

## **Title 18**

### **BUILDINGS AND CONSTRUCTION**

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**Chapter 18.04****BUILDING CODE**

## Sections:

- 18.04.010 Adoption.
- 18.04.020 Modifications.
- 18.04.030 Appeals.
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- 18.04.060 Section 204 repealed and reenacted – Board of appeals.
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- 18.04.090 Section 107.3 amended – Plan review fees.
- 18.04.100 Section 108.5.5 amended – Insulation inspection.
- 18.04.110 Section 202 amended – “A” definitions.
- 18.04.120 Section 203 amended – “B” definitions.
- 18.04.130 Section 904.2 amended – Fire extinguishing systems.
- 18.04.140 Section 1302 added – Energy conservation.
- 18.04.150 Section 18.04 Table 18-1-C amended – Foundations for stud-bearing walls.

**18.04.010 Adoption.**

The bound volumes containing the code known as the Uniform Building Code, 1997 Edition, of the International Conference of Building Officials, including Appendix Chapter 3, Divisions I, II and IV; Chapter 4, Division II; Chapter 11; Chapter 12, Division I; and Chapter 34, Division I, together with the local amendments as set forth in Chapter 15.08, shall constitute the laws of the borough relating to building regulations. Where the Uniform Building Code conflicts with this code, this code shall prevail. Copies of the Uniform Building Code and Standards may be examined at the borough offices. [Ord. 691 § 4, 2000.]

**18.04.020 Modifications.**

The building official shall have the power to modify any of the provisions of the Uniform Building Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant. [Ord. 691 § 4, 2000.]

**18.04.030 Appeals.**

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the borough manager within 30 days from the date of the decision. [Ord. 691 § 4, 2000.]

**18.04.040 Building permits – Compliance with ordinances.**

It is established that no permit will be issued for the construction of new buildings or building, within the corporate limits of the borough, which is inconsistent with any borough ordinances and regulations. [Ord. 691 § 4, 2000.]

**18.04.050 Local amendments to the Uniform Building Code, 1997 Edition.**

The amendments to the 1997 Edition of the Uniform Building Code are listed hereafter by section.  
[Ord. 691 § 4, 2000.]

**18.04.060 Section 204 repealed and reenacted – Board of appeals.**

Section 204 of the Uniform Building Code is repealed and reenacted to read as follows:

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals, consisting of the mayor and the assembly. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant.

[Ord. 691 § 4, 2000. Formerly § 18.04.105.]

**18.04.070 Section 106.4.2 amended – Retention of plans.**

Section 106.4.2 of the Uniform Building Code is amended to read as follows:

One set of approved plans, specifications, and computations shall be retained by the building official for a period of not less than 90 days from the date of completion of the work covered therein.

[Ord. 691 § 4, 2000. Formerly § 18.04.106.4.2.]

**18.04.080 Section 107.2 amended – Permit fees.**

Section 107.2 of the Uniform Building Code is amended to read as follows:

- A. No building permit fees shall be charged for improvements or construction of less than two thousand dollars valuation.
- B. All building permit fees for permits for construction of valuation of two thousand dollars or more shall be as follows:
  - 1. All residential construction, ten dollars;
  - 2. Commercial construction, fifteen dollars;
  - 3. Remodeling and miscellaneous construction, five dollars.

[Ord. 691 § 4, 2000. Formerly § 18.04.107.2.]

**18.04.090 Section 107.3 amended – Plan review fees.**

Section 106.4.2 of the Uniform Building Code is amended by revising the first sentence to read as follows:

When submittal documents are required by Section 06.3.2, a plan review fee may be required to be paid before a permit will be issued.

[Ord. 691 § 4, 2000. Formerly § 18.04.107.3.]

**18.04.100 Section 108.5.5 amended – Insulation inspection.**

Section 108.5.5 of the Uniform Building Code is amended by deleting the existing paragraph for lath or gypsum board inspection. [Ord. 691 § 4, 2000. Formerly § 108.5.5.]

**18.04.110 Section 202 amended – “A” definitions.**

Section 202 of the Uniform Building Code is amended by deleting the definition of “alley” and substituting the following:

ALLEY is a public space or thoroughfare, 20 feet or less, but not less than 10 feet in width, which has been dedicated for public use.

[Ord. 691 § 4, 2000. Formerly § 18.04.202.]

