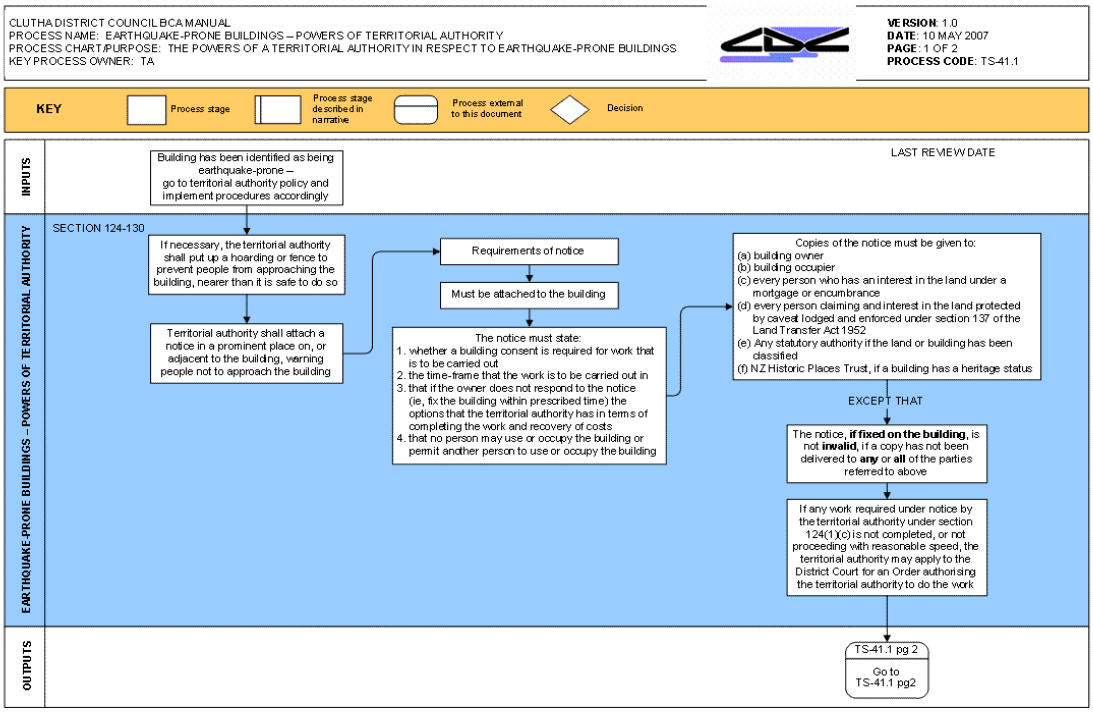
CLUTHA DISTRICT COUNCIL BCA MANUAL
PROCESS NAME: EARTHQUAKE-PRONE BUILDINGS – POWERS OF TERRITORIAL AUTHORITY
PROCESS CHART/PURPOSE: THE POWERS OF A TERRITORIAL AUTHORITY IN RESPECT TO EARTHQUAKE-PRONE BUILDINGS
KEY PROCESS OWNER: TA
VERSION: 1.0
DATE: 10 MAY 2007
PAGE: 1 OF 2
PROCESS CODE: TS-41.1
KEY
Process stage
Process stage described in narrative
Process external to this document
Decision
INPUTS
LAST REVIEW DATE
Building has been identified as being earthquake-prone – go to territorial authority policy and implement procedures accordingly
EARTHQUAKE-PRONE BUILDINGS – POWERS OF TERRITORIAL AUTHORITY
SECTION 124-130
If necessary, the territorial authority shall put up a hoarding or fence to prevent people from approaching the building, nearer than it is safe to do so
Territorial authority shall attach a notice in a prominent place on, or adjacent to the building, warning people not to approach the building
Requirements of notice
Must be attached to the building
The notice must state:
1. whether a building consent is required for work that is to be carried out
2. the time-frame that the work is to be carried out in
3. that if the owner does not respond to the notice (ie, fix the building within prescribed time) the options that the territorial authority has in terms of completing the work and recovery of costs
4. that no person may use or occupy the building or permit another person to use or occupy the building
Copies of the notice must be given to:
(a) building owner
(b) building occupier
(c) every person who has an interest in the land under a mortgage or encumbrance
(d) every person claiming and interest in the land protected by caveat lodged and enforced under section 137 of the Land Transfer Act 1952
(e) Any statutory authority if the land or building has been classified
(f) N.Z Historic Places Trust, if a building has a heritage status
EXCEPT THAT
The notice, if fixed on the building, is not invalid, if a copy has not been delivered to any or all of the parties referred to above
If any work required under notice by the territorial authority under section 124(1)(c) is not completed, or not proceeding with reasonable speed, the territorial authority may apply to the District Court for an Order authorising the territorial authority to do the work
OUTPUTS
TS-41.1 pg 2
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