

CHAPTER 6

BUILDINGS

ARTICLE I – DEMOLITION OF BUILDINGS

6-1-1 **DEFINITIONS.** For the purpose of this Chapter:

“DEMOLITION”: The removal, in whole or in part of any structure or building, the removal of demolition debris, or the installation of fill material and final grading in connection with such removal.

“DEMOLITION CONTRACTOR”: Any person or firm engaged in the business of demolition of buildings or structures by contract.

“ADMINISTRATOR”: The Zoning Administrator for the City or his authorized agent.

6-1-2 **POWERS AND DUTIES OF ADMINISTRATOR.** In addition to the other powers and duties prescribed in this Code, the Administrator shall have the right during reasonable hours, or at any time when an extreme danger exists, to enter any premises for which a demolition permit has been issued or applied for to determine the progress of work or to determine if a safety hazard exists. He shall have the authority to order the discontinuation or modification of any demolition work when he determines that a hazardous condition may result from continued work. He shall approve or disapprove all applications for demolition permits. He shall approve all bonds required under this Article. He shall submit an accounting of all fees collected to the City Clerk.

6-1-3 **REGULATION OF DEMOLITION CONTRACTORS.** Prior to the issuance of any demolition permit, a demolition contractor shall provide the Administrator with the following:

(A) **License and Permit Bond.** A license and permit bond specifically covering demolition work and conditioned upon compliance with the provisions of this Chapter, such bond to be in the amount of **Twenty Thousand Dollars (\$20,000.00)**.

(B) **Insurance.** A certificate of liability containing general liability coverage of at least **One Million Dollars (\$1,000,000.00)**. If it would be necessary for the demolition contractor to place any equipment for the demolition and/or removal of demolition debris and/or installation of fill material and/or final grading on public right-of-way, the City will be listed as an additional insured under the general liability policy.

6-1-4 **REGULATION OF PROPERTY OWNERS.** Owners of real property may demolish their own buildings or structures. However, the Administrator shall not issue a demolition permit until the owner has provided the following:

(A) **Bond.** A cash bond equal to **Fifty Cents (\$0.50)** per **one (1) square foot** of ground floor area of all buildings named in the application for a demolition permit. Such bond shall be conditioned upon compliance with this Chapter. Such bond shall be cancelled and all monies returned to the owner upon completion of the demolition to the reasonable satisfaction of the Administrator.

(B) **Entry Agreement.** An agreement signed by the owner granting permission to employees or agents of the City to enter the named property to complete all work required under this Chapter if such work is uncompleted on the date of expiration of the demolition permit.

Any expenses incurred by the City as a result of such entry and work shall be deducted from the bond.

6-1-5 PERMITS; FEES.

(A) **Permits Required.** It shall be unlawful for any person to demolish any building or structure, or any structural part thereof, that is over **four hundred (400) square feet**, or connected to electric, gas, water, or sewer lines, or has one or more party walls, without having first obtained a demolition permit from the Administrator. Application for a permit shall be made on a form prescribed by the Administrator.

(B) **Expiration of Permits.** Permits for demolition shall expire **thirty (30) days** after issuance. The Administrator, upon good cause shown, extend such date of expiration for a successive **fifteen (15) day** period.

(C) **Denial of Permit.** The Administrator may refuse to issue a demolition permit when the requirements of this Chapter are not met or where a permit has already been issued for a specific property and no significant progress has been made toward complete demolition.

(D) **Drawings Required.** Applicants for a demolition permit shall provide drawings indicating the height and location of buildings on the site, distance from property lines and adjacent buildings, final grading, party walls, protective canopies and such other information as may be reasonable requested by the Administrator. The Administrator may, if he determines that the safety of persons or property will not be adversely affected, waive the requirements of this subsection (D).

(E) **Permit Fees.** The Administrator shall collect a **Ten Dollar (\$10.00)** fee for all demolition permits.

6-1-6 DEMOLITION INSPECTIONS.

