whether this finding is correct.

"If this finding is verified by the board, you must tear down and remove the said building, or rebuild it with non-flammable walls."

- C. If this finding is verified by the board of three members and it determines that the building in question has been damaged to the extent of fifty percent of its value, it shall be the duty of the owner to tear down and remove the said building within twenty days after the finding of such board, or to remodel it to comply with the requirements of new buildings in the fire limits, and it is unlawful to occupy or permit occupancy of such building after such finding until it is so remodeled.  
(Prior code § 13.304.)

### **15.16.050 Violation - Penalty.**

Any person, firm or corporation violating any provision of this chapter, or permitting any dangerous building, or any building or structure to remain in a dangerous condition, or to remain in the fire limits without remodeling as provided for in Section 15.16.040 after it has been damaged to the extent of fifty percent of its value, shall be fined not less than one dollar nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code § 13.305.)