

# **ABANDONED BUILDING ORDINANCE**

March 21, 2006

## **AN ORDINANCE**

A. Regulating the repair, alteration or improvement, or the vacating and closing or removal or demolition, or any combination thereof, of any dwellings or other buildings, except for buildings utilized for farm purposes on land actually being used for farming, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause the dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect; and

B. Regulating the removal and clean up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which is deemed to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect; and

C. Designating an enforcement agency; and

D. Give authority to the Raleigh County Litter Control Officer(s) to issue citations for violations of the provisions of Chapter 22, Article 15A, Section 4 of the West Virginia Code; and

E. Establish fair and equitable rules of procedures and standards to guide the enforcement agency and its agents in conducting investigations hereunder, and provide for fair and equitable rules of procedure for instituting and conducting hearings in such matters before the Raleigh County Commission. Any entrance upon premises for the purpose of making examinations shall be made in a manner as to cause the least possible inconvenience to the persons in possession; and

F. Authorizing the Raleigh County Commission to hear and determine complaints of the enforcement agency, and make findings of fact, determinations and conclusions of law as to whether the property is detrimental to the public safety or welfare, and order appropriate remedies to the property, so it will not be detrimental to the public safety or welfare, and impose daily civil monetary penalties to the owner(s) who fail to obey an order, and establish appeal procedures to the Raleigh County Circuit Court; and

G. Authorize the Raleigh County Commission to enter into contracts to fulfill the order upon the failure of the owner(s) of the private land to perform the ordered duties; and

H. Authorize the Raleigh County Commission to bring civil proceedings against the owner(s) of private land which is the subject matter of the order; and

I. Authorize the Raleigh County Commission to receive grants, subsidies, donations and services in kind.

BE IT ORDAINED AND ORDERED by the County Commission of Raleigh County, West Virginia, a public body corporate of Raleigh County, West Virginia, as follows:

ARTICLE 1 Authority, Effective Date, Title, Purpose, Jurisdiction and Severability

Section 1.1 Authority

This ordinance is adopted by virtue of the authority granted in Chapter 7, Article 1, Section 3ff of the Code of West Virginia as amended.

Section 1.2 Effective Date

This ordinance shall become effective upon passage of the Raleigh County Commission.

Section 1.3 Title

This ordinance shall be titled the Raleigh County Abandoned Building Ordinance.

Section 1.4 Purpose

The purpose of this ordinance is to promote the public safety or welfare of Raleigh County, West Virginia, by requiring, as the case may be, the repair, alteration, improvement, vacating, closing, removal or demolition of dwellings or other buildings, or any combination thereof, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect, exclusive of buildings utilized for farm purposes on land actually being used for farming; and by requiring, as the case may be, the removal and clean up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which is determined to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect.

Section 1.5 Jurisdiction

This ordinance shall apply to all properties within Raleigh County, West Virginia, exclusive of the incorporated towns and cities, properties of the United States Government, and of the West Virginia State Government.

Section 1.6 Severability

Should any article, section, subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

## ARTICLE 2 Definitions

### Section 2.1 Interpretation

For the purpose of this ordinance, the following interpretations shall apply:

- A. Words used in the present tense include the future.
- B. The singular includes the plural and the plural includes the singular.
- C. The word "person" includes a corporation, unincorporated association or partnership, chartered associations, partnerships, natural persons, joint ventures, joint stock company, club, company, business trust, or the manager, agent, servant, officer or employee of any of them.
- D. The term "shall" is mandatory and the term "may" is permissive.

### Section 2.1 Definitions

**Blighted Area** - "Blighted area" shall mean an area (other than a slum area) which by reason of the predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site improvement, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

**Building** - Any structure on a parcel of land that has one or more walls.

**Commission** - The County Commission of Raleigh County, West Virginia.

**Commissioner** - An elected member of the County Commission of Raleigh County, West Virginia.

**County Board of Health** - An agency of local government either created pursuant to Chapter 16, Article 2 or Chapter 16, Article 2A of the Code of West Virginia to oversee the health needs of the citizens of a county in accordance with law.

**County Engineer** - An engineer employed by Raleigh County Government, who is a member of the Enforcement Agency and who is registered by the West Virginia Board of Registration of Professional Engineers as a "Professional Engineer".

**County Health Officer** - A physician appointed by the County Board of Health pursuant to Chapter 16, Article 2A, Section 4 of the Code of West Virginia, or a physician appointed by the direction of the West Virginia Department of Health pursuant to Chapter 16, Article 2, Section 1 of the Code of West Virginia, who is a member or His/her designee of the Enforcement Agency.

