

Dangerous Building Demolition DBD - Process Policy

March 6, 2023



- Since 2015 Code Enforcement staff has managed 978 Dangerous/Blighted building cases.
- Code Enforcement brings an average of 23 properties to City Council each year for a demolition ordinance.
- Code Enforcement demolishes an average of 15 buildings per year.
- Average of 140 new cases per year with 150-170 open at any one time.
- All work in Code Enforcement is performed by Division Manager, Supervisor and OAI in addition to primary job responsibilities.
- Many other departments/agencies must contribute work for a city caused demolition or Dangerous Building Demolition (DBD).

Fire Damage (most common)





Sep 19, 2022 at 10:20:41 AM
Dereke D Planter Jr
Code Enforcement Supervisor



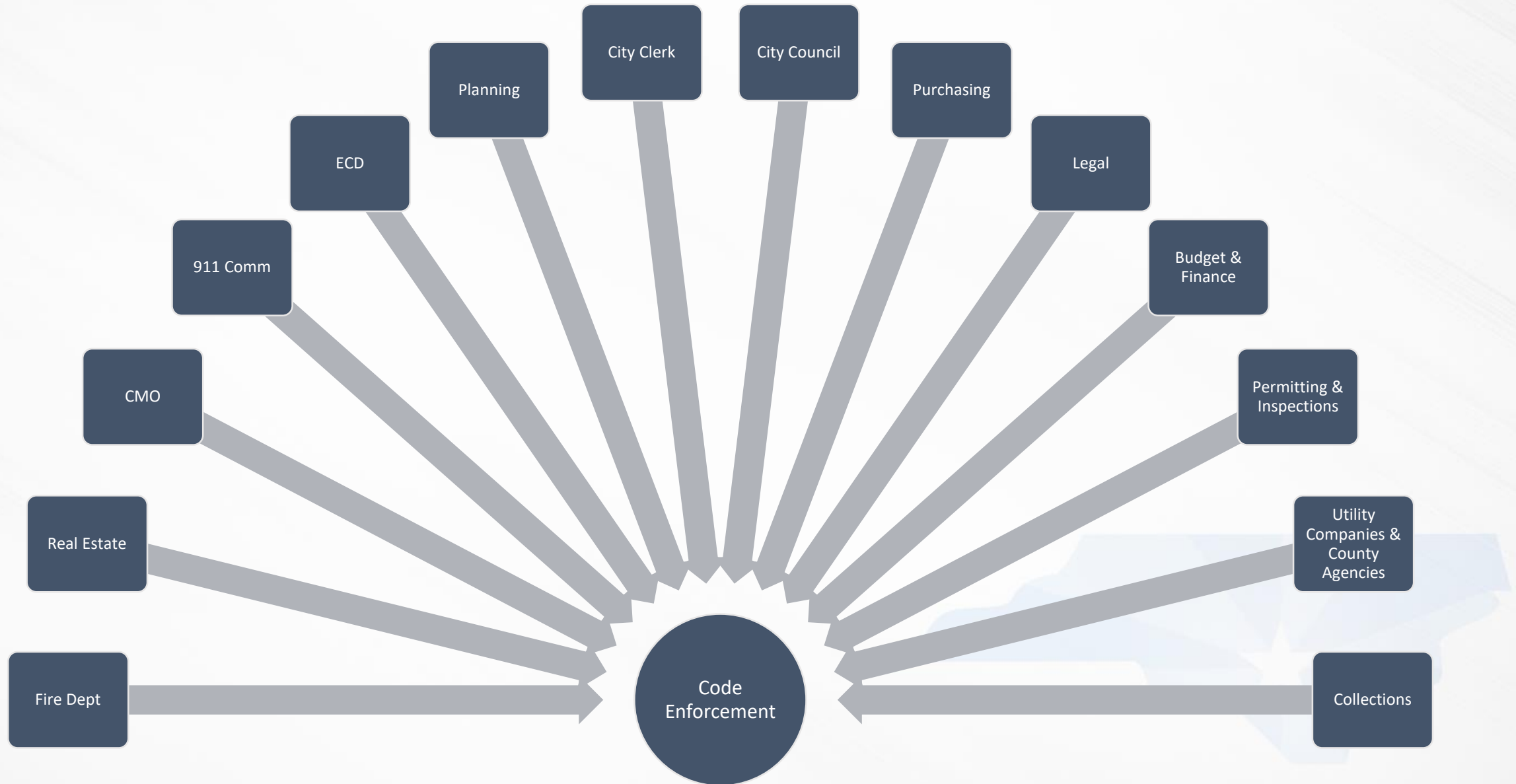


Dec 16, 2022 at 11:38:38 AM
Dereke D Planter Jr
Code Enforcement Supervisor





Others Providing Data, Actions, Approvals or Work Product During a Dangerous Building Demolition case



