



TOWN COUNCIL
Work Session
Town Hall
September 13, 2011
6:00 PM

1. Call to Order: Roll Call
2. Order of Business
 - A. Nuisance Ordinance
 - B. Code Enforcement Update
3. Motion to Adjourn

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Nuisance Ordinance		AGENDA DATE: August 25, 2011
	SUBJECT/PROPOSAL/REQUEST: Nuisance Ordinance Modifications		ITEM NUMBER: 2A
	ATTACHMENTS: Proposed Modifications of Cape Charles Town Code Chapter 46 & Chapter 58		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Jeb Brady, Building Official	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The current Nuisance Ordinance is vague on regulations regarding large quantities of items that are being stored outdoors and there must be a health or safety hazard before any action can be taken by the Town. This issue has been an ongoing concern and numerous complaints have been received against properties that have an abundance of items stored outdoors. The proposed modifications are intended to clarify the ordinance to address debris.

DISCUSSION:

The modifications add a definition of "Debris." The proposed modifications have been reviewed by the attorneys and their recommendations have been incorporated.

Staff requested legal opinions regarding the following items and the applicable responses will be discussed during the work session:

1. When investigating a third party complaint, does the Town have the right to enter onto real property, without a search warrant and absent owner consent?
2. Does the Town have the right to enter onto real property to remove "personal items" that are not classified as trash or garbage and removal of which is considered a part of the public health function of local governments?

RECOMMENDATION:

Review and discuss the proposed modifications and provide direction to the Town Manager on how to proceed with enforcement.

Proposed Modifications to Chapter 46

ARTICLE II. ACCUMULATIONS OF TRASH, GARBAGE, DEBRIS, ETC.; GRASS, WEEDS AND OTHER FOREIGN GROWTH*

*Cross references: Solid waste generally, Ch. 58.

Sec. 46-15. Authority for article.

This article is enacted pursuant to authority contained in Code of Virginia, § 15.2-901.
(Ord. No. 20, § 1, 6-12-84)

Sec. 46-16. Definitions

Unless otherwise expressly stated or the context clearly indicates a different intention, the following words and terms shall, for the purposes of this chapter, have the meanings indicated in this section:

Debris - means trash, junk, discarded or abandoned parts of vehicles, appliances or machinery, and shall include, but not be limited to, the open outdoor storage of personal property of any kind, such as appliance parts, furniture, interior or exterior equipment or machinery, antiques, collectables, glassware and crockery, or any other material or substance which may provide a harbor for snakes, rats, or any other animals or any condition which may be a fire menace or breeding place for mosquitoes, give off obnoxious or offensive odors, or endanger the health or safety of the residents of the town. Debris shall not include any of the above property openly stored in a junkyard as defined and permitted pursuant to the zoning ordinance.

Owner - means a person who holds beneficial ownership of any land in the town, an agent, executor, administrator, trustee or guardian having charge, care, management or control of any land in the town.

Property - means real property.

Grass, Weeds and Other Foreign Growth - Includes grass, weeds, brush, poison ivy, poison oak, honeysuckle or any other growth other than trees, ornamental shrubbery, flowers and garden vegetables. Likely to constitute a harborage for rats, a place where mosquitoes or other harmful pests or insect infestations may breed, or water may stagnate, or which conceals, or is likely to conceal, deposits of garbage, trash or debris.

~~Sec.46-16~~ Sec.46-17. General duty to remove.

(a) It shall be the duty of each Owner, occupant or person in charge of any Property in the town to maintain such Property at all times free from any accumulation of Debris, trash, litter, refuse, rubbish or other waste matter, whether liquid or solid, which might endanger the health or safety of residents of the town or otherwise constitute a nuisance, and shall cut or remove Grass, Weeds and Other Foreign Growth on such Property as often as may be necessary to prevent breeding and harboring places for insects, reptiles and rodents, and to prevent nuisances and other hazards to the health or safety of residents of the town.

(b) The growth of Grass, Weeds and Other Foreign Growth in excess of six inches in height shall be *prima facie* evidence of a violation of this section.

(Ord. No. 20, §§ 5, 6, 6-12-84)

~~Sec.46-17~~ Sec. 46-18. Notice to remove.