(A) **Inspections Required.** The Administrator shall cause an inspection to be made of all demolitions upon the completion of work and at such other stages of work as he may determine to be necessary.

(B) **Notification for Inspection.** The person carrying out a demolition shall notify the Administrator that the site is ready for final inspection. The Administrator shall cause an inspection within **twenty-four (24) hours** of such notification, nonworking days excluded.

(C) **Discontinuance of Demolition for Safety Reasons.** If, after inspection, the Administrator finds continued demolition will create a hazard to the public, he shall order demolition discontinued and recommend a safer method of demolition to be used.

6-1-7 DEMOLITION REQUIREMENTS.

(A) **General.** All demolition work shall be carried out in safe and workmanlike manner to minimize hazard to adjacent property and the public.

(B) **Subterranean Walls, Floors, Footings.** All subterranean walls, floors and footings shall be removed.

(C) **Fill Material.** All depressions, cavities, cisterns or wells shall be filled with approved granular material to within **six (6) inches** of final grade.

(D) **Site Restoration.** The final grading shall be such that no depressions or cavities exist and storm water cannot stand on the demolition site. **Six (6) inches** of earth shall be installed over any depression, cavity, cistern or well filled with fill material.

(E) **Removal of Debris.** All debris resulting from demolition shall be removed from the site where demolition occurs in a timely manner. In no event shall debris be used for fill material.

(F) **Barricades, Fencing and Canopies.** Where necessary to protect public health and safety, the Administrator may require the erection of fencing, barricades or protective canopies around the perimeter of the demolition site.

(G) **Working Hours.** No demolition work shall be conducted between the hours of **nine o'clock (9:00) P.M.** and **seven o'clock (7:00) A.M.** unless previously approved by the Administrator.

(H) **Closing of Streets.** Streets, roadways and alleys adjacent to a demolition site may be closed only after approval by the Administrator. The Administrator shall, prior to approval of such closing, consult with the Fire Chief, Police Chief and Director of Public Works.

(I) **Disconnection of Utilities.** It is the responsibility of the owner or his agent to arrange the disconnection of all utilities to a demolition site prior to demolition. All water, sewer and gas lines shall be properly capped and sealed.

(J) **Notice.** Notice to adjoining owners must be given at least **ten (10) days** prior to the beginning of the proposed demolition. Only when written notice has been given by the applicant to the owners of adjoining lots, and to the owners of wired or other facilities, of which the temporary removal is necessitated by the proposed work, shall a permit be granted for the removal of the building or structure. Said notice shall contain the address of the structure to be demolished as well as the date demolition is scheduled to begin. Said notice shall also include the demolition contractor's name, address, and phone number.

(K) **Party Walls.** In the event the structure to be demolished has one or more party walls, the applicant shall provide drawings sealed by a registered architect or structural engineer indicating the measures to be taken to support the adjacent structures after demolition. In the event adjacent structures do not require additional support, the architect or engineer shall provide a written statement stating such conclusion. The written consent of owners of adjacent buildings to install necessary shoring or bracing shall be provided.

6-1-8 VIOLATIONS; PENALTIES.

(A) **Violation Defined.** It is a violation of this Chapter for any person to cause or allow demolition to occur on any property under this ownership or control except in conformance with the provisions of this Chapter.

(B) **Penalty for Violation.** Any person who violates, neglects or refuses to comply with or who resists or opposes the enforcement of any provision of this Chapter or who shall proceed to engage in the demolition of any structure without having first obtained a demolition permit therefore shall, upon conviction thereof, be fined not less than **Fifty Dollars (\$50.00)** nor more than **Five Hundred Dollars (\$500.00)** for each offense. A separate offense shall be deemed committed for each day any violation of any provision of this Chapter shall continue.

(C) **Penalty Does Not Excuse Violation.** The imposition of a penalty hereunder shall not excuse the violation nor shall it permit the continuance of any such violation.

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