- Dangerous building cases can consume just a few weeks from detection to compliance up to and beyond two years

Corrected by
Owner before
hearing

Corrected by
Owner after
hearing

Owner Demo
after Council
Ordinance

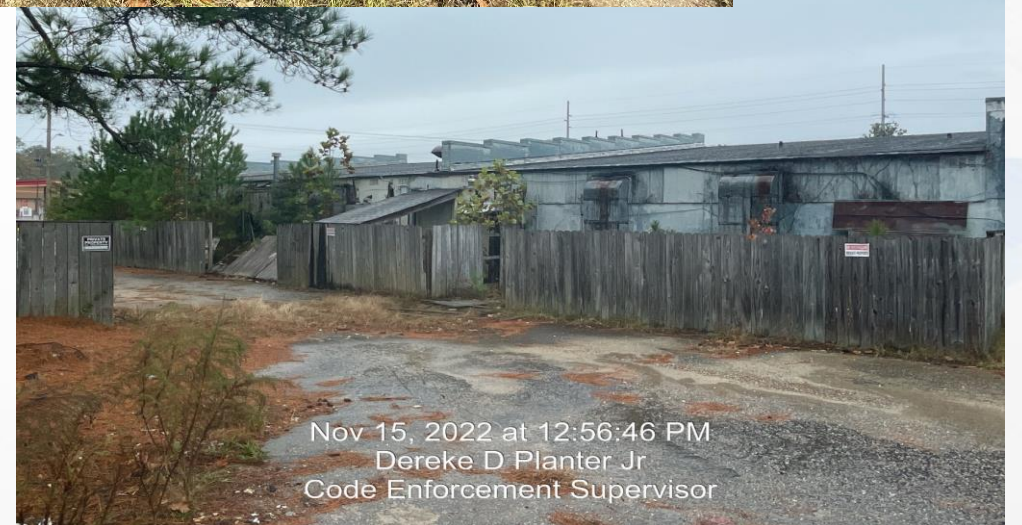
Owner
repaired after
Council
Ordinance

City Demo
After Council
Ordinance

DBD Process/Steps Up to Hearing Order Compliance Date

- 1- Detection of Dangerous Building, Inspection, Posting of Notice, Photos 2days
- 2-Case generated in Cityworks 1 day
- 3-Case extension (time for owner to repair or bring into compliance) 30-90 days
- 4-Case packet generated 1 day
- 5-Title search requested 7-14 days
- 6-Inspection report completed 1 day
- 7-Title search results reviewed for content 1 day
- 8-Packet forwarded to Hearing Officer to review 1 day
- 9-If needed, Hearing advertised 4-11 days
- 10-Hearing notices produced, mailed and posted, time to hearing 11 days
- 11-Service confirmed on hearing notices 0 days
- 12-Hearing conducted and order issued, mailed and posted 1 day
- 13-Hearing order compliance date 90-180 days

Example Property Before



DBD Process/Steps After Compliance Date Up to Council Ordinance Adoption

- 14- Inspection for compliance with hearing order 1 day
- 15-If under repair permits case extension 90 days
- 16-City Council package and CCAM prep begins 15-60 days
- 17-Information requests sent to PWC, 911, Zoning, ECD 5 days
- 18-Folders and data are complied and presentation generated 2 days
- 19-Lis Pendens created and recorded 1 day
- 20-Lis Pendens mailed first-class and certified 1 day
- 21-Granicus item generated, CCAM and documents loaded 1 day
- 22-Granicus approval sequence launched 1 day
- 23-Notice sent to owner advising of upcoming council item 1 day
- 24-Council is briefed at session Wednesday before Council Meeting 5 days
- 25-Council meets and votes on ordinance 5 days
- 26-Council could defer item or pass with future effective date 0-90 days
- 27-Printed copies of ordinance given for signature 1 day
- 28-Signed ordinance returned 7-14 days
- 29-Ordinance recorded 1 day
- 30-Adoption letter generated and mailed 1 day