(a) The town council or its designee may at any time, and upon complaint by any responsible person that conditions exist on any Property in violation of this article, shall investigate conditions existing on such Property. Upon determination, following investigation, that the Owner, occupant or person in charge of the Property is in violation of this article, the council or its designee shall give reasonable notice to the Owner of such property and to the person primarily responsible, if different from the owner and if known, stating the facts which constitute the violation and directing such person to take such action as may be necessary to rectify the conditions within ten days.

(b) The notice required by this section shall be by certified or registered mail to the last known address, or by hand delivery by any police officer or other person designated by the council, to the Owner of the Property, the person violating this article or the person responsible for such violation. The notice shall be substantially in the following form:

NOTICE TO REMOVE TRASH, GARBAGE, REFUSE,
LITTER, DEBRIS AND OTHER SUBSTANCES

CUT GRASS, WEEDS AND FOREIGN GROWTH

TABLE INSET:

TO	_____	AT	_____
Owner of Property		Location of Property	

Pursuant to Code of Virginia, § 15.2-901, and chapter 46 of the Cape Charles Town Code, you are hereby notified to remove, within ten days of the date of this notice, all trash, garbage, refuse, litter, debris, and other substances that endanger the health or safety of other residents of the town. Upon your failure to do so the town, its agents or employees, will remove such trash,

garbage, refuse, litter, debris, and other like substances, and the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the town as taxes and levies are collected.

You are hereby notified to cut the grass, weeds and other foreign growth on your property within ten days of the date of this notice; and upon your failure so to do the town, its agents or employees, will cut such grass, weeds and other foreign growth, and the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the town as taxes and levies are collected.

(Ord. No. 20, §§ 7, 9, 6-12-84)

(c) More time may be granted at the discretion of the Town Manager and or his or her designee

Sec. 46-19. Removal by town.

(a) If, after the service of notice pursuant to this article, the directive thereof has not been complied with within the prescribed time, the officer giving the notice shall proceed to have such work done by the town or its agents as may be necessary to abate any condition which might endanger the health or safety of residents of the town or otherwise constitute a nuisance, and all expenses resulting there from shall be chargeable to and paid by the Owner of the Property including an administrative fee in the amount of \$100.00, and may be collected by the town as taxes and levies are collected. All charges not so collected shall constitute a lien against the Property.

(b) Where the Owner or other person primarily responsible continues to fail to perform his duty as prescribed by this article, the town may proceed under this section and additional notices shall not be required.

(c) Work done by the town pursuant to this section shall be done at the rate of pay fixed by the council and the council may, by resolution from time to time, amend and alter the rate to conform with the cost to the town for the work.

(Ord. No. 20, §§ 2--4, 7, 8, 6-12-84; Ord. No. 2007-06-12-A, 6-12-07)

Sec. 46-20. Penalty for violation.

(a) A violation of the requirements in sections 46-16 through 46-18, is punishable by a civil penalty indicated in this section.

First offense: \$50.00.

Each subsequent offense: \$200.00.

(b) Each business day during with a violation is found to exist shall constitute a separate offense; however, in no event shall specified violations arising from the same set of operative facts result in civil penalties that exceed \$3,000.00 in a 12-month period.

(Ord. No. 2007-06-12-A, 6-12-07)

Proposes Modifications to Chapter 58

ARTICLE I. IN GENERAL

Sec. 58-1. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following words and terms shall, for the purposes of this chapter, have the meanings indicated in this section:

Ashes mean the residue resulting from the burning of coal and other fuels, or any other items.

Building and construction materials means any material such as lumber, wire, pilings, sheetrock, shingles, brick, plaster, gutters, pipes, concrete, asphalt, stones, topsoil, dirt, dredge spoil, or other substances accumulated as a result of the construction, repair, alteration, or demolition of infrastructure, including, but not limited to, buildings, highways, utilities, streets, sidewalks, or similar structures, dredging, or land-clearing activities.

