

CHAPTER 9
BUILDINGS

ARTICLE I. IN GENERAL.

The erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, uses, height, area, and maintenance of buildings or structures in the City of Carrington shall meet with the provisions of the rules and regulations of the North Dakota State Building Code and any future updates and amendments to that code, copies of which are on file with the City Auditor and are hereby made a part of this chapter by reference, and the City of Carrington hereby adopts said code as so modified.

9.0102. Definitions.

(a) Building Official. Shall mean the person, or his designee, responsible for enforcing the City of Carrington building codes, issuing building permits, inspecting buildings, structures and related activities, issuing certificates of occupancy, presenting data and reports to the public, Planning Commission and City Council as requested, and any other duties as assigned by the City Council.

(b) Code Administrator. Shall mean Building Official.

(c) Building Inspector. Shall mean Building Official.

(d) Dangerous Buildings. For the purpose of this chapter, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building.

1. 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.

2. 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.

3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, are more than one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.

4. 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.

5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby, present a risk of injury to persons or damage to property.

6. Whenever any portion of a building, 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 buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.

7. 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.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. 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.
11. Whenever the building or structure, exclusive of the foundation, shows damage or deterioration of its supporting or non-supporting members, enclosing or outside walls or coverings to such an extent that there is a real risk of partial or total collapse.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has been so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws ordinances is so lacking in (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics that there is a real risk of total or partial collapse in adverse weather scenarios.
15. Whenever a 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 to be unsanitary, unfit for human habitation or is such a condition that is likely to cause sickness or disease.
16. Whenever any 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 chief or his designee, to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance under 22-55 of the Carrington City Code, known to the common law or in equity jurisprudence.
18. Whenever any building or structure is in such a condition that vermin, cats, or dogs either feral or domesticated have been allowed to overtake the building or structure or the building or structure has become a home for any other wild animals as defined in Chapter 6.
19. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is

abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

ARTICLE II. BUILDING OFFICIAL.

Sec 9.0103. Building Official-Office Created; Appointment and Tenure; Acting Building Official

- (a) The office of building official is hereby created and the executive official in charge shall be known as the building official.
- (b) The building official shall be appointed by the City Council for a term of two (2) years, and until the City Council appoints a replacement. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.
- (c) During temporary absence or disability of the building official the City Council shall designate an acting building official. In the event the City of Carrington does not have a building official on staff, the City Council shall appoint or designate an acting building official to assume the duties and responsibilities of the building official as defined in this Chapter.

Sec. 9.0104. Rich of Entry.

Enter any building, structure, or premises in the discharge of his official duties. The Inspections shall be conducted during regular business hours or at any other reasonable time. In addition to the Building Official's Right of Entry in section 9.0117 and the right to secure an administrative search warrant in section 9.0105.

Sec 9.0105. Administrative Search Warrant.

Whenever the building official is denied access to a building for an inspection, he may secure an administrative search warrant from a magistrate, as defined in Chapter 29-01-14, N.D.C.C., in accordance with Chapter 29-29.1, N.D.C.C.

Sec 9.0106. Building Official Qualifications.

To be eligible for appointment, the candidate for the position of building official shall have had experience as an architect, structural engineer, building inspector, superintendent of building construction, or other relevant experience the City Council deems appropriate. He shall be in good health and physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal and demolition.

Sec 9.0107. Building Official Duties, Generally.

The building official, or his designee, shall:

Receive applications as required by this Code, issue permits required by this Code, and furnish any certificates prescribed by this Code;

Examine the premises for which permits have been issued and make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely;

Take any action authorized by this Code, the adopted building code, or law to enforce all provisions of this Code, the adopted building code, or law;

When requested by proper authority, or when the public interest requires, make investigations in connection with matters referred to in this Code, the adopted building code, or law and render written reports on the same;

Issue notices or orders as may be necessary to enforce compliance with this Code, the adopted building code, or law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures.

