ORDINANCE NO. 129, 2013 OF THE COUNCIL OF THE CITY OF FORT COLLINS AMENDING SECTION 5-47 OF THE CODE OF THE CITY OF FORT COLLINS PERTAINING TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE

WHEREAS, the International Property Maintenance Code adopted by the City specifically exempts owner-occupied dwellings from certain "substandard" classification provisions; and

WHEREAS, the City Council has determined that it is in the best interests of the City that structures defined as "deficient" not be exempt from regulation because they are owner-occupied; and

WHEREAS, the City Council has further determined that it is in the best interests of the City that a registry of vacant and dangerous buildings be established so that vacant buildings which have been declared to be dangerous may be placed on the registry in order to provide the City with a name and contact information for persons who may, upon notification from the City, act responsibly with respect to such property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

- Section 1. That Section 5-47(9) of the Code of the City of Fort Collins is hereby amended to read as follows:
 - (9) The title of *Section 108*, along with *Sections 108.1, 108.1.1, 108.1.2, 108.1.3* and *108.1.4*, are hereby amended to read as follows:

"SECTION 108 - SAFETY OF STRUCTURES AND EQUIPMENT

"108.1 General. When any structure or portion thereof is found to be substandard, unfit for human occupancy, unlawful, or dangerous; or deficient or when any equipment or fixture installed or used therein is found to be substandard, such condition shall be abated or otherwise corrected, repaired, or removed pursuant to the provisions of this code.

. . .

- Section 2. That Section 5-47(11) of the Code of the City of Fort Collins is hereby amended to read as follows:
 - (11) Section 108.2 is hereby amended as follows:
 - "108.2 Vacant Buildings and structures.

- "(a) General. When a building or structure is vacant and unsecured or unfit for human habitation and occupancy the code official is authorized to post a "Vacant Building Notice" on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource."
 - "108.2.1 Vacant & dangerous buildings registry. Any vacant building or structure which has been declared dangerous in accordance with this code shall be placed on a vacant & dangerous building registry to be kept by the Director of Community Development and Neighborhood Services (Director). Owners of a vacant and dangerous building or structure shall provide the Director with the name and contact information for an individual who, acting on behalf of the owner, will accept responsibility for monitoring the property and responding to City identified violations within 24 hours of receipt of notice from the Director."
- Section 3. That Section 5-47(17) of the Code of the City of Fort Collins is hereby amended to read as follows:
 - (17) Section 202 is amended by the addition of thirty-threefour (3334) new definitions to the list of terms therein in alphabetical sequence of such list to read as follows:

. . .

"DEFICIENT. Condition(s) that through neglect, disrepair, or lack of maintenance 1) is no longer considered to be weather resistant using approved materials, or 2) allows the entrance of rodents or insects through holes in the exterior envelope, or 3) has exterior materials which are displaced or lack sufficient covering to provide the weather resistant barrier originally approved.

. . .

ATTEST:	Mayor
City Clerk Passed and adopted on final 1	reading on the 1st day of October, A.D. 2013.
ATTEST:	Mayor
City Clerk	

Introduced, considered favorably on first reading, and ordered published this17th day of

September, A.D. 2013, and to be presented for final passage on the 1st day of October, A.D. 2013.