



Process of Demolition

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A Grievance is Made

Ways of Submitting a Grievance

- Huntington 311
- In-person
- By phone
- Via email
- Observance

The screenshot shows a web browser window with the URL cityofhuntington.com/huntington-wv-311. The page features the Huntington WV 311 logo at the top, which includes a stylized house, a tree, and the text 'Huntington WV 311'. Below the logo, there is a navigation bar with links for CITY GOVERNMENT, BUSINESS, VISITORS, RESIDENTS, I WANT TO..., and CURBSIDE RECYCLING. A search bar is also present with the text 'Looking For...'. The main content area is titled 'Submit a Service Request' and contains the following text: 'Huntington WV 311 is a non-emergency service request system brought to you by the City of Huntington and powered by SeeClickFix. This online portal and free mobile app allows you to submit, track and explore a variety of city service requests. Submitted requests are forwarded to the relevant city service team to accept, review, update and resolve.' Below this text, there are 'Instructions on submitting a service request:' which include: 'Select a service request category from the menu below that best matches your issue.', 'Type in the address/location of the service request or drag the map marker to the location of your issue.', 'Click "Confirm Location."', 'Attach an image if you have one and click "Next Step."', 'Add a detailed description and confirm details.', 'Choose "Submit as yourself," "Hide your Identity" or submit as a guest if applicable.', and 'Submit your request.'

On the right side of the page, there is a sidebar titled 'Huntington, WV' with a 'Submit a Request' button. Below the button is a search bar with the text 'Search for Category'. A list of service request categories is displayed below the search bar, including: 'Abandoned Vehicle Parked on Street', 'Abandoned Vehicle on Private Property', 'Abandoned/Dilapidated/Unsafe Structure', 'Alley/Right of Way Cutback', and 'Broken Pipe'.

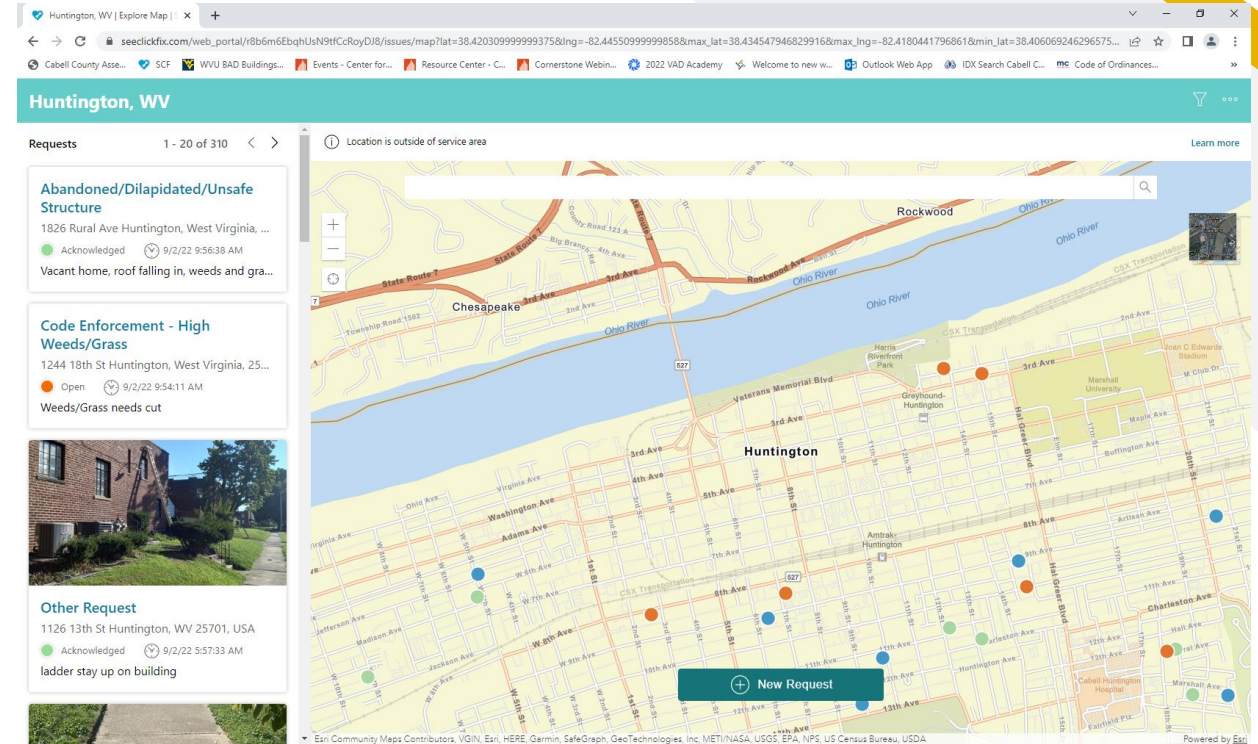
What is Huntington 311?

