

ORDINANCE 2021-05-01

STRUCTURE DEMOLITION APPLICATION REQUIREMENTS

ADDING SECTION (5)

DEMOLITION OF NON-EMERGENCY STATUS STRUCTURES

Whereas, the Town of Bath is a Class IV municipality in the State of West Virginia which has conferred plenary power and authority to create, amend and adopt ordinances regarding the permitting of the demolition of property within its corporate limits; and

Whereas, the Town of Bath Council has taken into consideration the capabilities of the Town to administer, enforce and finance the responsibilities that the Town undertakes in this amendment; and,

Whereas, the Town of Bath Council has determined that Classification (4) of the amended Chapter 14, Section 87 does not adequately address the needs of the community in regards to the non-emergency demolition of structures within the Town boundaries; and,

Therefore, the Town of Bath hereby orders the following stipulations be added as the Town of Bath Non-Emergency Demolition of Structures Policy with the addition of Classification (5) of Chapter 14, Section 87 of the Town of Bath Code.

Classification (5) Non-Emergency Demolition of Structures

The building permit applicant presents the application and fee to the Town for the classification of their permit under one of the five classification of work listed below:

(1), (2), (3), (4)

Classification (5) – Non-Emergency Demolition of Structures

The purpose of this Classification is to better oversee and regulate the demolition of structures in the Town of Bath. Demolition is to raze, remove or bring down a structure. This Classification is for non-emergency situations when life and property are not in eminent danger.

- (a) The applicant must be the owner of the property or show valid proof of representation of the owner.
- (b) The applicant must show proof of liability, casualty and fire insurance on the property which covers the structure for the duration of the demolition work. The Town of Bath shall be named as an additional insured on the policy and

proof of such insurance shall be presented to the Town before any work begins.

- (c) The applicant shall show proof of licensed contractor oversight of the demolition on the application.
- (d) Perimeter security of the demolition site shall be presented within the application and maintained throughout the work and complete cleanup of the site.
- (e) The time limit on completion of the demolition and cleanup shall be no more than 180 days. The property owner can reapply for an extension of the time limit, but must show cause as to why the extension is needed.
- (f) The issuance of the permit for the demolition shall only be granted after the application has been posted and after the application has been presented by the Berkeley Springs Police Department to the Town of Bath Council at two regularly scheduled meetings.
- (g) After the second presentation of the demolition application the Council may vote to accept or reject the application. The stipulations in Classification (5) must be satisfied before acceptance may be granted.
- (h) No work shall be allowed until the permit is granted.
- (i) Permit fees and penalties shall apply to Classification (5) in the same manner as the other classifications.
- (j) The Town of Bath Council shall cause to be created an application specifically for the demolition of non-emergency status structures. This application shall list the aforementioned stipulations to be satisfied before a permit is granted.

First Reading Date \_\_\_\_\_

Second Reading Date \_\_\_\_\_

\_\_\_\_\_  
Mayor, Town of Bath

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Recorder, Town of Bath