Bulk container, dumpster means a metal receptacle or container designed and constructed for the storing of garbage and other permitted refuse until its collection for disposal. Said receptacle or container shall be not less than four cubic yards nor larger than eight cubic yards, made of watertight construction with doors opening on two sides and/or top, and constructed so that it can be emptied mechanically by specially equipped trucks.

Bulky refuse means items of refuse such as stoves, refrigerators, and other large appliances, furniture, bedding, mattresses, brush, vegetative waste, motor vehicle parts, tires, and similar items which are acceptable for collection by the town but which because of their size, bulk, or weight require special collection procedures and fees other than those required and provided for garbage and rubbish.

Business trash means any waste accumulation or dust, paper and cardboard, excelsior, rags, or other accumulations, other than hazardous waste, garbage, or household trash, which are usually attendant to the operation of stores, offices, and similar businesses.

Commercial refuse means the refuse generated, produced, or accumulated upon commercial premises.

Commercial establishment means any retail, restaurant, manufacturing, wholesale, institutional, religious, governmental, or other nonresidential establishment at which garbage or trash may be generated. For purposes of this chapter the term commercial establishment shall not apply to churches, synagogues, mosques, or any other such house of worship.

Debris means trash, junk, discarded or abandoned parts of vehicles, appliances or machinery, and shall include, but not be limited to, the open outdoor storage of personal property of any kind, such as appliance parts, furniture, interior or exterior equipment or

machinery, antiques, collectables, glassware and crockery, or any other material or substance which may provide a harbor for snakes, rats, or any other animals or any condition which may be a fire menace or breeding place for mosquitoes, give off obnoxious or offensive odors, or endanger the health or safety of the residents of the town. Debris shall not include any of the above property openly stored in a junkyard as defined and permitted pursuant to the zoning ordinance.

Container means a receptacle designed and required or permitted by this chapter for the purpose of storing garbage and rubbish until its collection for disposal.

Garbage means the by-product of animal or vegetable foodstuffs resulting from the handling, preparation, cooking, and consumption of food or other material which is subject to decomposition, decay, putrefaction, or the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for insects or animals.

Hazardous waste means any substance, material, solid waste, or combination of solid waste which, because of its quantity, concentration or physical, chemical or infection characteristics may:

- (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

For purposes of this chapter, the term hazardous waste shall include, but not be limited to, materials such as poison, acids, asbestos material, caustics, chemicals, infectious materials, offal, fecal mater, biological materials, petroleum, petroleum products, flammable materials, compressed gases, radioactive materials, and explosives.

Household trash means every waste accumulation of paper, sweepings, dust, rags, bottles, cans, or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

Industrial waste means all waste, including solids, semi-solids, sludges, and liquids, created by factories, processing plants, or other manufacturing enterprises.

Occupied premises means any premises being put to actual use, as distinguished from idle or vacant premises, or premises where human beings work or live as a usual place of abode.

Out of view of the public means stored behind the plane of the front wall of the residence or building being serviced, except when otherwise designated by necessity by the town manager or his/her designee.

Public container means container for general, intermittent use only for refuse generated, produced, or accumulated in public spaces.

Refuse means all putrescible and nonputrescible solid waste accumulations, whether combustible or noncombustible, consisting of garbage, rubbish, small dead household pets, household trash, vegetative waste, yard trash, and business trash as herein defined, and other discarded materials resulting from industrial, commercial, domestic, and community activities, but excluding hazardous refuse, body wastes, and the sludges, screenings, pumpings, and residue from cesspools, septic tanks, and sewage.

Residential refuse receptacle means a metal or plastic container for refuse, of substantial construction, with a tight-fitting lid, and provided with wheels or handles sufficient for safe and convenient handling for collection.

Rubbish means all nonputrescible solid refuse or waste consisting of both combustible and noncombustible wastes such as household trash, yard waste, street sweepings, and discarded materials, but excluding garbage, bulky refuse, vegetative waste, dead animals, and refuse not acceptable for collection by the town under this chapter, such as hazardous refuse, construction, or demolition materials and debris, motor vehicles, body wastes, and the sludges, screenings, pumpings, and residue from cesspools, septic tanks, or sewage.

Small dead animals means dead cats, dogs, small household pets, and other animals of similar size.

Town means the Town of Cape Charles.

