

## **CITY OF CASPER UNSAFE STRUCTURES PROCEDURE**

- **In order to be deemed unsafe, a structure must meet the requirements as defined by the following section.**

### **15.04.070 - Section 105.1—Structures unsafe for human occupancy.**

Section 105.1, which shall ***NOT*** apply to owner occupied residential structures, is amended to read (*this is an abbreviated version of the section*):

**[1] Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**[2] Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

**[3] Structures unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

- **The City has a procedure that needs to be followed in order to determine if a structure is unsafe, and if found to be unsafe, to get the unsafe conditions corrected.**
  1. You must first submit a formal letter of complaint to the City of Casper, Chief Building official. This can be done in person at City Hall 200 N. David St, Casper, WY, by mail, or by email to Dan Elston [delston@casperwy.gov](mailto:delston@casperwy.gov). The formal complaint must include the following:
    - a. The complaining parties name, address, and phone number.
    - b. A description of what may be unsafe such as no water/sewer, no heat, no power, structural issues, etc. (attach pictures, lease agreement, or any other items that may be helpful in determining the severity of the situation.)
    - c. Is there access to the property for the Building Official to inspect the unsafe conditions? Either you, as the renter, or the

- owner/landlord of the property must allow the Building Official to enter.
- d. The owner or responsible parties name, address, and phone number.
  - e. All parties involved will be copied on all correspondence submitted to the City, regarding the complaint.
  - f. The City does ***not*** identify mold – An independent specialist will have to determine that (any costs incurred will be the O/RP's responsibility). If an independent specialist has determined that mold is present, please submit the report/findings to the Building Official.
    - i. Western Environmental – 307-259-8426
    - ii. Rapid Mold Removal – 307-459-2602
2. Once the letter is received the Building Official will notify the owner within 1 business day and allow them to respond to the complaint.
  3. If the nature of the complaint is substantiated, and meets one of the listed unsafe conditions that are set forth in the Unsafe Structures Ordinance, then an appointment will be made for a City Building Official to inspect the property to verify the conditions in person.
  4. **If the structure is deemed unsafe:**
    - a. The Chief Building Official will serve a notice of violation to the O/RP via personal delivery, certified mail, or registered mail.
    - b. The O/RP may appeal the findings to the Contractors Licensing Board.
  5. **If the structure is found to be unsafe through the appeals process and the O/RP does not remedy the conditions:**
    - a. The Municipal Code defines an unsafe condition as a violation which is a misdemeanor per chapter 1.28.010: Penalties for code violations shall be punishable only by a fine of not more than \$750.00, to which may be added court costs as set by the municipal court.
    - b. Per the International Residential and Building Code, disconnection of utilities is authorized if the unsafe condition is not remedied.

*Note;*

*It is the desire of the City of Casper to have an unsafe condition remedied as soon as possible without enforcing fines or utility disconnection. Communication from the O/RP to the City of Casper with feasible timelines to correct an unsafe condition is all that is necessary for an unsafe condition to be resolved.*

If you have any questions please feel free to contact the Building Department at 307-235-8254, or you may contact us at Dan Elston [delston@casperwy.gov](mailto:delston@casperwy.gov) or Justin Scott [jscott@casperwy.gov](mailto:jscott@casperwy.gov).