**18.04.120 Section 203 amended – “B” definitions.**

Section 203 of the Uniform Building Code is amended by adding the following definition:

BUILDING, PUBLIC shall be any structure which is other than a Group R-3 dwelling or Group U Occupancy.

[Ord. 691 § 4, 2000. Formerly § 18.04.203.]

**18.04.130 Section 904.2 amended – Fire extinguishing systems.**

Section 904.2 of the Uniform Building Code is amended as follows:

A. Section 904.2.2 of the Uniform Building Code, All occupancies, except Group R, Division 3 and Group U occupancies, is amended by deleting “the floor area exceeds 1,500 square feet and.”

B. Section 904.2.3.2 of the Uniform Building Code, Basements, is amended by deleting “when the basement is larger than 1,500 square feet in floor area.”

C. Section 9.04.2.4.1 of the Uniform Building Code, General, is amended by deleting Exceptions 1 and 2. [Ord. 691 § 4, 2000. Formerly § 18.04.904.2.]

**18.04.140 Section 1302 added – Energy conservation.**

Section 1302 is added to the Uniform Building Code to read as follows:

For the purpose of energy conservation, the requirements of the Building Energy Efficiency Standard, 1991 Edition, by the State of Alaska will be the criteria to be used for new construction.

[Ord. 691 § 4, 2000. Formerly § 18.04.1302.]

**18.04.150 Section 18.04 Table 18-1-C amended – Foundations for stud-bearing walls.**

Section 18.04 Table 18-1-C of the Uniform Building Code is amended by revising the minimum footing width to 18 inches and minimum footing thickness to six inches for supporting one floor. [Ord. 691 § 4, 2000. Formerly § 18.04 Table 18-1-C.]

**Chapter 18.08**  
**PLUMBING CODE**

Sections:

- 18.08.010 Adoption.
- 18.08.020 Modifications.
- 18.08.030 Appeals.

**18.08.010 Adoption.**

The bound volumes containing the code known as the Uniform Plumbing Code, 1997 Edition, of the International Association of Plumbing and Mechanical Officials, and every part thereof, together with the local amendments as set forth in Chapter 18.10 WMC, shall constitute the laws of the borough relating to plumbing installations. Copies of the Uniform Plumbing Code may be examined at the borough offices. [Ord. 690 § 4, 2000.]

**18.08.020 Modifications.**

The building official shall have the power to modify any of the provisions of the Uniform Plumbing Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant. [Ord. 690 § 4, 2000.]

**18.08.030 Appeals.**

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of decisions of the building official to the borough manager within 30 days from the date of the decision. The appellant shall pay a nonrefundable filing fee of \$50.00 to the borough for processing the appeal, and the filing fee shall be deposited with the building official. [Ord. 690 § 4, 2000.]

**Chapter 18.10****PLUMBING CODE AMENDMENTS**

## Sections:

- 18.10.010 Local amendments to the Uniform Plumbing Code, 1997 Edition.
- 18.10.020 Section 102.3.2 deleted and replaced – Penalties.
- 18.10.030 Section 103.3.2 amended – Retention of plans.
- 18.10.040 Section 103.4 deleted – Fees.
- 18.10.050 Section 509.0 amended – Prohibited locations.
- 18.10.060 Section 609.7 added – Installation, unions and location.

**18.10.010 Local amendments to the Uniform Plumbing Code, 1997 Edition.**

The amendments to the 1997 Edition of the Uniform Plumbing Code are listed hereafter by section. [Ord. 690 § 5, 2000.]

**18.10.020 Section 102.3.2 deleted and replaced – Penalties.**

Section 102.3.2 of the Uniform Plumbing Code is deleted and substituted with the following:

For Penalties, see the Wrangell Municipal Code.

[Ord. 690 § 5, 2000. Formerly § 18.10.102.3.2.]

**18.10.030 Section 103.3.2 amended – Retention of plans.**

Section 103.3.2 of the Uniform Plumbing Code is amended by deleting the second sentence. [Ord. 690 § 5, 2000. Formerly § 18.10.103.3.2.]

**18.10.040 Section 103.4 deleted – Fees.**

Section 103.4 of the Uniform Plumbing Code is deleted. [Ord. 690 § 5, 2000. Formerly § 18.10.103.4.]