Sec 9.0108. Inspections Generally.

Inspections required by this code or under the provisions of the adopted building code shall be made by the building official. The building official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability, in lieu of performing the inspection himself. No certificate called for by any provision of this code or the building code shall be issued on such reports unless the same are in writing and certified by a responsible officer of such service.

Sec 9.0109. Duties of Inspection and Reporting of the Building Official.

The building official, as designated by the City Council, shall:

- a) Inspect or cause to be inspected periodically, all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial, manufacturing or loft buildings for the purpose of determining whether any conditions exist which render such places a “dangerous building” within the terms of Section 9.0102 of this Article.
- b) Inspect any building, wall or structure about which any person to the effect files complaints that a building, wall , or structure is or may be existing in violation of this Article.
- c) Inspect any building, wall or structure reported by the fire or police departments of this City as probably existing in violation of the terms of this Article.
- d) Draft a written report of all buildings or structures that the Building Official has determined to be a “dangerous building”. Such report shall include photographs and a detailed report of the findings and recommendations.

Sec 9.0110. Permits.

- (a) It is unlawful to do any work covered by this Code for which a permit is required without first obtaining a permit.
- (b) Nothing in this Code, the adopted building code, or law shall be construed to prohibit emergency repairs at times when it is not practical or possible to obtain a permit. When emergency work is done an application for a permit must be submitted within twenty-four (24) hours of completion, exclusive of weekends and holidays.
- (c) The issuance or granting of a permit or approval of plans and/or specifications shall not be deemed or construed to be a permit for, an approval of, any violation of this Code. The issuance of a permit upon plans and/or specifications shall not prevent the building official from thereafter requiring the correction of errors in the plans and/or

specifications, or from preventing building operations being carried on thereunder when in violation of this Code, the adopted building code, or law.

Sec 9.0111. Liability.

In no event shall the City, the building official, or any other employee of the City be held liable for personal injury or property damage for fulfilling their obligations under this chapter or caused by any defect in work that was inspected and approved, done under a permit, or done under plans approved pursuant to the provisions of this Code, the adopted building code, or law.

Sec 9.0112. Building official records.

The building official shall keep comprehensive records of applications for permits, of permits issued, of certificates issued, of inspections made, of reports rendered and of notices or orders issued. He shall retain on file copies of required plans and/or specifications and all documents relating to building work as long as any part of the building or structure to which they relate may be in existence.

All such records shall be open to public inspection during regular office hours, but such records shall not be removed from the office of the building official without his written consent.

Sec 9.0113 Building official reports.

The building official shall make written reports to the City Council once each month at its regularly scheduled meeting, or more often if requested, including statements of permits and certificates issued, and orders promulgated.

Sec 9.0114 Building official to cooperate with other city officials.

In the discharge of his duties, the building official may request, and may receive so far as may be necessary, the assistance and cooperation of other officials of the City.

Sec. 9.0015. Duties of Fire, Police and Health Departments.

All employees of the fire, police and health departments shall make written reports to the building official of all buildings or structures which are, may be or are suspected to be “dangerous buildings” as defined in section 9.0102.

ARTICLE III. DANGEROUS BUILDINGS.

Sec. 9.0116. Dangerous Buildings – Prohibited. Repair, Vacation or Demolition Required.

All “dangerous buildings” as defined in Section 9.0102 of this article shall be repaired, vacated or demolished as provided in this ordinance under Section 9.0119 or under state law.

Sec 9.0117. Right of Entry.

The building official has the authority to enter any building, structure during regular business hours or at any other reasonable time when one of the following occurs:

- (a) The building official may enter any premises upon probable cause that such premises is a dangerous building. Probable cause shall mean reasonable articulable facts which would lead the building official to suspect that a building is dangerous as defined in 9.0102.