An online portal through which a grievance about a given property within city limits may be voiced.

Huntington 311 was established in collaboration with See Click Fix to act as a platform of information and liaison between city workers and the community.

Multiple departments are able to communicate easily on issues, and community members have the ability to subscribe and receive regular updates about a request of their interest, as well as ask questions.

There are a multitude of categories for service requests and grievances ranging from abandoned/dilapidated buildings, high grass, potholes, traffic issues, bad business practices, etc., and all may be done anonymously.





Inspection

Once a grievance regarding an abandoned, dilapidated, or vacant building is made, the Fire Marshal or Chief Building Inspector is dispatched to inspect the property and provide a report.

If they deem the property to meet certain criteria, the report is sent to legal so that service may be made on the owner(s).

The complaint is posted to the property by the Property Maintenance Foreman for notification.

BEFORE THE UNSAFE BUILDINGS COMMISSION OF THE CITY OF HUNTINGTON, CABELL AND WAYNE COUNTIES, WEST VIRGINIA

IN RE: [REDACTED]

PROPERTY: [REDACTED]

COMPLAINT

Now comes the Unsafe Buildings Commission of the City of Huntington and does hereby, pursuant to Section 1716.04 of the Codified Ordinances of the City of Huntington, make this Complaint against the building located at [REDACTED] which is located within the City Limits of the City of Huntington and against its owner(s) [REDACTED]

The conditions of the buildings complained of are as follows:

1. The building must be brought into compliance with all International Building Codes.
2. Must have a Master Electrician licensed with the State Fire Marshal's Office to bring the electrical system into compliance with all National Electrical Codes.
3. The building must be kept secure at all times.
4. All high weeds and grass must be cut from the property.
5. All trash and debris must be removed from the property.
6. All infestation and sanitary conditions at the property must be remedied.

A hearing before the Unsafe Buildings Commission of the City of Huntington on the question of whether the building is unfit for human habitation or is unsafe, unsanitary, dangerous or detrimental to the public welfare shall be held on Thursday, the 13th day of OCTOBER, 2022 at 10:00 o'clock a.m. in the Huntington City Hall Council Chambers, 601 Fifth Avenue, Huntington, West Virginia, at which time you may be present to protect your interest, if you so desire. You may appear in person at the hearing or by agent or by counsel, and may examine any witnesses who testify and have the entire evidence recorded at your expense, however, such shall not be mandatory.

ENTER THIS 18th DAY OF AUGUST, 2022.

Lisa Riley, Chairman
Unsafe Buildings Commission
Telephone No. (800) 696-5340 ext. 2335