**County Litter Control Officer** - An officer hired to prevent litter and enforce litter control regulations within Raleigh County and who is a member of the Enforcement Agency.

**Disaster** - "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including fire, flood, earthquake, wind, snow, storm, chemical or oil spill or other water or soil contamination, epidemic, air contamination, blight, drought, infestation or other public calamity requiring emergency action.

**Deed** - A written instrument, signed and delivered by which a person transfers and conveys title to real estate to another person.

**Easement** - A lawfully acquired right or privilege to use a parcel of land or portion thereof for a specified purpose such as a road.

**Enforcement Agency** - An agency of Raleigh County Government charged under Chapter 7, Article 1, Section 3ff of the Code of West Virginia with the investigation and enforcement of violations of that statute and this ordinance. Its membership includes: County Engineer, County Health Officer, County Fire Chief, County Litter Control Officer and two other members at large. The Sheriff of Raleigh County is an ex officio member.

**Flood Prone Area** - Areas subject to inundation by the one hundred year flood as determined by the Flood Insurance Study prepared by the Federal Insurance Administration for Raleigh County.

**Historic Site** - Any lot, parcel, historic structure or designated area, which has been listed on the West Virginia or National Register of Historic Places.

**Judgment Lien** - A claim, encumbrance or charge on property for payment of some debt, obligation or duty owed to another person as decreed by a court of law and recorded among the land records of Raleigh County.

**Motor Vehicle** - Any vehicle which is self-propelled by use of internal combustion engine or by electrical engine which is intended to be driven upon a highway.

**Motor Vehicle, Junked** - Any motor vehicle which is discarded, wrecked, ruined, scrapped or dismantled which would not pass the State of West Virginia motor vehicle inspection laws and which is not serving a reasonable functional use or purpose and is not inside an enclosed building.

**Owner** - A person who holds legal title to any real estate or personal property.

**Public Body** - Public body shall mean the state or any municipality, county, township, board, commission, authority, district or any other subdivision or public body of the State.

**Real Property** - Real Property shall include all lands including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest and right, legal or equitable therein including terms for years.

**Right-of-way** - A right, which grants passage across or through a property. A right-of-way is also the (usually dimensioned) path along which the right of passage is granted.

**Salvage** - Old or scrap copper, brass, rope, rags, batteries, paper, rubber, trash, waste, junked, dismantled or wrecked machinery, machine or motor vehicles or any parts of any junked, dismantled or wrecked machinery, machines or motor vehicles, iron, steel, and other old or scrap ferrous or nonferrous materials.

**Salvage yard** - Any place which is maintained, operated or used or the storing, keeping, buying, selling, or processing of salvage, or for the operation and maintenance of a motor vehicle graveyard, and the term shall also include garbage dumps and sanitary landfills. Any collection of three or more junked motor vehicles, or combination of ferrous or nonferrous materials together with one or more junked motor vehicles, or a collection or any salvage contained in an area more than one quarter acre in size, shall be considered a salvage yard.

**Solid Waste Disposal Facility** - Any facility established, modified or operated for the purpose of the disposal of solid waste as defined by West Virginia Department of Natural Resources-Legislative Regulations for Solid Waste Management, as amended.

**Structure** - Anything constructed, the use of which requires fixed location on the ground; or, anything attached to something having such location. A structure does not include fences, individual driveways, or retaining walls. Structures do include prefabricated buildings even if they are not anchored to the ground.

**Slum Area** - "Slum area" shall mean an area in which there is a predominance of buildings or improvements (or which is predominantly residential in character), and which, by reason of dilapidation, age or obsolescence, deterioration, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

**Subdivision** - The partition or division of land into two or more lots, tracts, parcels, plots, sites, areas, units, interests or other division of land, for the purpose, whether immediate or future, of offer, sale, lease, transfer of ownership, building construction, development, or land use. Subdivision applies to all forms of development including residential, commercial and industrial and includes the division of land either by deed, deed of trust, contract of sale, metes and bounds description, devise, intestacy, lease, map, plat or other instrument, or by act of construction or land use. Subdivision includes re-subdivision and, when appropriate to the context, shall relate to the land subdivided.

**Toxic Substance** - Means any substance which because of its quantity, concentration or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating or reversible illness; or pose a substantial present or potential hazard to human health exclusive of any application of substances for bona fide farming operations.

