



Administrative Regulations

Number AR8-3
Issue 2

Subject: Emergency Abatement of Hazards/Procedures.

I. Purpose

The purpose of this regulation is to establish the implementing procedures to be followed in the emergency abatement of hazards involving privately owned buildings and structures as authorized by Section 8100.225 of the Municipal Code.

II. Scope

This regulation is applicable to all City departments and offices charged with responsibility for enforcement of health and safety regulations.

III. Policy

City departments and officers using the provisions of Section 8100.225 to abate hazards by City forces in emergencies shall be guided by these policies:

- A bonafide emergency must exist, i.e., an imminent danger to life, health or property will result if the hazardous condition are left unattended;
- Where reasonably possible, a diligent effort must be made to contact the owner prior to work being performed; and
- The initiating department must document, in writing, the circumstances of the case, the basis for judging that an emergency existed, and the efforts made to contact the owner(s). If feasible, a photograph of the emergency situation should be taken for subsequent verification, if required.

IV. Procedures

a. Each department head responsible for enforcement of life and safety regulations shall develop operating procedures that are consistent with those of other affected departments. The procedures shall define the persons or levels that are given delegated authority to initiate emergency abatement proceedings.

b. Upon request of the initiating officer, the Department of Public Works shall act to remove or eliminate the hazardous condition in a manner that results in the least damage to private property and incurs the minimum costs.

c. Within 48 hours, the initiating officer shall submit a written report to the Department of Public Works confirming the request and documenting the hazardous conditions and efforts made to contact the owner(s).

d. The Department of Public Works shall prepare a bill for the costs incurred and shall forward the bill along with the report of the initiating officer to the Superintendent of Building and Safety for collection.

e. As prescribed in Sections 8100.215 and 8100. 216 of the Municipal Code, the Superintendent of Building and Safety shall certify to the correctness of the costs, subject to the approval of the Board of Examiners, Appeals and Condemnations; and, thereupon, the owner shall be given notice of the costs and advised of the right for a hearing before the Director of Public Works with right of appeal to the City Council.