

Chapter 17.32

UNFIT BUILDINGS AND PREMISES CODE

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17.32.010 Name.

This chapter shall be known as the “Unfit Buildings and Premises Code.” (Ord. M-4047 §3, 2013; Ord. M-3378, 1998; Ord. M-2261 §9.01, 1981; Ord. M-2429 §6, 1983; Ord. M-2631 (part), 1986; Ord. M-2814 §15, 1989; Ord. M-3200 §19, 1995)

17.32.020 Purpose.

It is the purpose of the “Unfit Buildings and Premises Code” to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the International Building Codes Ordinance, International Existing Building Codes Ordinance, Minimum Property Maintenance Code or otherwise available at law, by which dwellings, or portions thereof which are unfit for human habitation, and buildings, structures, and premises or portions thereof which are unfit for other uses due to dilapidation, disrepair, structural defects, defects increasing the hazards of fire, accidents, or other calamities, inadequate ventilation and uncleanliness, inadequate light or sanitary facilities, inadequate drainage, overcrowding, or due to other conditions which are inimical to health and welfare or which from any other cause endanger the life, limb, health, property, safety or welfare of the general public may be required to be repaired, vacated or demolished. (Ord. M-4047 §4, 2013; Ord. M-2631 (part), 1986)

17.32.030 Scope.

The provisions of the “Unfit Buildings and Premises Code” shall apply to all unfit dwellings, buildings, structures or premises, as defined in this chapter, which are now in existence or which may hereafter become unfit in this jurisdiction. Any unfit dwelling, building, structure or premises as defined in this Chapter may also be considered a

dangerous dwelling, building, structure or premises. (Ord. M-4079 §54, 2014; Ord. M-4047 §5, 2013; Ord. M-2631 (part), 1986)

17.32.040 Unfit dwellings, buildings or structures defined.

For the purposes of this chapter, any dwelling, building or structure which has any or all of the conditions or defects described in this section shall be deemed to be an unfit dwelling, building or structure, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public is endangered:

- A. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new dwellings, buildings or structures of similar structure, purpose or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- F. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- G. Whenever any portion of a dwelling, building or structure, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new dwellings, buildings or structures of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- H. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- I. Whenever the dwelling, building or structure, or any portion thereof, is likely to partially or completely collapse because of:
 - 1. dilapidation, deterioration or decay;
 - 2. faulty construction;

3. the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such dwelling, building or structure;
 4. the deterioration, decay or inadequacy of its foundation; or
 5. any other cause.
- J. Whenever, for any reason, the dwelling, building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- K. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- L. Whenever the dwelling, building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- M. Whenever the dwelling, building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
1. an attractive nuisance to children; or so as to
 2. enable persons to resort thereto for the purpose of committing unlawful acts, including but not limited to, trespass or unlawful burning.
- N. Whenever any dwelling, building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such dwelling, building or structure provided by the Building Code, any other ordinance of the city or any laws of the state of Washington relating to the condition, location or structure of dwellings, buildings or structures.
- O. Whenever any dwelling, building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the:
1. strength;
 2. fire-resisting qualities or characteristics, or
 3. weather-resisting qualities or characteristics required by law in the case of a newly constructed dwelling, building or structure of like area, height and occupancy in the same location.
- P. Whenever a dwelling, building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

- Q. Whenever any dwelling, building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- R. Whenever any portion of a dwelling, building or structure remains on a site after the demolition or destruction of the dwelling, building or structure or whenever any dwelling, building or structure is abandoned for a period in excess of six months so as to constitute such dwelling, building or structure or portion thereof an attractive nuisance to children or a hazard to the public.
- S. Whenever any dwelling, building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence. (Ord. M-4047 §6, 2013)

17.32.050 Unfit premises.

Premises which have any of the following conditions shall be deemed dangerous or unfit:

- A. Premises that contain trash, garbage, junk, old wood, building materials, appliances, brush, tree limbs, or other items that may attract rats or other vermin due to a food source or rodent harborage;
- B. Premises that have any number of unsecured vehicles, cars, trucks, bikes, farm equipment, construction equipment, boats, trailers, snowmobiles, jet skis or other machinery or implements that are unused and apparently inoperable that pose a hazard to the public or attractive nuisance to children;
- C. Premises that are unsecured and unsafe due to conditions that pose a hazard to the public or attractive nuisance to children including but not limited to sink holes; unsecured swimming pools, exposed underground vaults, pipes or wires; trenches; unstable slopes; or hazardous materials; or
- D. Premises that have dilapidated fences, sheds, carports or other such structures that pose a hazard to the public or attractive nuisance to children. (Ord. M-4079 §55, 2014; Ord. M-4047 §7, 2013)

17.32.060 Repair, vacation, or demolition – Standards – Measures pending abatement – Violation.

The building official may order an unfit dwelling, building, structure or premises repaired, remediated, demolished or otherwise abated as follows:

- A. The determination of whether a dwelling, building, structure, or premises should be repaired, or demolished, shall be based on:
1. the degree of structural deterioration of the dwelling, building, structure, or premises, or
 2. the relationship that the estimated cost of repair bears to the value of the dwelling, building, structure, or premises.

- B. If the unfit dwelling, building, structure or premises can reasonably be repaired or remedied so that it will no longer exist in violation of the terms of this chapter, it shall be ordered repaired or remedied by the building official.
- C. If, in the judgment of the building official, the dwelling, building, structure or premises cannot be reasonably repaired or remedied, the building official may order its demolition, provided that the building official shall withdraw the order to demolish if the building owner repairs or remediates the condition within a reasonable time. The following standards shall be followed in substance in ordering repair, remediation, vacation or demolition of buildings, structures or premises:
1. If the unfit dwelling, building, structure or premises is 40 percent or more damaged or decayed or deteriorated in value, it may be ordered demolished. "Value" as used herein shall be the valuation placed upon the building or structure for purposes of general taxation.
 2. If the cost of repair or remediation would exceed the value of the dwelling, building, structure or premises, it may be ordered demolished.
 3. If the dangerous or unfit building, structure or premises cannot be repaired or remedied so that it will no longer exist in violation of the terms of this chapter, it may be ordered demolished.
 4. If the unfit building, structure or premises is a fire hazard, it may be ordered demolished or abated.
- D. The building official may further order the owner to take effective steps to vacate, secure or take other remediation measures regarding a dwelling, building, structure or premises if deemed to be in the interest of public health and safety.
- E. It shall be unlawful for any person to knowingly:
1. Occupy or allow to be occupied any unfit dwelling, building, structure or premises ordered vacated; or
 2. Fail to comply with any order issued pursuant to this chapter. (Ord. M-4047 §8, 2013)

The Vancouver Municipal Code is current through Ordinance M-4294, passed April 29, 2020.

Disclaimer: The city clerk's office has the official version of the Vancouver Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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