

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 14 DEMOLITION AND RENOVATION PERMITS

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6-14-1 DEFINITIONS. As used in this chapter:

1. "Category I nonfriable asbestos-containing material (ACM)" means asbestos-containing packings, gaskets, resilient floor coverings and asphalt roofing products containing more than two percent asbestos as determined using the method specified in Appendix A, subpart F, 40 CFR part 763, Section 1, Polarized Light Microscopy.

2. "Category II nonfriable ACM" means any material, excluding Category I nonfriable ACM, containing more than one percent asbestos as determined using the methods specified in Appendix A, subpart F, 40 CFR part 763, Section 1, crumbled, pulverized or reduced to powder by hand pressure.

3. "Demolition" means the wrecking or razing of a facility or any portion thereof, the destroying of the fabrication of a facility, together with the related handling of the debris and wreckage and its removal from the demolition site.

4. "Facility" means any institutional, commercial, public, industrial or residential structure, installation or building, including any structure, installation or building containing condominiums or individual dwelling units operated as a residential cooperative, any ship, and any active or inactive waste disposal site.

5. "Hazardous substances and hazardous emissions" means and includes asbestos and similar substances as defined or enumerated in 40 CFR 61 as amended.

6. "Regulated asbestos-containing material (RACM)" means

(a) Friable asbestos material,

(b) Category I nonfriable ACM that has become friable,

(c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or

(d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

(Ord. 594, Passed 1992)

6-14-2 ENFORCEMENT OF CHAPTER PROVISIONS. The Fire Chief is designated as the City official for enforcement of this chapter, and all notifications and applications shall be directed to the Fire Chief, who shall when all of the requirements of this chapter are met, issue the appropriate permits.

(Ord. 594, Passed 1992)

6-14-3 DEMOLITION AND RENOVATION PERMIT--NOTIFICATION REQUIREMENTS.

1. No demolition, renovation or burning of a facility shall commence until a demolition and renovation permit has been issued to the owner of the premises. The owner must provide the designated City official with written notice of his intention to demolish or renovate a facility on forms approved by the designated city officer. Updated notice is necessary including when the amount of asbestos or other such similarly hazardous substance changes by at least twenty percent. Such notification must be given to the designated city official at least ten working days before demolition or renovation is scheduled to commence. No stripping or removal work or any other activity begins that would break up, dislodge or similarly disturb asbestos materials or other hazardous substances without the issuance of the demolition and renovation permit. The owner is solely responsible for obtaining all state and federal demolition and renovation permits from the necessary agencies.

2. Effective after the promulgation of this chapter, no RACM shall be stripped, removed or otherwise handled or disturbed during demolition, renovation or burning at a facility regulated by this section unless at least one on-site representative, such as a foreman or management level person or other authorized representative, trained in the provisions of 40 CFR 61 and the means of complying with said CFR is present. The required training material identification; control and procedures for removals including, at least wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and high efficiency particulate air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection. Evidence that the required training has been completed shall be made available for inspection by the designated officer at the demolition or renovation site.

(Ord. 594, Passed 1992)

6-14-4 DEMOLITION BY BURNING--REQUIREMENTS. If a facility is to be demolished by intentional burning, all RACM including Category I and Category II nonfriable ACM must be removed in accordance with the NESHAP before burning.

(Ord. 594, Passed 1992)

6-14-5 PERMIT ISSUANCE. A permit shall be issued if the demolition and/or renovation work, as proposed in the application and notice for permit, meets all of the requirements of this chapter and 40 CFR 61, and if all federal and state permits have been properly issued.

(Ord. 594, Passed 1992)

6-14-6 INSPECTION FOR COMPLIANCE ALLOWED WHEN. The designated officer of the City may enter any premises upon presentation of proper credentials for the purpose of inspecting
for compliance with this chapter and title at such times as may be reasonably necessary to perform any duties imposed upon said official. Whenever entry is refused, the city designated official may seek assistance from any magistrate or court of competent jurisdiction in order to obtain the entry. The designated officer shall be entitled to enter any premises accompanied by a trained ACM expert to inspect the premises.

(Ord. 594, Passed 1992)

6-14-7 VIOLATIONS--PENALTIES. Violation of this Chapter is subject to the provisions of Title I, Chapter 3 of this Code of Ordinances.

(Ord. 719, Passed 2012)