

# **EXTRACTS: MARICOPA COUNTY ABATEMENT ORDINANCE No. 11**

## CHAPTER 1 – PURPOSE AND TITLE 101.

**PURPOSE** The purpose of this ordinance, known as “Abatement Ordinance”, is to provide for the remedy of situations existing on real property which have been determined to have detrimental effects on the public health, safety, and/or general welfare.

### 205. VIOLATION

A person, firm or corporation shall have committed a violation of this ordinance if such person, firm or corporation without lawful authority:

a) Allows for rubbish, trash, weeds, filth, debris or dilapidated buildings which constitute a hazard to public health and safety to remain upon property of which they are the owner or occupant, or to remain upon sidewalks, streets and alleys contiguous to the property which they are the owner or occupant,

b) Places any rubbish, trash, filth or debris upon any private or public property located in the unincorporated areas of the County which is not owned or under the control of the person, firm or corporation.

**206. PENALTY** Any person, firm or corporation committing a violation pursuant to Section 205 of this ordinance shall be subject to penalties and enforcement as follows:

a) Violation pursuant to Section 205.a shall be a Class 2 Misdemeanor and may be enforced in the same manner as any violation of the Maricopa County Zoning Ordinance.

b) Violation pursuant to Section 205.b shall be a Class 1 Misdemeanor and may be enforced in the same manner as any violation of the Maricopa County Zoning Ordinance.

c) Violation pursuant to Sections 205, which relate to rubbish, trash, weeds, filth, and debris, AND/OR dilapidated buildings may be alternatively subject to abatement under the provisions of Sections 405 of this ordinance.

### 302. DEFINITIONS

Dilapidated building means any real property structure that is in such disrepair or is damaged to the extent that its strength or stability is substantially less than a new building or it is likely to burn or collapse and its condition endangers the life, health, safety, or property of the public. The Building Official shall determine whether a structure is a dilapidated building. Dilapidated buildings as determined by the Building Official shall include, but not be limited to, those buildings that meet any or all of the following criteria:

a) The building or structure's interior walls or other vertical structural members, list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

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b) The building or structure, exclusive of the foundation, has thirty-three percent or more damage or deterioration to the supporting member or members structural assembly, or fifty-percent damage or deterioration to the non-supporting enclosing or outside walls or covering.

c) The building or structure is infested by rodents, insects or other noxious pests, rendering it uninhabitable.

d) The building or structure exhibits conditions that present actual hazards or dangers.

e) The building or structure has been vacant and unsecured for more than forty-eight (48) hours, on more than one (1) occasion, during a previous twelve (12) month period.

f) The building or structure or their contents represents an imminent health or fire hazard.

Rubbish, trash, filth or debris shall include, but not be limited to: ordinary litter, refuse, waste, or rubble and any remains thereof and similar material including the waste or rubble of any dilapidated building.

Weeds shall include any uncultivated vegetation of a combustible nature with an associated fire hazard which cannot be reasonably contained on the property where it exists and shall include, but not be limited to: dried grass higher than six (6) inches; or other dried vegetation higher than six (6) inches; tumbleweeds, branches or clippings; or dead trees, bushes or shrubs.

Dreamland Villa Retirement Community shall bring to the attention of the Dreamland Villa Subdivision residents, violations described above. If the residents do not abate the above described violations, the violations shall be forwarded to the Maricopa County Abatement Officer. Dreamland Villa residents should anticipate that the Maricopa County Abatement Officer shall process the complaint following the procedures set forth in **MARICOPA COUNTY ABATEMENT ORDINANCE No. 11** 402. COMPLAINT PROCESSING and subsequent paragraphs.