

Abatement Demolition Permits

PURPOSE

To identify when a regular demolition permit versus an abatement demolition permit should be issued and to specify required information.

GENERAL

In the course of resolving a violation, a property owner may determine that work completed without required permits cannot be legalized or is simply not cost effective to legalize. In those cases, the property owner is required or elects to remove the unlawful improvements and restore the structure to a lawful condition. Typically, a property owner desires to remove the minimum improvements necessary to close the violation of record. It is the intent of this policy to establish the type of permit that may be issued to address specific building code violations and the extent of demolition required to obtain code compliance.

The intent of issuing a regular demolition permit is to compensate the department for one inspection only. If the applicant is proposing to demolish the entire structure in phases, or any other circumstance which will require multiple inspections, issuance of an abatement demolition is appropriate. In our Permits Plus computer system, both types of permit are initialized as a "AB-DEM" Demolition Permit.

PROCEDURE

A. For entire structures constructed without a permit.

1. If the property owner elects, or is required to remove the entire structure, the issuance of a regular demolition permit is appropriate.
 - a. Code enforcement staff shall complete form CDE-005 Demolition Permit Checklist, requiring a site plan identifying the subject structure.
 - b. In order to approve final inspection of the demolition permit, the subject structure shall be completely removed, including foundation, above and below ground utilities including a septic tank destruct permit if necessary. All demolition debris shall be removed from the property and appropriate measures taken to prevent erosion.
 - c. Permission may be granted by supervisory or management staff to allow all or a portion of an illegal foundation system to remain on the property. If allowed to remain on the property, field inspection staff shall note on the inspector's copy the reason the

foundation was left on the property, and note that the foundation was not inspected or approved under this permit.

B. For unlawful improvements within an existing lawful structure.

1. If the property owner elects to demolish all of the unlawful improvements within an existing lawful structure, the issuance of an abatement demolition permit is appropriate.
 - a. Code enforcement staff shall complete form CDE-005 requiring a complete site and floor plan. The floor plan shall note the current and final floor plan. All components to be removed and the extent of their removal shall be noted on form CDE-005.
 - b. If the property owner desires to retain (legalize) any component such as interior partitions, electrification or rough plumbing, code enforcement staff shall note the appropriate box on form CDE-005. A separate building permit shall be issued to legalize the components to remain in the structure.

C. For unlawful improvements including unlawful additions.

1. If the property owner elects to demolish the interior improvements and the unlawful addition, issuance of an abatement demolition permit is appropriate. Form CDE-005 shall be completed as noted in items B.1.(a) and (b) of this policy.
 - a. If the construction of the unlawful addition modified the existing legal structure, full construction plans shall be required noting the current unlawful condition and the restored condition.
2. If the property owner elects to demolish the interior improvements but legalize the addition, issuance of a permit to legalize the addition and identify the removed interior improvements is appropriate. Full plans noting the current (unlawful) and the proposed floor plan are required.
3. If the property owner elects to legalize the interior improvements but demolish the unlawful addition, issuance of a permit to legalize the interior improvement is appropriate. Full plans shall be required as noted in item C.2 of this policy.

D. As a condition of any legally binding agreement between PRMD and the property owner, an abatement demolition permit may be required in lieu of a regular demolition permit.

ATTACHMENTS

A. CDE-005 Demolition Permit Checklist

Approved by:

/s/ Pete Parkinson

Pete Parkinson, Director

Lead Author: Ben Neuman

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