**18.10.050 Section 509.0 amended – Prohibited locations.**

Section 509.0 of the Uniform Plumbing Code is amended by revising the second sentence to read as follows:

Fuel-burning water heaters shall not be installed under a stairway, landing or required exit.

[Ord. 690 § 5, 2000. Formerly § 18.10.509.0.]

**18.10.060 Section 609.7 added – Installation, unions and location.**

Section 609.7 is added to the Uniform Plumbing Code to read as follows:

Water meters and related fittings shall be installed according to borough regulations. The water meter shall be accessible for maintenance and repair.

[Ord. 690 § 5, 2000. Formerly § 18.10.609.7.]

**Chapter 18.12**

**ELECTRICAL CODE**

Sections:

- 18.12.010 National Electrical Code adopted by reference.
- 18.12.040 Permits and fees.
- 18.12.050 Underground installation drawings.
- 18.12.060 Penalty for violations.

**18.12.010 National Electrical Code adopted by reference.**

For the purpose of regulating the construction, reconstruction, addition, enlargement, conversion, equipment, use, and maintenance of all electrical wiring and devices within and without all buildings and structures within the borough there is adopted, as the electrical code of the borough, the current version of the National Fire Protection Association, National Electrical Code as adopted by the State of Alaska, five copies of which have been filed in the office of the clerk for public use, inspection, and examination, and which compilation is made a part of this chapter as if fully set forth herein, subject only to the enumerated additions and deletions set forth in this chapter, and as interpreted in the current version of Firm's Fast Finder Index: Guide to the National Electrical Code Plus Many Valuable Time Saving Charts and Formulas. [Ord. 556 § 13, 1990.]

**18.12.040 Permits and fees.**

Permits and fees shall be required as provided and determined under WMC 15.12.035. [Ord. 833 § 43, 2009; Ord. 243 § 4, 1969; prior code § 18.20.010(c).]

**18.12.050 Underground installation drawings.**

The installation of all underground electrical installations beneath borough streets and sidewalks shall be by permission of the borough manager who shall be furnished a detailed scale drawing of the as-built installations. [Ord. 428 § 9, 1982; Ord. 243 § 4, 1969; prior code § 18.20.010(d).]

**18.12.060 Penalty for violations.**

Any person, firm, partnership, copartnership, limited liability company or corporation violating any of the provisions of this chapter shall be punishable as provided for in WMC 1.20.010. [Ord. 833 § 61, 2009; Ord. 428 § 10, 1982; Ord. 243 § 4, 1969; prior code § 18.20.020.]

**Chapter 18.16****FIRE CODE**

## Sections:

- 18.16.010 Adoption.
- 18.16.020 Modifications.
- 18.16.030 Appeals.
- 18.16.040 Local amendments to the Uniform Fire Code, 1997 Edition.
- 18.16.050 Section 103.1.4 amended – Appeals.
- 18.16.060 Section 105.8 amended – Permit required.
- 18.16.070 Section 7902.2.2.1 amended – Locations where aboveground tanks are prohibited.

**18.16.010 Adoption.**

The bound volumes containing the code known as the Uniform Fire Code, 1997 Edition, of the International Conference of Building Officials, including Appendices I-A, II-B, II-F, II-G, III-A, III-B, III-C, V-A and Division VI Appendices, together with the local amendments as set forth herein, shall constitute the laws of the borough relating to conditions hazardous to life and property from fire or explosion. [Ord. 833 § 44, 2009; Ord. 688 § 4, 2000.]

**18.16.020 Modifications.**

The chief of the fire department shall have the power to modify any of the provisions of the Uniform Fire Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modifications, when granted or allowed, and the decision of the chief of the fire department thereon shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant. [Ord. 688 § 4, 2000.]

**18.16.030 Appeals.**

Whenever the chief of the fire department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the chief of the fire department to the borough manager within 30 days from the date of the decision. The appellant shall pay a nonrefundable filing fee of \$50.00 to the borough for processing the appeal, and the filing fee shall be deposited with the building official. [Ord. 688 § 4, 2000.]

**18.16.040 Local amendments to the Uniform Fire Code, 1997 Edition.**

The amendments to the 1997 Edition of the Uniform Fire Code are listed hereafter by section. [Ord. 688 § 4, 2000.]

**18.16.050 Section 103.1.4 amended – Appeals.**

Section 103.1.4 of the Uniform Fire Code is amended to read as follows:

See WMC 18.16.030.