Unoccupied premises means any premises not being put to some actual use or vacant or idle or upon which no person works or lives as his usual place of abode.

User or applicant means the owner or occupant of the property.

Vegetative waste means waste accumulation of trees branches, tree limbs, parts of trees, bark, roots, stumps, bushes, or shrubbery generated by yard and lawn care or land-clearing activities.

Yard waste, yard trash means waste accumulations of lawn, grass, or shrubbery cuttings or clippings and dry leaf rakings, all of which shall be free of dirt, rocks, large branches, and bulky or noncombustible material.

Yard waste receptacles means plastic bags closed by a tight-sealing method of suitable type, such as drawstring, wire tie or knot, which have a maximum capacity of 40 gallons and a maximum weight, when full, of 25 pounds.

(Ord. of 2-8-00)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 58-2. Administration and enforcement of chapter.

(a) Duty of town manager. The administration and enforcement of the provisions of this chapter, including provisions for refuse collection through the town, by both private contractors and the town, shall be the duty of the town manager and his/her designee.

(b) Notice of violation, summons--Authority to issue. All provisions of this chapter shall be enforced by the town manager or his/her designee provided, however, that sections 58-7, 58-8, 58-10, and 58-11 may also be enforced by police officers and building code enforcement officials. In their enforcement of this chapter such code enforcement officials shall exercise all authority of police officers including, without limitation, the authority to issue notices of violation and to issue summonses directing the appearance before a court of competent jurisdiction of any person alleged to have violated any provisions of this chapter.

(c) Same--Method of issuance.

- (1) Upon finding or observing a violation of any of the provisions of this chapter, the town manager, the police officer, or building code enforcement official shall issue a notice for a violation to the owner, operator, occupant, or other person causing or permitting such violation. Service of the notice of violation shall be by delivering a copy of the notice to whom it is directed in person. Said notice shall contain the date and nature of the violation. Additionally, said notice shall require the immediate cessation of the violation and shall provide for time within which remedial measures are to be taken to correct said violation. If the party cannot be found, posting of the notice in a conspicuous location upon the land or premises and notice mailed by first-class mail to the last known address of the person to whom it is directed shall be deemed adequate under this chapter.

The party to whom a notice is directed pursuant to this section may, within three days after such notice is served, report to the town administrative office and pay, as a penalty for and in full satisfaction of the violation, the sum of \$20.00. Upon failure to comply with a notice of violation, a summons shall be issued against and served on the party directing him to appear before the Northampton County General District Court, on the date and at the time specified in the summons, to answer for the violation alleged the date and nature of which shall be set forth in the summons.

- (2) In cases where the town manager, a police officer, or building code enforcement official observes a violation in progress, a summons may be issued against and served on the person committing the violation directing him to appear before the Northampton County General District Court without the necessity of issuing a notice of violation.

(Ord. of 2-8-00)

Sec. 58-3. Violations of chapter.

Unless otherwise specifically provided, a violation of any provisions of this chapter shall constitute a class 4 misdemeanor. In any case where building and construction materials, hazardous waste, Debris, or refuse is deposited, transported, transferred, or stored in or upon any public or private property in the town, without acquiring all permits under applicable town, state, and federal laws, the mere cessation of such activities shall not be deemed sufficient to correct the violation. Said violation shall not be deemed corrected until such time that all required permits and approvals have been obtained or until such time as the building and construction materials, hazardous waste, Debris, or refuse have been removed from the subject property and disposed of in a lawful manner.

In addition to and not in lieu of the penalties prescribed in this section, the town may apply to the Northampton County Circuit Court for an injunction against the continuing violation of any of the provisions of this chapter and may seek any other remedy authorized by law.

(Ord. of 2-8-00)

Cross references: Penalty for class 4 misdemeanor, § 1-10.

Sec. 58-4. Construction or use of commercial-type incinerators for burning solid waste.

It shall be unlawful for any person to construct or use any commercial-type incinerator for the burning of rubbish or other readily combustible solid waste material in any zoning district of the town.

(Ord. of 2-8-00)

Sec. 58-5. Containers utilized by commercial establishments.