Inspection

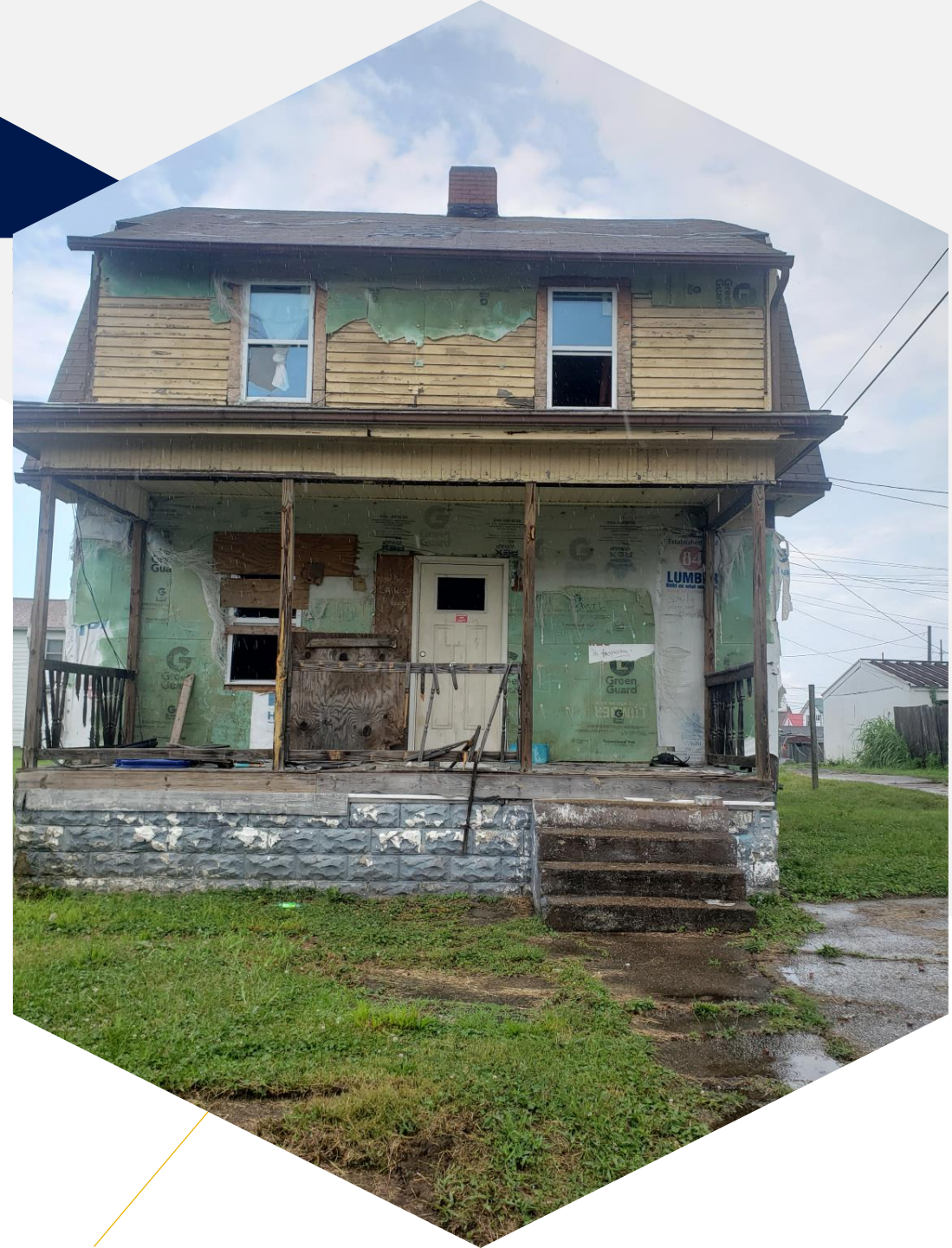
Three possible outcomes of inspection:

Condition	Submitted to	If Vacant
No issues	No one; end of complaint	If a property is found to be vacant by an inspector in any condition, the property is referred to the Vacant Building Registry.
Abandoned, dilapidated, or hazardous	Unsafe Building Commission (UBC)	
Issues not related to being unsafe and/or unfit for human habitation (e.g., high grass and weeds)	Code Enforcement	

Service of Process

Informing the owner(s) their property is being heard by the Unsafe Building Commission.

- Personal service
 - Used for individuals
 - Attempted three times
- Service by publication
 - Used for individuals and used as a result of three failed personal service attempts
 - Ran twice in the local newspaper
- Service through the Secretary of State
 - Used for out-of-state owners and corporations



The Unsafe Building Commission

Once service is made on the owner(s), an agenda date is scheduled for the property to be heard by the UBC.