- (b) The building official may enter any premises after a “dangerous building” notice has been issued or after an order of the city council to determine compliance with this ordinance.
- (c) The building official may enter any premises in accordance with this ordinance to abate any emergency or to take action to abate any condition upon a property after the appropriate notice period has expired and the owner or occupant has failed to make such property in compliance with a notice or order.

Sec 9.0118. Notice and Order.

Notify in writing the owner, occupant, lessee, mortgagee and all other persons having an interest in said building, as shown by the records in the office of the County Recorder, of any building found by the building official to be a “dangerous building” within the standards set forth in Section 9.0102 of this Article. This notice shall contain: (a) a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a “dangerous building”; (b) an order to the owner that the owner must vacate, or repair, or demolish said building in accordance with the terms of the notice and section 9.0120; (c) the owner or occupant must vacate said building or may have it repaired in accordance with the notice and remain in possession. Provided that any person notified under this subsection to repair, vacate, or demolish any building shall be given such reasonable time, not exceeding thirty (30) days as may be necessary to do or have done the work or act required by the notice provided for herein. (see Appendix 9-2). The building official shall have discretion to extend up to an additional thirty (30) day period an additional thirty (30) days. This additional time does not extend the time limits to appeal to the City Council.

Sec 9.0119. Standards for Repair, Vacation or Demolition.

The following standards shall be followed in substance by the building official and the City Council in ordering repair, vacation or demolition:

- (a) If the “dangerous building” can be reasonably repaired so that it will no longer exist in violation of the terms of this article it shall be ordered repaired.
- (b) If the “dangerous building” is in such condition as to make it dangerous to the health, safety or general welfare of its occupant, it shall be ordered to be vacated.
- (c) In all cases where a building cannot be repaired so that it will no longer exist in violation to the terms of this article it shall be demolished. In all cases where a “dangerous building” is a fire hazard existing or erected in violation of the terms of this article or any ordinance of the City or statute of the State of North Dakota, it shall be demolished.
- (d) In any case where a dangerous building is fifty (50) percent damaged, decayed or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer be in violation of the terms of this article, it shall be demolished. In all cases where a dangerous building is a fire hazard existing or erected in violation of the terms of this article or any ordinance of this city or statute of the State of North Dakota, it shall be demolished.

Sec. 9.0120. Notice to be Placed on Property deemed a Dangerous Building.

The Building Official shall place or cause to be placed a notice on all “dangerous buildings” reading as follows: “This building has been found to be a dangerous building by the building official. This notice is to remain on this building until it is repaired, vacated, or demolished in

accordance with the notice which has been given the owner, occupant, lessee or mortgagee of this building and all other persons having an interest in said building as shown by the records of the County Recorder. It is unlawful to remove this notice until such notice is complied with.” (See Appendix 9-1)

Sec 9.0121. Report to City Council.

The Building Official shall report to the City Council any noncompliance with the “notice” provided for in section 9.0120. The Building Official shall include the Report, copies of notices sent out, and a statement certifying the structure was not repaired, vacated, or demolished as required in Section 9.0119.

ARTICLE IV. APPEALS

Sec. 9.0122. Appeal and Emergency.

All orders of the building official dealing with violations of this Code, the adopted building code, the issuance or non-issuance of the licenses or permits required by this Code, the adopted building code, or law are subject to appeal to the City Council upon written notice of appeal filed within fifteen (15) days of issuance of the order. If no appeal is filed within the time period specified, the decision of this building official is final. An appeal stays the decision issued unless the building official certifies to the City Council that a stay would cause imminent danger to life and property in which case the decision may be stayed only by a restraining order from the City Council or a court of record.

Sec 9.0123. Hearing to be set.

Upon receiving the notice of appeal, the City Council shall set a date for a hearing within fifteen (15) days of receipt of the notice of appeal. A hearing must be held within forty-five (45) days upon receipt of the notice of appeal. Notice of the time and place for the hearing must be served upon the appellee by certified mail or in person not less than five (5) days prior to the hearing.

Sec 9.0124. Notice of Hearing.

