

ARTICLE 26-8 - HAZARDOUS BUILDINGS AND STRUCTURES

26-8-1 - Definition.

Hazardous Building: A hazardous building or structure shall mean any building or structure which because of inadequate maintenance, dilapidation, physical damage, unsanitary conditions, or abandonment constitutes a fire hazard or a hazard to public safety or health.

(12-21-82)

26-8-2 - Report to the Council.

Whenever it appears to the Code Administrator, or whenever a petition is filed with the Code Administrator by ten (10) or more residents of the City charging that a building or structure exists or becomes hazardous as defined in Section 26-8-1, or similarly that an excavation, pit or hole exists or becomes hazardous as defined in RSA 155-B:13 or Section 26-8-6 below he shall make a written and detailed report thereof to the City Council, the City Manager, the owner of record, and to the occupants of such building or structure. The report shall include a description of the work required to bring the building or structure back to a habitable or usable standard, or to eliminate the hazard. In addition, the code Administrator shall submit to the Council, a resolution for the appropriation of funds sufficient to complete the work identified in the report.

(12-21-82)

26-8-3 - Council Orders.

Following the receipt and consideration of the Code Administrator's report, the City Council may order the owner of the hazardous building or structure, or the hazardous excavation, pit or hole to correct the hazardous condition or to raze or remove the building or structure.

(12-21-82)

26-8-4 - Funding Resolution.

Following issuance of the order to the owner, the Council shall hold a public hearing on the funding resolution after which the resolution shall be tabled until such time as the City is allowed to cause the corrective actions identified in RSA 155-B:7, 9, and 12.

(12-21-82)

26-8-5 - Contents of the Order.

The Council order shall state in writing, the grounds therefor, specifying the necessary repairs or corrective actions, and providing a reasonable time for compliance. It shall also state that a motion for summary enforcement of the order will be made to the Concord District Court unless corrective action is taken or unless an answer is filed with the Court within twenty (20) days. If any building or structure included within the order contains personal property or fixtures which will unreasonably interfere with the order, the order may direct the removal of same within a reasonable time.

(12-21-82)

26-8-6 - City Manager as Agent for City Council.

The City Manager is hereby designated to act as agent for the City Council and is empowered to take all necessary steps to enforce this ordinance and RSA 155-B.

(12-21-82)

26-8-7 - Hazardous Excavations, Pits and Holes.

In addition to the excavations and basements described in RSA 155-B:13, this ordinance shall also apply to any other pit or hole which is hazardous to adjoining property or the public health or welfare.

(12-21-82)

26-8-8 - Expenditure of Funds.

The City Manager is hereby empowered to expend those funds authorized by passage of the above resolution.

(12-21-82)

26-8-9 - Fire Department.

Prior to completion of a Hazardous Building Report, or acceptance of such report by the City Council as set forth in Section 26-8-2, the Fire Department may enter and examine all structures which it determines are a "hazardous building" as defined in Section 26-8-1 for the purpose of completing risk assessments in order to ascertain the threat to the public health and safety, and the feasibility of conducting fire fighting, rescue, or emergency medical services at such properties and corresponding potential threat to personnel undertaking such activities. Based upon the results of the risk assessments, the Fire Department shall have the authority to affix markings to such structures or properties to inform emergency personnel how to undertake fire fighting, rescue, or other emergency response operations at such properties. Markings shall be affixed to the street side of the premises or near the main entrance. The markings shall be no larger than

four (4) square feet. The Fire Department shall be required to remove such markings at such time as the Code Administrator or City Council has determined that the structure is no longer a "hazardous building" as defined in Section 26-8-1.

(Ord. No. 2733, § I, 11-10-08)