The owner, manager, or occupant of any commercial establishment shall provide refuse receptacles for the commercial establishment and grounds and shall maintain such receptacles and place them for collection in accordance with the provisions of this chapter. All containers shall at all times be clean, neat, and in a good state of repair. Cleaning up materials spilled from containers when emptying shall be the responsibility of the property owner, manager, or occupant.

(Ord. of 2-8-00)

Sec. 58-6. Hazardous waste not to be placed in collection receptacles; special care and preparation required before placing certain refuse items in containers. See section 58-37 for unacceptable wastes.

No hazardous waste, contagious disease refuse, or any other refuse that may cause a public health hazard shall be placed in any receptacle used for collection by the town or collection by any private agency. The following are several types of special refuse items which shall be given special care and preparation before disposing of the same in any refuse container:

(1) Hypodermic instruments and other sharp articles. No person shall dispose of or discard any hypodermic syringe, hypodermic needle, or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying, or otherwise rendering the same inoperable and incapable of reuse. Such hypodermic syringe, needle, instrument, or device shall not be disposed of without safeguarding by wrapping or securing the same in a suitable manner so as to avoid the possibility of causing injury to the collection personnel.

(2) Ashes. Ashes that are to be collected by the town or private collectors must have been wetted and cooled to the touch prior to collection. Ashes shall be placed in suitable containers of such size and weight as stipulated in section 58-31, Receptacles generally, and shall not be placed with the normal refuse unless separately wrapped so that they will not cause injury to the collection personnel.

(3) Pressurized cans. All pressurized cans containing pesticides or any other dangerous materials shall be released of all pressure before being deposited in a receptacle for collection by the town or any private collection agency.

(4) Glass. All broken glass or any type of glass that may cause injury to refuse collection personnel shall be separately wrapped to prevent injury and placed with the normal refuse.

(5) Pesticides. All pesticide containers and other poisonous containers shall be emptied and the contents thereof shall be disposed of in a lawful manner before being placed for collection.

(6) Animal waste. Animal waste from domesticated animals such as dogs, cats, or birds shall be wrapped separately from other refuse in a manner to prevent spillage prior to placing the same in a refuse container.

(Ord. of 2-8-00)

Sec. 58-7. Disposal of refuse and debris from construction, demolition, etc.; operations.

(a) The town shall not be responsible for the collection or hauling of building and construction materials originating from private property preliminary to, during, or subsequent to the construction, repair, alteration, or demolition of infrastructure, dredging, or land-clearing activities. Such material shall be removed by the owner of the property or by the contractor and disposed of in a lawful manner. No inspection certificate or certificate of occupancy shall be issued until such material has been removed by the owner or contractor. In addition, all contractors must provide refuse receptacles for construction debris and litter to be deposited in at the end of each working day.

(b) Building and construction materials, refuse, or other debris deposited upon any public or private property as a result of the construction, repair, alteration or demolition of infrastructure, dredging, or land-clearing activities shall be immediately removed by the contractor and disposed of in a lawful manner. If receptacles are not used, material must be removed from the site daily. Construction sites shall be kept clean and orderly at all times.

(c) The prime contractor or developer of a construction, demolition, dredging, or land-clearing activities site shall be held responsible for maintaining the site as required by this section.

(Ord. of 2-8-00)

Sec. 58-8. Certain material not to be collected.

Hazardous waste, industrial waste, building, and construction materials will not be collected by the town, nor shall any overflowing receptacles, piles of material, or loose or dangerous refuse be collected.

(Ord. of 2-8-00)

Sec. 58-9. Unlawful disposal, storage and deposits generally; littering.

(a) No person shall store or place any accumulation of building and construction materials, hazardous waste, Debris, or refuse in or on any street, median strip, alley, sidewalk, or other public place of travel, nor upon any private property, except as stated in other sections of this chapter, or unless such storage or accumulation is authorized by a federal, state, or local statute, regulation or permit, or is specifically related to an ongoing and active building or construction project. For purposes of this subsection, "ongoing and active" shall mean that all applicable federal, state and/or

local permits have been issued and are in effect or, in the case of any project not requiring a permit, that the owner of the property in question is actively pursuing completion of the project.

