

A Citizen=s Guide: Property and Building Maintenance Code

David Felinton, Mayor

Prepared by
Department of Development and Planning
and
Department of Public Works
in cooperation with
The Neighborhood Institute of Huntington, Inc.

P.O. Box 1659
Huntington, WV 25717
304-696-4486

A Citizen=s Guide: Property and Building Maintenance Code City of Huntington, WV

The AProperty Maintenance Code@ has been adopted by the City of Huntington to protect public health, safety and welfare in all existing structures, residential and non-residential, and on all existing premises. The Property Maintenance Code establishes minimum requirements and standards for premises, structures, equipment, and facilities. These requirements include lighting, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and safe and sanitary maintenance.

The following questions are the most frequently asked questions concerning property codes and maintenance. Responses to these and other property maintenance issues may be found in the Building Officials and Code Administrators (BOCA) National Building Code, National Property Maintenance Code, and the City of Huntington Zoning Ordinance. Copies of these books may be viewed or purchased at City Hall.

1. How are property and building maintenance complaints filed?

Property and building maintenance complaints may be made by calling the Mayor=s Office at 696-5540 between 8:00 a.m. and 4:00 p.m. on normal weekdays. Zoning issues may be directed to the Department of Development and Planning at 696-4438 and fire hazards should be directed to the Fire Marshal at 696-5960. Written complaints can be filed on forms available from your local neighborhood organization; or by writing to Mayor David Felinton at: P.O. Box 1659, Huntington, WV 25717.

2. Who administers the Property Maintenance Code?

In the City of Huntington, the Property Maintenance Code is administered and enforced by the Inspections Division of the Department of Public Works, Zoning Administrator, Department of Development and Planning, and the Fire Marshal, Huntington Fire Department.

3. What happens after a complaint is filed?

After a complaint is filed, the Building Inspector, City Engineer, Fire Marshal, Zoning Administrator, or County Health Department will make the initial investigation of the

complaint in order to determine the full extent of the problem.

If the complaint is valid, the normal procedure is to work with the property owner to correct the problem.

4. What happens if the property owner does not cooperate when a code violation is found?

If a property owner does not cooperate, a citation can be issued. The owner is required to appear before the municipal judge. A citation can result in a fine of \$500 per day for non-compliance and/or a 30-day jail term.

BOCA Reference: PM 106.2

5. Why does it sometimes take so long to get a property owner to correct a problem?

In certain situations it may take several months to get a property owner to correct a problem. The inspectors make every effort to work out a solution with the property owner. If the owner does not cooperate, citations are issued which may require court hearings and other legal proceedings. These proceedings take several months.

6. Does the Code Official have the right to enter a home without permission to investigate a complaint?

The Code Official is authorized to enter the structure or premises at reasonable times to inspect it. He or she must uphold the constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to pursue recourse as provided by law.

BOCA Reference: PM 105.3

7. How are code violation notices delivered?

Violation notices are deemed served if delivered to the owner personally; delivered by certified mail with return receipt; or posted on the property.

BOCA Reference: PM 107.1-107.3

8. When are Building Permits/Zoning Permits required?

Building Permits/Zoning Permits are required when any repair, addition, or alteration to a building is made; or when the building occupancy changes. All changes must be made in accordance with the procedures and provisions of the building, plumbing, mechanical, fire, and zoning codes.

The cost of the Building Permit is based on the value of the work being performed. Zoning Permits are \$5.00.

BOCA Reference: PM 101.7

Huntington Zoning Ordinance

An application for a Building/Zoning Permit shall be submitted to the Permits Department located in Room L4 of City Hall for the following activities:

1. Construct or Alter a Structure

Example: Constructing or installing a new structure on the property such as a fence, garage, or storage building; or enclosing an existing structure such as a porch or carport.

2. Construct an Addition or Room

Example: Constructing an addition onto an existing structure such as a new room, garage, porch, or deck.