[Ord. 688 § 4, 2000. Formerly § 18.16.103.1.4.]

**18.16.060 Section 105.8 amended – Permit required.**

Section 105.8 of the Uniform Fire Code is amended by deleting all required permits except the following:

- a.2. Aircraft refueling vehicles.
- c.1. Candles and open flames in assembly areas.
- e.1. Explosives and blasting agents.
- f.1. Fire hydrants and water-control valves.
- f.2. Fireworks.
- o.1. Opening burning.
- p.3. Pyrotechnical special effects material.

[Ord. 688 § 4, 2000. Formerly § 18.16.105.8.]

**18.16.070 Section 7902.2.2.1 amended – Locations where aboveground tanks are prohibited.**

Section 7902.2.2.1 of the Uniform Fire Code is amended to read as follows:

Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited in all areas of the borough except those designated as an Industrial Use District on the Zoning Map.

[Ord. 688 § 4, 2000. Formerly § 18.16.7902.2.2.1.]

**Chapter 18.20****TRAILERS AND TRAILER CAMPS**

## Sections:

- 18.20.010 Definitions.
- 18.20.020 Permit – Required – Application.
- 18.20.030 Permit – Plans required.
- 18.20.040 Permit – Fee.
- 18.20.050 Character of permittee and caretaker.
- 18.20.060 Supervision of courts.
- 18.20.070 Trailer spaces.
- 18.20.080 Water supply.
- 18.20.090 Sanitary facilities.
- 18.20.100 Garbage.
- 18.20.110 Lights.
- 18.20.120 Permanent use restrictions.
- 18.20.130 Storage of trailers.

**18.20.010 Definitions.**

As used in this chapter, the following terms shall have the meaning indicated below:

A. “Trailer coach” means and includes any vehicle or similar portable structure constructed so as to permit its being used as a conveyance on a public street and so as to permit the occupancy thereof as a dwelling by one or more persons.

B. “Trailer court” means and includes an area of land on which two or more occupied trailer coaches are harbored, either free of charge or for revenue, together with any building, structure or enclosure used as part of the equipment of such park. [Ord. 237 § 5, 1969; prior code § 21.50.010.]

**18.20.020 Permit – Required – Application.**

A. It is unlawful to establish, maintain or operate any trailer court in the borough without first having obtained a permit therefor.

B. Application for such permit shall be made in writing to the clerk in compliance with regulations relating to permit applications, and shall contain the name of the applicant, the location of the proposed court and the number of trailers to be accommodated. [Ord. 237 § 5, 1969; prior code § 21.50.020.]

**18.20.030 Permit – Plans required.**

Each such application shall be accompanied by a plat or sketch showing the size and location of all buildings and structures. [Ord. 237 § 5, 1969; prior code § 21.50.030.]

**18.20.040 Permit – Fee.**

The fee for such permit shall be \$100.00 plus \$5.00 for each trailer coach over 20 for which accommodations exist. If the number is increased, this shall be reported to the clerk, and the additional fee, if any, necessitated by such increase shall be paid before the additional spaces are put to use. [Ord. 237 § 5, 1969; prior code § 21.50.040.]

**18.20.050 Character of permittee and caretaker.**

A. No such permit shall be issued to any but a person of good character, nor to any corporation if any officer thereof is not a person of good character.

B. It is unlawful to hire or keep as manager, superintendent or person in charge of a trailer court any person who is not a person of good character or any person who has been convicted of a felony. [Ord. 237 § 5, 1969; prior code § 21.50.050.]

**18.20.060 Supervision of courts.**

Each trailer court, while operated, shall be in charge of a responsible attendant or caretaker at all times, who shall be responsible, with the permittee, for compliance with the provisions of this chapter relating to the conduct of such courts. [Ord. 237 § 5, 1969; prior code § 21.50.060.]

**18.20.070 Trailer spaces.**

A. No trailer coach shall be parked closer than 10 feet to the side lot lines of a trailer court, or closer than 10 feet to a public street or alley.

B. Each individual trailer site shall abut or face on a driveway or clear, unoccupied space.

C. There shall be an open space of at least 16 feet between the sides of every trailer coach and at least 20 feet between the ends of every trailer coach. [Ord. 462 § 7, 1984; Ord. 237 § 5, 1969; prior code § 21.50.070.]

