

CHAPTER VIII

BUILDING REGULATIONS & REPAIR

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BUILDING REGULATION & REPAIR ORDINANCE

~~SECTION 1. Creation of Department.~~
Article 1
THE CITY OF PINCONNING ORDAINS:

SECTION 1. Creation of Department.

There is hereby established in the City the "Building Department" which shall be under the jurisdiction of the Building Official designated by the appointing authority.

SECTION 2. Powers and Duties of Building Official.

(a) General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he shall have the powers of a police officer.

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official.

(b) Deputies. In accordance with the procedure and with the approval of the chief appointing authority of the municipality, the Building Official may appoint such number of officers, inspectors and assistants and other employees as shall be authorized from time to time. He may deputize such employees as may be necessary to carry out the functions of the Building Department.

(c) Reports and Records. The Building Official shall submit a report to the proper City official once a month, governing the work of the Department during the preceding period. He shall incorporate in said report a summary of his recommendations as to desirable amendments to the law.

The Building Official shall keep a permanent, accurate account of all fees and other monies collected and received under this code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the

building or premises to which they relate.

(d) Right of Entry. Upon presentation of proper credentials the Building Official or his duly authorized representatives may enter at reasonable times any building, structure or premises in the City to perform any duty imposed upon him by this Code.

(e) Stop Orders. Whenever any building work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

SECTION 3. Unsafe Buildings.

(a) General. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety, or health, or public welfare, by reason of inadequate maintenance, delapidation, obsolescence, or abandonment, as specified in this Code, or any other effective ordinance, are, for the purpose of this Section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure of this section.

(b) Notice to Owner. The Building Official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this Section, the Building Official shall give to the owner of such building or structure written notice

stating the defects thereof. This building or premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official.

Proper service of such notices shall be by personal service upon the owner of record, if he shall be found within the city limits. If he is not found within the city limits such service may be made upon said owner by registered mail; provided, that if such notice is by registered mail, the designated period within which said owner or person in charge is required to comply with the order of the Building Official, shall begin as of the date he receives such notice.

(c) Posting of Signs. The Building Official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER, UNSAFE TO OCCUPY." "BUILDING DEPARTMENT, CITY OF PINCONNING." Such notice shall remain posted until the required repairs, demolition, or removal is completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

(d) Right to Demolish. In case the owner shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the City Council may order the owner of the building prosecuted as

a violator of the provisions of this Code and may order the Building Official to proceed with the work which shall be transmitted to the City Council, who shall cause the same to be paid and levied as a special assessment against the property.

(e) Costs. Costs incurred under Subsection (d) shall be paid out of the City Treasury. Such Costs shall be charged to the owner of the premises involved as a special assessment, on the land on which the building or structure is located, and shall be collected in the manner provided for special assessments.

SECTION 4. Board of Appeals. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be and is hereby created a Board of Appeals, consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction.

The Building Official shall be an ex-officio member and shall act as Secretary to the Board. The Board of Appeals shall be appointed by the Mayor and shall hold office at his pleasure. "The Board" shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and may recommend to the City Council such new legislation as is consistent therewith.

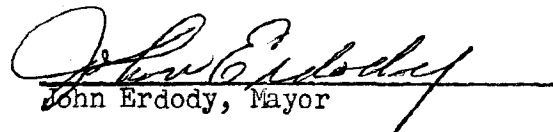
SECTION 5. Violations and Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the

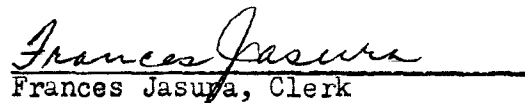
provisions of this Code.

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$300.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

This ordinance shall become effective January 15, 1969.

Passed by the City Council December 9, 1968.


John Erdody, Mayor


Frances Jasura, Clerk