3. Demolish or Move a Structure

Example: Demolishing a structure such as an old building, residence, or garage; or removing a semi-mobile structure such as a trailer, modular home or manufactured home which had been permanently anchored in place

4. Make a Change in Occupancy or Use of a Commercial Structure

Example: New commercial establishments; change of ownership of an existing business; or change of the type of business in an existing structure. Contact the

Permits Department at 696-5905 for additional information regarding an Occupancy Permit for a commercial structure.

5. Install or Alter Any Equipment Which is Regulated by Code.

Example: Installation or alteration of fire safety equipment, plumbing facilities, and electrical equipment such as elevators, electrical facilities, heating and air-conditioning equipment.

6. Move a Lot Line

Example: Subdivision of property into two or more parcels.

For more information on Building Permits contact the Permits Department at 696-5905.

9. What is an unsafe structure?

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is likely. A structure may be found unfit for human occupancy by the degree of disrepair or

lack of maintenance, or if it is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary, or heating facilities.

BOCA Reference: PM 108.1.1 and PM 108.1.3

10. What happens when a structure is condemned?

When a structure is condemned, the Unsafe Building Commission orders the owner of the property to repair, raze, or remove the structure within a specified period of time. If the property owner fails to comply with the demolition order, the cost of demolition and clean up will be charged to the real estate on which the structure is located, and a lien is placed on the real estate.

BOCA Reference: PM 110.1 and PM 110.3

11. What if emergency repairs are needed and the property owner cannot afford it?

If emergency repairs are needed and the property owner cannot afford to make the needed repairs, the City of Huntington has several options to help the property owner obtain funds. In situations where the repairs are a matter of public safety, the City may undertake the repairs and appropriate action shall be taken against the property owner for recovery of funds.

BOCA Reference: PM 109.5

For more information on available Emergency and Housing Rehabilitation funds phone 696-4435.

12. How must garbage be disposed?

Garbage shall be disposed in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage container.

BOCA Reference: PM 306.3

Containers: The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

BOCA Reference: PM 306.3.2

13. What is the maximum height for weeds and grass?

The maximum height of weeds and grass shall not exceed 12 inches.

BOCA Reference: PM 303.4

Modified by City Ordinance 953

14. How many unlicensed/unregistered vehicles are permitted per lot?

Not more than one unregistered or uninspected motor vehicle shall be parked, kept, or stored on a lot. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled unless work is performed inside a structure.

BOCA Reference: PM 303.8

15. Who is responsible for sidewalk repairs?

The property owner shall keep all sidewalks, walkways, stairs, driveways, parking spaces, and similar areas in a proper state of repair, and maintained free from hazardous conditions.

BOCA Reference: PM 303.3

16. Must a dog be on a leash?

All dogs must be on a leash or confined to the owners property.

City Ordinance 507

Directory

City Hall Departments and Phone Numbers

Mayor's Office

Mayor David Felinton	696-5540
----------------------	----------

Finance Division

Business License and Registration	696-5969
Cashier	696-5929

Department of Public Works

Sanitation Division	696-4431
---------------------	----------

Street Division	696-4483
-----------------	----------

Traffic Engineering	696-5570
---------------------	----------

Building Permits	696-5905
------------------	----------

Housing Inspector	696-5548
-------------------	----------

Department of Development and Planning

Planning/Zoning 696-4438

Housing Rehab/
Emergency Repairs 696-4435

Fire Department

Fire Marshal 696-5960

Police Department

Emergency Calls 911

Non-Emergency 526-8585

Drug Hotline 696-4499

Property and Building Maintenance Code



A Citizen's Guide

David Felinton, Mayor

**Prepared by
Department of Development and Planning
Richard Dixon, Executive Director
P.O. Box 1659, Huntington, WV 25717-1659
Telephone: (304) 696-4438
TDD: (304) 696-5582
FAX: (304) 696-4465**

March 2002