City Council shall cause written notice be given to the owner, occupant, mortgagee, lessee and all other persons having an interest in said building as shown by the records of the County Recorder, to appear before it on the date of the hearing to show cause why the building or structure reported to be a “dangerous building” should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the building official’s notice provided for herein in Section 9.0121. (see Appendix 9-3)

Sec 9.0125. Hearing Procedures

The City Council shall conduct a hearing. The Building official shall appear at all hearings conducted by the City Council and testify as to the conditions of the “dangerous building”. The City Council shall then permit testimony of the building official or the owner, occupant, mortgagee, lessee or any other person having an interest in said building as shown by the records of the County Recorder shall offer relative to the “dangerous building”.

Sec 9.0126. Findings and Order.

The City Council after hearing all testimony may issue findings of fact and an order at the conclusion of the hearing or at a later date. The City Council shall notify the owner, occupant,

mortgagee, lessee and all other persons having an interest in any building ordered to be repaired, vacated or demolished, a copy of the following in writing:

- (a) Written findings of fact from the testimony offered pursuant to section 9.0121 as to whether or not the building in question is a “dangerous building” within the terms of section 9.0102 thereof; and
- (b) An order based upon findings of fact made pursuant to subsection 9.0018 commanding the owner, occupant, mortgagee, lessee, and all other persons having an interest in said building as shown by the records of the County Recorder to repair, vacate or demolish any building found to be a “dangerous building” within the terms of this article and provided that any person so notified, except the owners, shall have the privilege of either vacating or repairing said “dangerous building”.

Sec 9.0127. City Council Order is Final.

The City Council written findings of fact and order shall be final and its decisions shall not be appealable.

Sec 9.0128. Emergency Abatement of Dangerous Buildings.

As a consequence of any declared disaster or emergency by local, state, or federal authorities, the building official or any other person acting on behalf of the building official of the City is hereby authorized to summarily abate any building or structure, after an investigation, that the building official or his authorized representative deems dangerous and poses an imminent danger to the life, health, property, or safety of the public or its occupants. Once abatement has occurred, the building official will notify the owner, occupant, mortgagee or lessee as soon as possible.

Sec 9.0129. Failure to Comply with Decision of the City Council.

If the owner, occupant, mortgagee or lessee fails to comply with the order of the City Council or fails to appeal to the District Court within thirty (30) days after receiving notice of the order, the City through its officers and employees shall cause such building or structure to be repaired, vacated or demolished as ordered by the City Council and shall cause the costs of such repair, vacation or demolition to be charged against the land on which said building existed by special assessment, or shall cause said cost of removal to be levied as a special tax against the land upon which said building stands or did stand or to be recovered in a suit at law against the owner.

Sec 9.0130. Violations – Penalty for Disregarding Notices or Orders.

The owner of any “dangerous building” who shall fail to comply with any notice or order to repair, vacate or demolish said building given by any person authorized by this Article to give such notice or order shall be guilty of an infraction and upon conviction thereof shall be fined not exceeding five hundred dollars (\$500.00) for each offense and every day subsequent to such notice in which the said owner shall fail to comply with any notice or order as stated shall be deemed a separate offense.

The occupant or lessee in possession who fails to comply with any notice to vacate or who fails to repair said building in accordance with any notice given as provided for in this Article shall be guilty of an infraction and upon conviction thereof shall be fined not exceeding five hundred dollars (\$500.00) for each offense and every day subsequent to such notice in which the said occupant or lessee shall fail to comply with any notice or order as above stated, shall be deemed a separate offense.

Any person removing the notice provided for in Section 9.0120 shall be guilty of an infraction and upon conviction shall be fined not exceeding five hundred dollars (\$500.00) for each offense.

Sec 9.0131. Where Owner Absent from the City.