**18.20.080 Water supply.**

An adequate supply of pure water for drinking and domestic purposes from the borough water supply system or state-approved source shall be supplied to the trailer court. [Ord. 423 § 4, 1981; Ord. 237 § 5, 1969; prior code § 21.50.080.]

**18.20.090 Sanitary facilities.**

Each trailer court shall provide toilets, baths or showers which shall comply with the provisions of the ordinance relating thereto, to accommodate any trailer coach in which these units are not self-contained. [Ord. 237 § 5, 1969; prior code § 21.50.090.]

**18.20.100 Garbage.**

It shall be the duty of the owner, his agent or caretaker, to provide for the collection and removal of garbage or other waste materials and to otherwise maintain the court in a clean and sanitary condition. [Ord. 237 § 5, 1969; prior code § 21.50.100.]

**18.20.110 Lights.**

The court shall be kept properly and adequately lighted at all times so that the grounds shall be safe for occupants and visitors. [Ord. 237 § 5, 1969; prior code § 21.50.110.]

**18.20.120 Permanent use restrictions.**

A. It is unlawful for any person to remove the wheels or other transporting device from any trailer coach or otherwise to affix the trailer coach permanently to the ground so as to prevent ready removal of such trailer coach, unless a permit to do so is obtained as required for the construction of a new building.

Any such alteration shall be construed as converting the trailer coach into a building and subject to the requirements of the zoning and building ordinances.

B. It is unlawful to occupy for sleeping or other residence purposes any trailer coach which has been rendered immobile by the removal of wheels, or placing the same on a foundation, or on the ground, unless such trailer coach in construction and location complies with the ordinances relating to the construction, wiring, plumbing, sewer facilities and other regulations applicable to single-family dwellings.

C. Any trailer coach or mobile home constructed before January 1, 1979, or narrower than 24 feet in width shall not be placed in the borough outside existing trailer courts or RR zones. [Ord. 462 § 7, 1984; Ord. 237 § 5, 1969; prior code § 21.50.120.]

**18.20.130 Storage of trailers.**

Nothing in this chapter shall be construed to prohibit the storage of any trailer coach for any length of time when the trailer coach is not used for living or sleeping purposes. [Ord. 237 § 5, 1969; prior code § 21.50.130.]

**Chapter 18.24****DANGEROUS BUILDINGS**

## Sections:

- 18.24.010 Adoption.
- 18.24.015 Local amendments to the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition.
- 18.24.020 Modifications.
- 18.24.025 Appeals.
- 18.24.030 Definitions.
- 18.24.040 Section 201b amended – Inspections.
- 18.24.050 Section 205 amended – Board of appeals.
- 18.24.060 Section 402 amended – Recordation of notice and order.
- 18.24.070 Section 404.3 added – Abatement of nuisance in emergency.
- 18.24.080 Section 501 amended – Form of appeal.
- 18.24.090 Section 802.1 amended – General.
- 18.24.100 Section 905 deleted and replaced – Personal obligation and special assessment.
- 18.24.110 Section 907 repealed and replaced – Authority for installment payment of assessments with interest.
- 18.24.120 Section 908 amended – Lien of assessment.

**18.24.010 Adoption.**

The bound volumes containing the code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, of the International Conference of Building Officials, and every part thereof, together with the local amendments as set forth in this chapter, shall constitute the laws of the borough relating to the abatement of dangerous buildings. Copies of the Uniform Code for the Abatement of Dangerous Buildings may be examined at the borough offices. [Ord. 687 § 4, 2000.]

**18.24.015 Local amendments to the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition.**

The amendments to the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings are listed hereafter by section. The Uniform Code for the Abatement of Dangerous Buildings is also amended by the definitions contained in WMC 18.24.030. [Ord. 687 § 4, 2000.]

**18.24.020 Modifications.**

The building official shall have the power to modify any of the provisions of the Uniform Code for the Abatement of Dangerous Buildings adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant. [Ord. 687 § 4, 2000.]

**18.24.025 Appeals.**

Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the borough manager within 30 days from the date of the decision. [Ord. 833 § 45, 2009; Ord. 687 § 4, 2000.]