## ARTICLE 3 Enforcement Agency

### Section 3.1 Membership

The Agency shall consist of the following members: County Engineer (or other technically qualified county employee or consulting engineer), County Health Officer (or his or her designee), a Fire Chief from a county fire company, the County Litter Control officer and two members at large. The Sheriff of Raleigh County shall serve as an ex-officio member of the Enforcement Agency and the county officer charged with enforcing the orders of the county commission. Enforcement agency members shall be appointed to two (2) year terms.

### Section 3.2 Meetings

A. Members of the Agency shall meet monthly in public session. The time and place to be determined by the membership. Four members in attendance at the meeting shall constitute a quorum.

B. At its first meeting and on the one-year anniversary date thereafter, the members shall appoint a President, Vice-President and Secretary.

C. At the monthly public meeting, the Enforcement Agency shall receive complaints from neighboring residents concerning: dwellings or other buildings or any combination thereof that may be unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or any other conditions prevailing in these dwellings or other buildings whether used for human habitation or not, which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect; and complaints concerning accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which may be deemed to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect.

D. The members of the Enforcement Agency may, if a quorum is present, by a majority vote of those present accept the complaint for investigation.

E. Upon the completion of the investigation of the complaint, and without further public input, the members of the Enforcement Agency, by a majority vote of members present in public session may:

1. Dismiss the complaint; or

2. Continue the matter over until a later monthly meeting to permit further investigation; or

3. Adopt an agreement to remedy deficiencies and continue the matter over until a later monthly meeting to permit the property owner time to remedy deficiencies in accordance to an agreement between the Enforcement Agency and the property owner; or

4. Determine that the dwelling, building, accumulation of refuse or debris, overgrown vegetation, toxic spillage, or toxic seepage is unsafe, unsanitary, dangerous or detrimental to the public safety or welfare and should be repaired, altered, improved, vacated, removed, closed, cleaned up or demolished as the case may be and either direct the County Litter Control Officer to issue a citation to the property owner, or

5. Direct the County Engineer to initiate proceedings before the County Commission by petition to seek an order of the County Commission: requiring the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time; or to remove or clean up any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage within a reasonable time; and to impose daily civil monetary penalties upon the property owner who fails to obey the order of the County Commission.

### Section 3.3 Enforcement Agency Rules for Accepting Complaints and Conducting Investigations

#### A. Complaints

Complainants shall complete the Citizens Complaint Form in its entirety. The form is located in Appendix A.

#### B. Complaint Investigation

1. Upon the members voting to accept the complaint and conduct an investigation, the County Engineer shall contact the following public officials and ascertain the following information:

A. Sheriff's tax office and County Assessor office to ascertain the property owner's address, the tax district, tax map and parcel number for the property in question; its assessed value for both the lands and buildings; acreage or lot size if known by the Sheriff's tax office and the status of taxes paid or due and owing on this property; any lien information and copy of tax map for the property in question.

B. Clerk of the County Commission to ascertain any information about judgment liens, tax liens, mechanics liens or deed of trust liens on the subject property and obtain a copy of the deed, or other document by which the owner obtained title to the property in question.

2. The County Engineer shall deliver notice to the property owner by United States Mail postage prepaid and by certified mail, return receipt requested, to the property owner's address as ascertained from the Sheriff's tax office informing the property owner of the general nature of the complaint and informing the property owner that the County Engineer and/or other members of the Enforcement Agency will visit the property at a specific time and date to investigate the allegations set forth in the complaint. The notice shall inform the property owner that photographs will be taken of the property in question and/or that soil samples may be taken from the property in question. However, any such entrance upon the property in question shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.

3. The County Engineer shall, whenever possible, take written statements from the complaining party, the property owner, neighbors and other interested persons and attach these statements to the investigative report.
4. The County Engineer shall, at the conclusion of the investigation, shall file a lien in the amount of five hundred dollars (\$500.00) against the property to cover the cost of the investigation and notice.
5. The County Engineer shall prepare a written investigative report and present the report to the members of the Enforcement Agency at the monthly meeting of the Enforcement Agency where the investigative report shall be considered.
6. The County Engineer may propose an agreement between the property owner and the Enforcement Agency whereby the property owner agrees to remedy all deficiencies to the satisfaction of the Enforcement Agency within a designated period of time, or after the designated period of time the deficiencies are not remedied, the Enforcement Agency may have the County Litter Control Officer issue a citation to the property owner.
7. The County Engineer or the County Litter Control Officer shall, at the direction of the Enforcement Agency, initiate by petition/citation on behalf of the Enforcement Agency, an action before the County Commission to seek an order of the County Commission requiring the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time; or to remove or clean up any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage within a reasonable time; and to impose civil monetary penalties of ten dollars (\$10.00) per day upon the property owner who fails to obey the order of the County Commission; and if necessary,
8. To request that the County Commission advertise for and seek a contractor to make the ordered repairs, alterations, improvements, demolition, removal or clean up; and to institute a civil proceeding in the Circuit Court of Raleigh County, West Virginia, to subject the private land in question to a lien to satisfy: the contractor's costs in making the ordered repairs, alterations, improvements, demolition, removal or clean up; the County Engineer investigation fee; the daily civil monetary penalty imposed; reasonable attorney fees and court costs expended and to order the private land in question sold to satisfy the liens; and order and decree that the contractor may enter upon the private land in question to perform the ordered repairs, alterations, improvements, demolition, removal or clean up.

