



## TOWNSHIP OF INDIANFIELDS

### DANGEROUS STRUCTURE ORDINANCE

#### Ordinance No. 44

An ordinance to protect the public health and safety by providing for the repair, demolition, and making safe of dangerous structures; to define dangerous structures; to provide for inspections of dangerous structures; to provide for notices, hearings, and appeals for persons having interests in structures determined to be dangerous; and to provide for the tax roll assessment of the cost of making dangerous structures safe.

THE TOWNSHIP OF INDIANFIELDS ORDAINS:

#### Section 1. DANGEROUS STRUCTURE DEFINED.

As used in this Ordinance, "dangerous structure" means any building, constructed facility, modular home, manufactured home, or mobile home which has any of the following defects:

- (a) Whenever any portion of a structure has been damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Michigan building code for a similar new structure.
- (b) Whenever any portion of the structure is likely to fall or to become dislodged, or to collapse and thereby injure persons or damage property.
- (c) Whenever for any reason whatsoever the structure or any portion is manifestly unsafe for the purpose for which it is used.
- (d) Whenever the structure has been so damaged or deteriorated that the interior of the building is exposed to elements or is accessible to entrance by trespassers or may become an attractive nuisance to children.
- (e) Whenever a structure used or intended to be used for dwelling purposes, because of dilapidation, neglect, decay, damage, faulty construction, or otherwise, is unfit for human habitation or is in a condition that is likely to cause sickness or injury to the health, safety or general welfare of those living in or near it.

#### Section 2. INSPECTION.

The Building Inspector shall conduct an inspection and file a report on all structures which the inspector has reason to believe may be dangerous as defined in this Ordinance. The report shall specify the nature of the dangerous conditions and the repair or demolition necessary to make the structure safe.

**Section 3. FILING AND NOTICE.**

The Building Inspector shall file the inspection report with the Township Clerk. The Clerk shall issue a notice of public hearing which shall be accompanied by a copy of the inspection report and a copy of this Ordinance.

- (a) The notice shall specify the time and place of a hearing before the Township Board at which there shall be an opportunity to contest the findings of the Building Inspector.
- (b) The notice shall be directed to the person or persons in whose name the property appears on the most recent Township tax assessment records.
- (c) All notices shall be sent by regular mail or otherwise delivered at least ten (10) days before the date of the hearing.

**Section 4. HEARING AND DECISION.**

The Township Board shall conduct a hearing reviewing the findings of the Building Inspector. All relevant information provided by the owners or other persons interested in the property and all relevant information provided by the Building Inspector shall be considered.

- (a) If it is determined by the Township Board that the structure is not dangerous or unsafe, no further action shall be taken.
- (b) If it is determined by the Township Board that the structure should be repaired, demolished, or otherwise made safe, it shall so order, fixing a time within which compliance must be completed.
- (c) A copy of the Township Board decision shall be sent by regular mail or otherwise delivered to the person or persons to whom the original notice was sent.

**Section 5. APPEAL.**

A Township Board decision requiring the repair, demolition, or other work on a structure may be appealed by any person having an ownership or financial interest in the property. An appeal of the decision shall be made to the Circuit Court by filing an action within twenty-one (21) days from the date of approval of the minutes of the meeting at which the decision was made by the Township Board.

**Section 6. COMPLIANCE.**

Compliance with a Township Board decision to require the repair, demolition, or making safe of a structure shall be the responsibility of the duly notified persons having an interest in the property.

Section 7. FAILURE TO COMPLY; LIEN.

If the responsible persons do not comply with the Township Board decision within the time specified, the Township may arrange to have the required repair, demolition, or other work completed. The cost of such required repair, demolition, or other work shall be a lien against the real property on which the building or structure is located and shall be assessed against said real property on the next tax roll.

Section 8. CIRCUIT COURT ORDER.

The Township Board shall have the authority to seek an Order from the Circuit Court to enforce any Township Board decisions made pursuant to this Ordinance.

The undersigned Supervisor and Clerk of the Township of Indianfields hereby certify that this Ordinance was adopted by the ~~Indianfields~~ Township Board at a meeting held on the 13<sup>th</sup> day of JUNE, 2011 and was published in the ADVOCATE on the 15<sup>th</sup> day of JUNE, 2011. This Ordinance becomes effective thirty (30) days after said date of publication.

  
\_\_\_\_\_  
Ray Rendon, Supervisor

  
\_\_\_\_\_  
William E. Campbell, Clerk