“The purpose of the unsafe buildings commission is to act as an instrument of oversight for the repair, alteration, improvement, vacating and closing, or removal or demolition, or any combinations thereof, of dwellings, buildings, structures, or appurtenances that have been deemed unsafe, unsanitary, dangerous or detrimental to the public safety or welfare by the inspections division.”

- City of Huntington Article
§1739.04

Consists of 7 Members:

- Mayor or designee
- Cabell-Huntington Health Department Sanitation Officer
- Fire Chief or designated Fire Marshal
- Chief Building Inspector
- Chief Electrical Inspector
- Chief Plumbing Inspector
- Police Chief or designee
- Community Liaison



UBC meetings are scheduled, as needed, the second Thursday of the month at 10:00 a.m. in the Council Chambers of City Hall. Meetings are televised and open to the public.

The UBC Hearing

A decision is made by professionals based on observation and experience.

Possible Decisions	Meaning	Next Steps
Ordered to be demolished	The structure is unsafe or unsanitary under the ordinance and will move forward with demolition.	Asbestos testing will occur within 30-60 days once cleared with legal.
Ordered to be continued	The property has been continued (generally for 30, 60, or 90 days depending on the reason for continuance) and will be heard again by the UBC.	Owners are given time to adhere to the requests of the UBC board and granted up to 6 months for substantial completion.
Ordered to be removed	Substantial improvements have been made to the condition of the property and no longer meets UBC criteria.	No additional steps. Owners have satisfied all requirements of the UBC board and have obtained a "Certificate of Occupancy" in order to be removed from the demo list, showing the property is safe for habitation.

Continuing the Demo Process

The UBC has ordered a property to be demolished.

- An order of demolition is drawn up in the legal department and recorded at the Circuit Clerk's office.
- A copy of the demo order is posted on the property by the Property Maintenance Foreman.
- Service is made on the owner using the same process to make service for the complaint.
- Property owner(s) is given 5 days from the date of service to secure/board and 30 days to demolish.



Using Federal Funding for Demo Costs

There are two funding pools for demo costs: General Fund and Community Development Block Grant (CDBG).



General Fund is an allocation of funds distributed by the City of Huntington administration that is not restricted by federal requirements.

CDBG is granted to the City of Huntington by the U.S. Department of Housing and Urban Development to support community development.

Anytime CDBG is being used to fund demolition, the property must first be submitted to the State Historic Preservation Office (SHPO) inventory.

SHPO then has 30 days to determine Historic Eligibility of the property and to provide their judgment whether they concur, or not, that the property is of no significant historical value.

Continuing the Demo Process

The UBC has ordered a property to be demolished.

- After 30 days of the posting date, the property file is sent to legal for review. Legal completes the following checklist for included materials:
 - Service to the owner of the complaint
 - Photo of the complaint posting
 - Service to the owner of the order of demolition
 - Photo of the order of demolition posting
 - A recorded order of demolition

If all materials are present, the property is able to continue through the demo process.



Next Steps

Once a property has been given approval by legal, there are three main steps left.

- Firstly, all properties must be submitted for asbestos testing.
- If found to have asbestos, it must be submitted for abatement (removal of asbestos).
- If found to be asbestos free, or if abatement has been completed, the property is submitted to the demo contractor for demolition.





Last Steps

The process concludes with a lien being filed upon the property for total demolition-related costs.

Original owners of the property remain the owners and have the option of rebuilding, selling, and/or setting up a payment plan to pay the lien.

Note: If a lender is involved in the sale of a property, the lien must first be satisfied.

Governing Laws

For further information regarding state and city laws in reference to the Unsafe Building Commission and demolition process, please see the following:

- City of Huntington Ordinance §1739.12
- W.Va. Code §8-12-16(f)
- W.Va. Code §8-12-16(j)
- W.Va. R. Civ. P. §4(d)
- W.Va. Code §31D-5-504(c)
- W.Va. Code §31D-15-1510(d)
- W.Va. Code §56-3-33
- W.Va. Code §1B-1-111





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