

VILLAGE OF ALMONT
LAPEER COUNTY, MICHIGAN

Ordinance No. 108

DANGEROUS BUILDINGS ORDINANCE

An ordinance to protect the public health and safety by providing for the repair, demolition, and making safe of dangerous buildings; to define dangerous buildings; to provide for inspections of dangerous buildings; to provide for notices, hearings, and appeals for persons having interests in buildings determined to be dangerous; to provide for the assessment of the cost of making dangerous buildings safe; pursuant to the provisions of P.A. 1917, No. 167 and Chapter 11.3 of the Village Charter.

The Village of Almont Ordains:

Section 1. Short Title.

This ordinance shall be known as the Almont Village Dangerous Buildings Ordinance.

Section 2. Definition.

As used in this ordinance, "dangerous building" means any building or structure which has any of the following defects:

(a) Whenever any portion 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 village building code for a similar new building or structure.

(b) Whenever any portion or member or appurtenance is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(c) Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof is likely to partially or completely collapse.

(d) Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.

(e) Whenever the building or structure has been so damaged by fire, wind, or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger.

(f) Whenever a building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease or is likely to work injury to the health, safety or general welfare of those living in or near it.

(g) Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to elements or accessible to entrance by trespassers.

Section 3. Inspection.

The building inspector shall inspect and file a report on all buildings and structures which he believes may be dangerous buildings as defined in this ordinance.

Section 4. Notice.

When the whole or any part of any building or structure is found to be in a dangerous or unsafe condition, the Building Inspector shall issue a notice which shall specify the nature of the dangerous and unsafe condition and the repair or demolition necessary to make the building or structure safe.

(a) The notice shall be directed to the person or persons in whose name the property appears on the most recent village tax assessment records and to any other person or persons known to have a financial interest in the property.

(b) The notice shall specify the time and place of a hearing before the village council at which the person or persons to whom the notice was directed shall have the opportunity to appeal the findings of the building inspector.

(c) All notices shall be sent by certified mail or otherwise delivered to the person or persons to whom the notice is directed, at least ten (10) days before the date of the hearing described in the notice.

Section 5. Hearing.

The village council 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 village council that the building or structure is not dangerous or unsafe, no further action shall be taken.

(b) If it is determined by the village council that the building or 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 decision of the village council shall be sent by certified mail or otherwise delivered to the person or persons to whom the original notice was sent.

Section 6. Compliance.

Complying with a village council decision to require the repair, demolition, or making safe of a building or 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 village council's decision within the time specified, the village shall 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. Appeal

A person affected by a village council decision requiring the repair, demolition, or other work on a building or structure in which said person has an interest, may appeal the decision to the Circuit Court by filing an action within 20 days from the date of the decision by the village council.

Section 9. Severability Clause:

This Ordinance and each section, subsection, provision, sentence, and portion thereof are hereby declared to be severable. If any section, subsection, provision, sentence, or portion thereof is adjudged by a Court of competent jurisdiction to be invalid or unenforceable for any reason whatsoever, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 10. Repeal of Conflicting Provisions.

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are to the extent of such conflict, hereby repealed.

Section 11. Enactment and Effective Date.

This Ordinance shall become effective upon passage and publication.

We, the undersigned, President and Clerk of the Village of Almont, Lapeer County, Michigan, do hereby certify that this ordinance was passed by the Almont Village Council on the 21st day of February, 1978 and was published on the 22nd day of February, 1978.


Charles T. Orr, President


Betty J. Doster, Clerk

Published January 26, 1978

Adopted February 21, 1978

Effective February 22, 1978