

ORDINANCE 1111

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, DESIGNATING PROCEDURES TO BE FOLLOWED FOR PROPERTIES WHICH ARE DANGEROUS DUE TO THE MANUFACTURE, DISTRIBUTION, PRODUCTION OR STORAGE OF ILLEGAL DRUGS AND ADDING A NEW SECTION 14.16.012 TO THE LACEY MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, that there be added to the Lacey Municipal Code a new section 14.16.012 entitled "Drug Properties and Structures" to read as follows:

14.16.012 Drug Properties and Structures: It is hereby declared that any building, structure and/or associated property wherein or upon which the manufacture, distribution, production or storage of illegal drugs or the precursors to create illegal drugs has taken place in a manner which could endanger the public, such building, structure and/or association property is not only a dangerous property as defined by Section 14.16.050 of the City of Lacey Minimum Buildings and Structures Code but is also of a classification of property calling for the special procedures set forth in this section. The building official is authorized to abate such dangerous buildings, structures and/or associated properties in accordance with the dangerous building procedures set forth in such code, with the following modifications: (1) due to the public safety hazard in drug-production facilities, the utilities shall be disconnected; (2) building(s) and structures will be inspected to determine compliance with all City ordinances and codes; (3) building(s) and any entry gates to the property will be secured against entry in the manner noted in Section 14.16.060(1) of the code; (4) no reconnection of utilities or reoccupancy of the

building(s), structures or property shall be allowed until all violations have been remedied, and all dangerous conditions abated to the satisfaction of the building official and a notice of release for reoccupancy has been received from the health department.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,
this 22nd day of July, 1999.

CITY COUNCIL

By Nancy Peterson
Mayor

Attest:

Approved as to form:

Charlette D. Taylor
City Clerk

[Signature]
City Attorney

Published: July 26, 1999
Monday

Drug Property Policy

- Affected Departments:**
1. Code Enforcement/Building
 2. Police
 3. Finance
 - a. Water utility
 - b. Accounting

Policy Purpose:

The purpose of this policy is to define the interaction between the named departments when dealing with a drug-producing property such as a meth lab. The hazards associated with such a property are such that the public health and safety is threatened. It has become clear to the City that a police department action to arrest the drug producer and to clean out the lab is not enough. Creating a link between the building and police departments is necessary to thoroughly address the property and assure it has been made reinhabitable to ensure the public safety.

Policy Goals:

1. To ensure that a drug property has been properly abated in accordance with the City of Lacey Minimum Building and Structures Code and Lacey Municipal Code Chapter 14.16.
2. To ensure the proper and timely cessation of utilities to the drug property to safeguard the lives and health of responders to the scene and the public in general.
3. To ensure that a drug producing property has been decontaminated in accordance with WAC 246-205, and recertified by the Thurston County Health Department and released for reoccupation in accordance with WAC 246-205-580.
4. To ensure that all minimum property standards have been enforced and any other violations of the City of Lacey health, nuisance, zoning, life safety laws have been abated and the property approved for reuse.

Procedures:

1. The building official or his/her designee is a member of the Police Department's drug task force response and as such is to be notified by the duty supervisor of any drug enforcement action covered by LMC 14.16, as soon as the location is secured.
2. When a drug enforcement action has taken place, the scene secured and the building official responds to verify the need to abate the property in accordance with LMC 14.16, the building official shall notify a general contractor, the electric and gas utilities, and the water utility of the action and request their response to the scene.

3. Upon completing the police action, the building official shall immediately issue a notice to disconnect the utilities to safeguard the public safety. Electricity and gas shall be disconnected to prevent fire and explosion hazard. Water shall be disconnected to prevent a cross contamination of the public water system.

4. Once the utilities have been disconnected, the building official shall post the building(s) and property in accordance with the requirements for posting dangerous buildings contained in the Minimum Building and Structures Code.

5. When the immediate clean-up and removal of chemicals and other evidence has been completed by the Health Department, Dept. of Ecology and any other hazard response team members, the building official shall have the general contractor board up the building(s) and any property entry gates, etc., in the manner prescribed in Minimum Building and Structures Code Section 14.16.060 (l).

6. The Building Department shall conduct a thorough inspection of the property and all structures to determine if any violations of the City's zoning, nuisance, health, life safety or Minimum Building and Structures Code exist. Any such violations shall be documented and abated in accordance with standard City code enforcement procedures.

7. The Finance Department will account for all expenses related to this code enforcement action, including the cost of inspections, the cost of hiring the contractor for immediate abatement action(s), the administrative cost of accounting, etc., and shall take action to recover the costs from the property owner in accordance with the procedure specified in RCW 35.80.

8. No building shall be opened, utilities reconnected, or approved for occupancy until the notice of release for reoccupation has been received from the Health Department and all other violations noted have been corrected and payment of expenses made.

City Manager

Police Chief

Building Official

Date of Policy: _____