

ORDINANCE NO. 4319

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE SECTION 18.04.200 AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Section 18.04.200 of the Albany Municipal Code is hereby amended to read as follows:

Section 18.04.200. Demolition - Permit - Issuance.

- (a) The application and drawings filed by an applicant for a demolition permit shall be checked by the Building Official, who may issue the permit forthwith for buildings less than 750 square feet and for buildings which have been damaged in excess of 70% of their previous value due to fire, flood, wind, or other Act of God.
- (b) The Building Official shall submit to the Planning Director requests for permits to demolish all other structures. Within five working days, the Planning Director shall review permit applications for compliance with the following criteria:
 - (1) That the subject building or structure is not listed as primary or secondary on a City Architectural Survey recognized by the Historic Advisory Museum Commission;
 - (2) That the subject building or structure is not located within an Historic District;
 - (3) That the building or structure's removal will not have an adverse effect on surrounding properties;
 - (4) That the building or structure's removal will not reduce available retail or office space within a commercial district;
 - (5) That the building or structure's removal will not reduce needed housing supply unless appropriate relocation efforts have been made.
- (c) If the Planning Director finds that the above criteria have been satisfied, then upon reporting such to the Building Official, a demolition permit shall be issued. If, however, the Planning Director determines that any of the above criteria has not been or cannot be satisfied, then the Director shall immediately issue a "Notice of Demolition Delay" to the Building Official and forward a copy to the applicant with a request to establish a meeting date between the subject property owner(s) or his authorized agent and the Historic Advisory and Museum Commission (HAMC). Such meeting shall be held within 30 days of issuance of the "Notice of Demolition Delay" unless the property owner(s) or his authorized agent requests a further delay or has not met with the HAMC within the 30-day delay period. Demolition permits shall not be issued until the property owner(s) or his authorized agent has met with the HAMC. The purpose of the joint meeting shall be to discuss the impacts of the proposed demolition relative to the criteria outlined in Subsection (b), to discuss alternatives to demolition, and to discuss proposed plans for the subject property.

- (d) If a joint meeting has been held pursuant to Subsection (c) and the HAMC has concluded its study of the proposed demolition, then the HAMC shall direct the Planning Director to remove its hold on the demolition application. However, in no event shall demolition be delayed beyond the 30-day period unless the property owner(s) or his authorized agent has failed to meet with the HAMC. The HAMC must provide two meeting dates within the 30-day period.

Section 2. Emergency Clause.

Inasmuch as the peace, health, and safety of the citizens of the City of Albany require that this ordinance shall take effect at the earliest possible date, an emergency is hereby declared and this ordinance shall become in full force and effect upon its passage by the Council and approval by the Mayor.

Passed by the Council: November 7, 1979

Approved by the Mayor: November 7, 1979

Effective Date: November 7, 1979

Richard S Olsen
Mayor

ATTEST:

Regina R. Howers
Deputy City Recorder