In cases, except emergency cases, where the owner, occupant, lessee or mortgagee is absent from the City, all notice or orders provided for herein shall be sent by registered or certified mail to the owner, occupant, mortgagee, lessee and all other persons having an interest in said buildings as shown by the land records of the County Recorder to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the “dangerous building” to which it relates. Such mailing and posting shall be deemed adequate service.

ARTICLE V. STORAGE CONTAINERS.

9.0132. Definition

Under this section a container shall be defined as any structure that is a reusable and closed, semi closed or open vessel or cargo container that is used for the storage of freight articles, goods, solid waste, personal belongings, commodities or the like that is a minimum size of 512 cubic feet. For purposes of this Article, a container shall not include a commercially owned waste dumpster.

9.0133. Residential and C-1 Use of Containers Prohibited, Exception-Temporary Permit.

No container is permitted within a residential zoning district or C-1 district without previously obtaining a temporary storage permit from the Public Works Director.

A residential temporary storage permit may be obtained upon approval by the Public Works Director upon application made and signed by the owner or occupant along with a fee as set forth from time to time by resolution of the City Council. Such a permit shall be valid for a period of 30 days. No owner or occupant may request more than one, 30 day permit within one calendar year.

In the event of denial, request for a permit for a period of time beyond 30 days, or request for a subsequent permit within a one year, such permit will not be approved without consent of the City Council.

9.1034. Temporary Permit Requirements.

A permittee, as a condition of the permit, shall agree to all of the following:

1. Grant consent to the Public Works Director or any other duly authorized representative of the City to enter upon the premises listed in the permit for inspection of the container to determine compliance with this section;
2. Position the container in such manner that will not affect access to the property or to the property adjacent land owners. The container shall not be maintained in a setback area. The container shall not be placed upon a street or other public right of way. The Public Works Director shall have discretion to determine if the location of a container is appropriate and has the authority to request the permittee to re-locate said container;

3. Control for rodents, vermin, and other pests which shall include, but not be limited to, closing or sealing all forklift stake pockets and lock holes;
4. Secure the container in such a manner as to prevent the attraction of children or other persons to the container; and
5. Maintain the container in such a manner that does not affect the public's health and safety and comports with all other local, state and federal regulations.

Failure of the permittee to meet the above conditions may be cause to revoke the permit. Such revocation shall be within the sole discretion of the Public Works Director.

9.0135. C-2 and I-1 Use of Container Prohibited in Commercial Districts, Exception-Yearly Permit.

The use of a container within C-2 and I-1 zoned districts is prohibited unless the owners or occupant has duly applied for and obtained a yearly permit in accordance with the ordinances of the City of Carrington. A yearly permit may be obtained in accordance with the ordinances of the City of Carrington. A yearly permit may be obtained by completing an application as may be modified from time to time by the Public Works Director. As part of the application, each applicant must specify the exact location applicant intends to place the container, prior to placement, which shall be subject to the Public Works Director's approval. Upon receipt of a completed application and yearly fee as set forth from time to time by resolution of the City Council, the Public Works Director shall review and issue a permit for all applications meeting the requirements set forth in these Ordinances.

9.1036. Yearly Permit Requirements.

A permittee, as a condition of the permit, shall agree to all of the following:

1. Grant consent to the Public Works Director or any other duly authorized representative of the City to enter upon the premises listed in the permit for inspection of the container(s) to determine compliance with this section;
2. Limit the total cubic feet of container(s) located on each lot at 3,840 cubic feet;
3. Each container shall be painted one solid, flat, neutral color devoid of all art, graffiti, and advertising. Neutral colors may include, but are not limited to, dark blue, dark green, gray or black;
4. Anchor the container(s) onto a concrete foundation;
5. Position the container(s) in such manner that will not affect access to the property or to the property of adjacent land owners. The container(s) shall not be maintained in a setback area. The container(s) shall not be placed upon a street or other public right of way. The Public Works Director shall have discretion to determine if the location of a container(s) is appropriate and has the authority to request the permittee to re-locate said container(s);
6. Control for rodents, vermin, and other pests which shall include, but not be limited to, closing or sealing all forklift stake pockets and lock holes;
7. Secure the container(s) in such a manner as to prevent the attraction of children or other persons to the container(s); and

8. Maintain the container(s) in such a manner that does not affect the public's health and safety and comport with all other local, state and federal regulations.