Example Property During Demolition



DBD Process/Steps After Adoption to Completion of Building Demolition

- 31-Asbestos inspections requested and conducted 10 days
- 32-Asbestos inspection report returned 7-14 days
- 33-Bid request is prepared and sent to purchasing 1 day
- 34-Purchasing requests bids, generates bid tabulation 30-60 days
- 35-Purchasing conducts contracting and contract routing 60-90 days
- 36-Purchase orders are requested 1 day
- 37-Purchase orders are generated and issued 30-60 days
- 38-Contractor given notice to proceed 1 day
- 39-Contractor conducts demo 30-60 days
- 40-Site inspection for approval of demo payment 1 day

- 41-Contractor supplies project documents
- 42-Demolition Assessment form is completed
- 43-Contractor payment packet sent to collections
- 44-Request to pay PO submitted
- 45-Folder completed
- 46-Folder documents scanned to E-drive
- 47-Cases updated and closed in Cityworks



Example Property Completed Demolition

-Demolition Complete - Total cost to general fund - \$69,588.07



- Charlotte, Durham, Wilmington, Raleigh responded to inquiry
- All conduct demolitions
- All generally wait 60+ days before taking formal actions (Raleigh permits 6 months on fire damaged houses)
- Typical time to completion varies: Charlotte = 3-10 months, Durham = 12-18 months, Wilmington = 1-10 years, Raleigh = 8-12 months
- None have dedicated staff for these types of cases
- Cases per year: Charlotte = 120, Durham = 6-8, Wilmington = 5-10, Raleigh 12-24
- All allow additional time for repairs
- Demolition budget per year: Charlotte = \$250,000, Durham = \$200,000, Wilmington = \$177,000 (included with abatement budget), Raleigh = \$80,000

1- Opportunity and Impact

- Opportunity 1
 - Start process immediately without initial extension after detection of dangerous condition
- Positive Impacts
 - Will begin case actions 0-90 days sooner than current process
- Negative Impacts
 - Citizens will have strong negative view of city after suffering a loss
 - Challenges and requests for extensions will increase



2- Opportunity and Impact

- Opportunity 2
 - Advertise all hearings. This will add time on some cases and reduce time on others.
- Positive Impacts
 - Standardizes flow
 - Reduces time to hearing on some cases by 10-11 days
- Negative Impacts
 - Increased expense (2-3 times increase in current expenditures)
 - Hearings that could have been conducted after 10 days now will have to be delayed for the legal advertisement to run



- Opportunity 3
 - Limit compliance times to minimum required in general statute (60 days)
- Positive Impacts
 - Cases where the outcome will be a city demolition can progress more quickly
 - Some owners may work more quickly on compliance
- Negative Impacts
 - Owners will be forced to spend more for repairs due to short time frames
 - Owners will have fewer options for compliance that will fit the shorter compliance times choosing “demolition over repair” or “do nothing”
 - More “do nothing” responses will cause city to expend more expense conducting city demolitions
 - Owners will begin to appeal hearing orders as they feel the city’s time constraints are not reasonable
 - Appeal of hearing orders will result in more time being added to case for Board of Appeals to meet and issue ruling
 - Staff time needed to prepare appeals and participate with the appeals process will increase and will result in loss of productivity on other Code Enforcement items
 - Board of Appeals could set longer orders than what would have initially been set

4- Opportunity and Impact

- Opportunity 4
 - Do not extend time even if repair activities are in process
- Positive Impacts
 - May shorten case actions
- Negative Impacts
 - Citizens will have strong negative view of city
 - Higher costs to owners to have expedited repairs
 - Will require more staff resources to process more cases that normally would not need to be advanced
 - Citizens will pose challenges to CMO and Council
 - Legal challenges are possible and could result in extended delays in order for courts to rule
 - Additional resources for staff to handle more actions

- Opportunity 5
 - Council accepts consent items on more meetings
- Positive Impacts
 - May reduce wait time to get case to council
- Negative Impacts
 - More council meetings for staff to prepare for and attend impacting daily productivity



- Opportunity 6
 - Lis Pendens filed at beginning of case instead of after council item is agenda approved
- Positive Impacts
 - Current and subsequent owners are bound to proceedings.
- Negative Impacts
 - Citizens will have strong negative view of city after suffering a loss
 - Lis Pendens often complicates financing and sale of property
 - Challenges and requests for extensions will increase
 - Increased costs to produce, record and mail





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