The petition/citation shall state the findings and recommendations of the Enforcement Agency and inform the property owner that upon being served with this petition/citation, unless the owner or owners of the property shall file with the Clerk of the County Commission of Raleigh County at the address of 115 Main Street, Beckley, WV, 25801, a written request for a hearing before the County Commission within ten (10) days of receipt of the petition/citation, an order will be issued by the County Commission implementing the recommendations of the Enforcement Agency.



## ARTICLE 4 Proceedings before the Raleigh County Commission

### Section 4.1 Institution of Proceeding before the County Commission

The County Engineer or the County Litter Control Officer may file in the Office of the County Commission of Raleigh County a petition/citation on behalf of the Enforcement Agency seeking an order of the County Commission requiring the property owner to meet the findings and recommendations of the Enforcement.

### Section 4.2 Service of Copy of Petition/Citation Upon Property Owner(s)

The County Commission of Raleigh County shall receive and file the petition/citation of the Enforcement Agency and shall cause a copy thereof to be served upon the property owner(s) in the manner provided in Rule Four (4) of the West Virginia Rules of Civil Procedure. The County Commission of Raleigh County shall note on the original petition/citation the date service was accomplished if by personal service, and cause the person making personal service to certify that personal service was performed on that date. A copy of this return of service shall be provided to the County Engineer.

### Section 4.3 Failure of the Property Owner(s) to request a Hearing

If the property owner(s) shall fail to file with the County Commission within ten (10) days of service of the petition/citation, a written request for a hearing before the County Commission, the County Commission may enter an order implementing the determinations and recommendations of the Enforcement Agency and ordering, as the case may be, the property owner(s) to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time or to remove or clean up any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage within a reasonable time and to impose civil monetary penalties of ten dollars (\$10.00) per day on any owner or owners who fail to obey such an order. The County Commission shall cause such an order to be filed and an attested copy of such order to be served upon the property owner(s) by certified mail, return receipt requested, at the same address used by the Sheriff to mail the property owner(s) his tax bill.

### Section 4.4 County Commission Setting Hearing on the Petition/Citation

After receipt of a written request for a hearing upon the Enforcement Agency's petition/citation by the property owner, the County Commission, at its next regular meeting, shall enter an order setting this matter for hearing at a time and date within twenty (20) days of the receipt of the written request. Upon the entry of the order setting this matter for hearing, the County Commission shall file the original order and send by certified mail attested copies thereof to the property owner(s) and County Engineer, return receipt requested, to the address of the property owner(s) at the return address specified in the property owner's written request or the address utilized by the Sheriff for the property owner's tax bill. The County Commission shall note on the filed order the address, date and method of mailing of each attested copy mailed.

## Section 4.5 Hearing Before The County Commission

The hearing before the County Commission upon the petition/citation shall be either recorded by electronic device or by court reporter. The President of the County Commission will call the hearing to order and note on the record each member of the County Commission in attendance and whether a quorum exists to proceed. Witnesses will be administered an oath by the President prior to testifying. The President of the County Commission will conduct the hearing and rule on matters of procedure and law. The West Virginia Rules of Evidence shall not apply to the proceedings, but each party shall have the right to present evidence and examine and cross-examine all witnesses. Documentary evidence will be marked as exhibits and if relevant and probative admitted into evidence. The County Commission shall have the right to recess the hearing and visit the property in question for a view. Each party shall have the right to make an opening and a closing statement. The Enforcement Agency has the burden of proving its allegations by a preponderance of the evidence and shall have the duty to go forward with the evidence.

