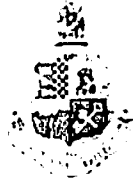


LV29,096

MAYOR
DAVID R. MARTIN



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July 12, 2017

To: Mayor David R. Martin *DM*
From: Burt Rosenberg, Asst. Corporation Counsel *BR*
Re: Amendment to Code Chapter 88 regarding emergency measures
authorized for imminently dangerous or unsafe buildings

Attached is a draft of the above described Amendment to Code Chapter 88.

The Amendment sets forth the following procedures:

Subsection A: If the Building Official determines there is an imminent danger of a building failure or collapse endangering human life, he may take those actions set forth in Section 88-7.

Subsection B: Where there is an imminent danger or unsafe condition requiring immediate action, the Building Official may take measures to render the premises safe, including demolition.

Subsection C: Prior to the demolition of a residence due to a fire which has resulted in a death, intent to demolish must be given to the State Fire Marshal.

Subsection D: Prior to the demolition of a residence due to a fire which has resulted in a death, notice of the fire investigation must be given to the owner(s) of the building.

Subsection E: Section 88-7 does not diminish the statutory authority of the Fire Department under the Code and State law.

Please forward the Amendment to the Board of Representatives for its approval. Thank you for your consideration.

Encl.

C: Kathryn Emmett, Director of Legal Affairs
Ernie Orgera, Director of Operations
Charles Spaulding, Fire Marshal
Robert DeMarco, Chief Building Official

**PROPOSED AMENDMENT OF CHAPTER 88 OF CODE OF ORDINANCES
RE DEMOLITION OF BUILDINGS**

WHEREAS, Code of Ordinances, Chapter 88 sets forth conditions pursuant to which buildings may be demolished; and,

WHEREAS, it is in the best interests of the City of Stamford to establish procedures pursuant to which buildings may be demolished on those occasions where there is an emergency due to imminent danger of the collapse of the building or any part thereof which endangers human life;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT CODE OF ORDINANCES CHAPTER 88 IS AMENDED AS FOLLOWS:

Sec. 88-7: Emergency Measures

A. When, in the opinion of the Building Official, there is imminent danger of the failure or collapse of a building or structure or any part thereof, which endangers human life, or when any building or structure or part thereof has fallen and human life is endangered by the occupation of the building or structure, the Building Official is empowered to order and require those measures set forth in this Section 88-7.

B. Subject to the provisions of subparagraph D below, when imminent danger or an unsafe condition requiring immediate action exists and the owner of a building or structure cannot be located, or refuses or is unable to expeditiously render the premises safe, the Building Official shall order the employment of necessary labor and materials to perform the required work as expeditiously as possible. Such work shall include all work which, in the sole discretion of the Building Official, shall render the premises safe,

up to and including demolition. Notwithstanding the foregoing, where there is an unsafe condition which does not require immediate action, the procedures set forth in Section C5-30-6 shall prevail.

C. Prior to the demolition of any single family residential building pursuant to this Section 88-7 due to a fire that has resulted in the death of one or more persons, written notice of the intent to demolish said building shall be given by the Building Official, Fire Marshal or other appropriate City official to the State Fire Marshal . This provision shall be binding upon all City departments.

D. Prior to the demolition of any single family residential building pursuant to this Section 88-7 due to a fire that has resulted in the death of one or more persons, the Building Official, Fire Marshal or other appropriate City official shall provide written notice of any investigation of the scene of the fire, including the residential building, to the documented owner or owners of the building. The documented owner or owners of the property shall be given an opportunity to investigate the fire scene unless, in the reasonable determination of the Building Official, immediate action is required due to an imminent danger or unsafe condition of the building.

E. This Section 88-7 shall in no manner diminish the authority of the Fire Department pursuant to Section 25-3 of the Code of Ordinances, and all other authority of the Fire Department pursuant to State of Connecticut statutes.

BE IT FURTHER ORDAINED that this Ordinance shall be take effect immediately
on approval.

Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that
the foregoing Ordinance was _____ by a machine vote of
_____ by the 29th Board of Representatives at the Meeting held on
_____.

Randall M. Skigen, President

Annie M. Summerville, Clerk

David R. Martin, Mayor, City of Stamford

EFFECTIVE DATE: _____

C: Mayor David R. Martin
Kathryn Emmett, Director of Legal Affairs
Ernie Orgera, Director of Operations
Ted Jankowski, Director of Safety, Health and Welfare
Robert DeMarco, Building Official
Charles Spaulding, Fire Marshal
Donna R. Loglisci, City and Town Clerk