(b) It shall be unlawful for any person to:

- (1) Scatter building and construction materials, hazardous waste, or refuse about or litter any public or private street, area, or place;
- (2) Cast, throw, place, sweep, or deposit anywhere within the town any building and construction materials, hazardous waste, Debris, or refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public property or right-of-way or into any occupied or unoccupied premises within the town;
- (3) Throw or deposit any hazardous waste, refuse, or Debris in any stream or body of water; or
- (4) Dispose of any refuse upon or at any place other than a landfill or other disposal site or facility approved therefore by the Commonwealth.

(c) The driver of any vehicle shall be responsible for assuring that no litter, hazardous waste, refuse, or building and construction materials are thrown from the vehicle or occurs through the lack of proper covering.

(Ord. of 2-8-00)

Sec. 58-10. Placing hazardous waste, refuse or refuse receptacles on, in, or over storm drains.

No person shall place any hazardous waste, refuse, or refuse receptacle or container on, in, or over any storm drain.

(Ord. of 2-8-00)

Sec. 58-11. Duties of owners and occupants as to compliance with article.

It shall be the duty of the occupant of any premises to comply with the provisions of this Article, except where the occupant and owner have, by deed, contract, lease, negotiation, agreement, arrangement, expressed or implied, or custom, determined otherwise. In case there is some arrangement between the owner and the occupant upon proof thereof by the occupant, the terms of such deed, contract, lease, regulation, agreement, arrangement, expressed or implied, or custom shall control the responsibility.

(Ord. of 2-8-00)

Sec. 58-12. Interference with or damaging receptacles.

(a) No person, other than employees of the town charged with such duty, shall remove the lid or cover from any container owned by another person, or disturb, remove, dump, scatter, or in any way interfere with the contents which is stored in any refuse receptacle set out for removal by the town or any private collection agency, or to deposit any refuse into such container, or to cause or permit any of the same, except by authority of law or with the consent and permission of the person owning such container or unless authorized by the town manager or his/her designee.

(b) It shall be unlawful for any person to damage or destroy any refuse receptacle placed at the curb line or alley way for collection.
(Ord. of 2-8-00)

Sec. 58-13. Property to be kept free of litter.

All owners or occupants shall maintain the real property owned or occupied by them in a clean and litter-free condition. This section shall not be construed as prohibiting the lawful storage of refuse, Debris, or litter in authorized receptacles or containers for collection pursuant to the provisions of this chapter.

(Ord. of 2-8-00)

Sec. 58-14--58-25. Reserved.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Code Enforcement Update

AGENDA DATE:
August 25, 2011

SUBJECT/PROPOSAL/REQUEST: Active Code Enforcement
Cases

ITEM NUMBER:
2B

ATTACHMENTS: None

FOR COUNCIL:
Action ()
Information (X)

STAFF CONTACT (s):
Jeb Brady, Building Official

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Building Code compliance has been a priority in the Code Enforcement Department over the past 10 years. From 2005 to present the Town has achieved compliance in 22 cases through demolition of buildings that were structurally unsafe and 8 other buildings have been restored to meet the safety standards. As a result of the Code Enforcement efforts, the Town looks remarkably different than 10 years ago.

DISCUSSION:

Currently, there are several open Code Enforcement cases which need immediate attention due to the many years of neglect of the structures. Identification and location of property owners, in many cases, has been extremely difficult. The majority of the structures currently under Code Enforcement are properties that have been passed down through generations of family who has no desire to maintain the property. A number of the structures are owned by individuals who live out-of-town.

In the past, the Code Enforcement Department has used the legal system to gain compliance when the property owners failed to comply voluntarily. Unfortunately, the legal process is costly.

Many owners have asked whether they could demolish a building, which is an easier resolution, vs. improving it. Since the Town of Cape Charles has been designated as a National Historic District, demolition poses another hurdle in that it reduces the number of contributing structures in the Historic District. Presently, demolition would only apply for 3 or 4 structures.

RECOMMENDATION:

Discuss the existing Code Enforcement cases and provide direction to the Code Enforcement Department regarding the preferred method to resolve the cases.