## Section 4.6 Findings of fact, Determinations, Conclusions of Law, Orders, Civil Monetary Penalties by the County Commission

A. At the hearing conclusion, the Commission shall, by a majority vote, make findings of fact, determinations and conclusions of law as to whether a dwelling or building:

1. Is unfit for human habitation due to dilapidation, whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
2. Has defects that increase the hazard of fire, accidents or other calamities, whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
3. Lacks ventilation, light or sanitary facilities whether the result of natural or manmade force or effect which would cause the dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
4. Has other conditions prevailing therein whether used for human habitation or not, and whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.

And if these findings of fact, determinations and conclusion of law are made, the County Commission may, by majority vote, order the property owner or owners to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time and to impose a daily civil monetary penalty of One Hundred Dollars (\$100.00) upon the property owner or owners jointly and severally for each day after the time limitation has passed for the ordered work to be performed and completed to the satisfaction of the County Commission and the ordered work has not been completed, or for any other failure to obey the order of the County Commission beyond the time limitation set for that compliance to have occurred.

B. At the conclusion of the hearing, the County Commission shall, by a majority vote, make findings of fact, determination and conclusions of law as to whether:

1. There is an accumulation of refuse or debris on private land whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
2. There is overgrown vegetation on private lands, whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
3. There is toxic spillage on private lands, whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
4. There is toxic seepage on private land whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.

And if these findings of fact, determinations and conclusions of law are made, the County Commission may, by a majority vote, order the property owner or owners to remove or clean up any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage from the private land in question within a reasonable time and to impose a daily civil monetary penalty of One Hundred Dollars (\$100.00) upon the property owner or owners jointly and severally for each day after the time limitation has passed for the ordered work to be performed and completed to the satisfaction of the County Commission and the ordered work has not been completed, or for any other failure to obey the order of the County Commission beyond the time limitation set for that compliance to have occurred.

## ARTICLE 5 Appeal of Decision of the County Commission to Circuit Court


### Section 5.1 Property Owner(s) Appeal of County Commission Decision

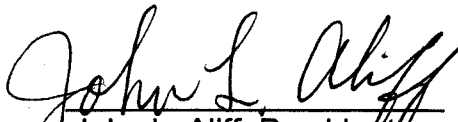
Appeals from the County Commission of decisions made in the hearings to Circuit Court shall be in accordance with the provisions of Article Three, Chapter Fifty-eight of the Code of West Virginia as amended.

## ARTICLE 6 Procedures for County Commission to Contracting with Vendors

Upon the failure of the property owner(s) to perform the obligations set in the order of the County Commission within the specified time limit, the County Commission may advertise for contractors to make the ordered repairs, alterations, improvements, demolition, removal or cleanup and may enter into any contract with any such contractor to accomplish the ordered repairs, alteration, improvements, demolition removal or clean up. The County Commission may make this contract contingent upon the order and decree of the Circuit Court making the contractor's costs or the contract amount in making these ordered repairs a lien upon the private land in question and ordering the private land in question be sold to satisfy this lien, and ordering that the contractor may enter upon the private land in question to make these ordered repairs.

ADOPTED this 21st day of March 2006, upon motion duly made by Commissioner Pat Reed, which motion was seconded by Commissioner John D. Humphrey and upon and no Commissioners voting against.

  
Attest - Betty Kife, Clerk

  
John L. Aliff, President

# Appendix A

## CITIZENS COMPLAINT FORM

Regarding Problems Associated with  
Abandoned and Dilapidated Properties  
in Raleigh County

The following information **must** be submitted before a complaint will be accepted and investigated.

1. Complainant Information
  - a. Name, Address, Telephone Number
2. Property Owner Information
  - a. Name and Mailing Address of Property Owner(s)
3. Property Information
  - a. Location of Property (Street Address, Town)
  - b. Tax District, Tax Map and Tax Parcel Number (Tax ID Information)
4. Pictures of subject property, with description of the hazard(s) that exist.
5. Signed and Dated Complaint Form

# CITIZENS COMPLAINT FORM

## 1. Citizen Making Complaint

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

## 2. Name and Address of property Owner(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 3. Location of Property

Physical Street address: \_\_\_\_\_

Tax ID Information: Tax District \_\_\_\_\_ Tax Map \_\_\_\_\_

Tax Parcel(s) \_\_\_\_\_

## 4. Describe the scope and nature of any hazardous conditions on this property which threatens the public health, safety and welfare of the community.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Signature of Complainant \_\_\_\_\_

6. Signature Date \_\_\_\_\_

Return this form to:

Raleigh County Abandoned Building Agency  
116 ½ North Heber Street  
Beckley, WV 25801