Each permit approves of the placement of containers to the maximum cubic feet allotment as set forth above, for each lot. Only one permit will be given to each lot.

9.0137. Revocation or Denial of Permit.

Failure of the permittee to meet the conditions set forth in Section 9.0133, may be cause to revoke the permit or the denial of a new permit. Such revocation or denial shall be within the sole discretion of the Public Works Director. In the event of a revocation or denial, the Public Works Director shall send a letter to the address given in the application notifying the permit holder or applicant, as the case may be, of the revocation or denial and that any container must be removed from the property within 30 days of the date of the letter.

Any denial of a permit may be reviewed at the request of the applicant or permit holder with the City Council. Such a request must be made in writing to the City Auditor within 30 days of the date of the letter. City Council may approve, approve with conditions, deny or take any other action upon the permit or application it deems appropriate. The decision of the City Council shall be final. In the event the City Council revokes a permit or denies a new permit or requires certain conditions to be met, the container shall be removed or the conditions shall be met within 30 days unless the City Council order otherwise.

9.0138. Penalty

Any owner or occupant who maintains a container on their premises in violation of these ordinances shall be guilty of an infraction and may be fined not more than \$500.00. The continued storage of a container upon the premises shall be a new violation each day.

9.0136. Effect on Existing Use – Sunset

This ordinance shall not apply to any existing container use as of the effective date of this ordinance for a period of four years. However, this clause shall apply when the property's zoning use changes, if the owner removes the container from the premises, changes the location of the container, or the container otherwise violates any other federal, state, or local law. After the four year period, all property owners must be in compliance with this Article.

APPENDIX 9-1

This is a suggestion as to the warning sign that should be printed in red.

WARNING

This building has been found to be a dangerous building by the building official. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee or mortgagee of this building and all other persons having an interest in said building as shown by the records of the County Recorder. It is unlawful to remove this notice until such notice is complied with.

City Building Official

Carrington, North Dakota

APPENDIX 9-2

**IN THE MATTER OF A “DANGEROUS BUILDING” LOCATED IN
THE CITY OF CARRINGTON, NORTH DAKOTA,
WITH AN ADDRESS OF**

NOTICE AND ORDER

You are hereby notified that the undersigned, building official of the City of Carrington, North Dakota, acting pursuant to Article II, Chapter 9 of the Ordinances of the City of Carrington, has made an inspection of the following described building in which you are, or appear to be, interested: _____

You are further notified that the undersigned building official deems the foregoing described building to be dangerous within the meaning of Section 9.0102 of said Ordinances in the following particulars: _____

YOU ARE THEREFORE ORDERED TO _____

The said building on or before this _____ day of _____, 20 ____.

Building Official

Dated this _____ day of _____, 20 ____.

APPENDIX 9-3

**IN THE MATTER OF “DANGEROUS BUILDINGS” LOCATED
AT _____, NORTH DAKOTA
UNDER ARTICLE II, CHAPTER NINE**

NOTICE OF HEARING

You are hereby notified that the building official of Carrington, North Dakota, has filed with the City Council a report that you have not complied with a Notice and Order that buildings located at _____ were dangerous buildings and were to be demolished by you prior to _____, 20 ____.

You are further notified to appear before the City Council at _____ on the _____ day of _____, 20 ____, at the hour of _____ o'clock __ m., to show cause as to why the building reported to be “dangerous building”, should not be demolished in accordance with the statement of particulars set forth in the Building Official’s Notice.

Dated _____, 20 ____.

THE CITY OF _____, NORTH DAKOTA

By _____
Mayor

ATTEST:

_____,
City Auditor