**18.24.030 Definitions.**

“Board of appeals” as used in the code means “borough assembly.” “Director of public works” as used in the code means “superintendent of public works.” “Fire marshal” as used in the code means “chief of the borough fire department.” “Misdemeanor” as used in the code means “violation.” [Ord. 687 § 4, 2000.]

**18.24.040 Section 201b amended – Inspections.**

Section 201b of the Uniform Code for the Abatement of Dangerous Buildings is amended by deleting “health officer, the.” [Ord. 687 § 4, 2000. Formerly § 18.24.201b.]

**18.24.050 Section 205 amended – Board of appeals.**

Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

The Board of Appeals shall provide the final interpretation of the provisions of this code and hear appeals provided for hereunder. The board shall render all decisions and findings in writing to the appellant, with a copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the board shall be delivered to the building official, who shall make them freely accessible to the public.

[Ord. 687 § 4, 2000. Formerly § 18.24.205.]

**18.24.060 Section 402 amended – Recordation of notice and order.**

Section 402 of the Uniform Code for the Abatement of Dangerous Buildings is amended by changing the term “county recorder” as appears twice in this section to “Ketchikan District Recorder’s Office.” [Ord. 687 § 4, 2000. Formerly § 18.24.402.]

**18.24.070 Section 404.3 added – Abatement of nuisance in emergency.**

Section 404.3 is added to the Uniform Code for the Abatement of Dangerous Buildings to read as follows:

(.3) The Borough Manager upon the written recommendation of the building official, may abate any public nuisance summarily without notice in an emergency where the life or safety of the public is endangered and where immediate action is necessary and timely notice cannot be given. All other abatement proceedings, except the necessity and the manner and method of giving notice, shall apply to the nuisance summarily abated, including the recovery of the costs of the summary abatement.

[Ord. 687 § 4, 2000. Formerly § 18.24.404.3.]

**18.24.080 Section 501 amended – Form of appeal.**

Section 501 of the Uniform Code for the Abatement of Dangerous Buildings is amended by adding new paragraph 8 as follows:

8. The appellant shall pay a nonrefundable filing fee of \$50 to the Borough for processing the appeal, and the filing fee shall be deposited with the building official.

[Ord. 687 § 4, 2000. Formerly § 18.24.501.]

**18.24.090 Section 802.1 amended – General.**

Section 802.1 of the Uniform Code for the Abatement of Dangerous Buildings is amended by changing the word “shall” as appears twice in this subsection to “may.” [Ord. 687 § 4, 2000. Formerly § 18.24.802.1.]

**18.24.100 Section 905 deleted and replaced – Personal obligation and special assessment.**

Section 905 of the Uniform Code for the Abatement of Dangerous Buildings is deleted and replaced to read as follows:

(a) The responsibility for payment of the charges for abatements as set forth in this chapter shall rest upon the owners of the property upon which the abatement occurred, to include the owners at the time of occurrence of the condition rendering the property subject to these abatement proceedings and the owners at the time of the actual abatement proceedings.

(b) The borough shall have the right to bring suit for the collection of charges for abatement as set forth in this chapter plus costs and attorney’s fees against all the parties responsible for payment, jointly and severally.

(c) In addition, the borough shall have the right to impose an assessment against the property for the repayment of the abatement charges. If the borough proceeds with an assessment, it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment and a lien upon the property.

(d) The lien created herein may be enforced as provided in AS 34.35.005 – .045. The enforcement of the lien is a cumulative remedy and does not bar the collection of the charges for abatement as provided in subsection (b) above.

[Ord. 687 § 4, 2000. Formerly § 18.24.905.]

**18.24.110 Section 907 repealed and replaced – Authority for installment payment of assessments with interest.**

Section 907 of the Uniform Code for the Abatement of Dangerous Buildings is deleted and substituted with the following:

Payment Schedule – Delinquency, Interest. These matters shall be controlled by WMC 5.16.170.

[Ord. 687 § 4, 2000. Formerly § 18.24.907.]

**18.24.120 Section 908 amended – Lien of assessment.**

Section 908 of the Uniform Code for the Abatement of Dangerous Buildings is amended by deleting subsections (.1) and (.2) and substituting the following:

Immediately upon its being placed on the assessment roll the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to

all existing special assessment liens previously imposed and to state, borough and borough property taxes upon the same property. The lien shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon are paid.

[Ord. 687 § 4, 2000. Formerly § 18.24.908.]

