

Ordinance No. 2000-1 Amending 1991-3

ORDINANCE TO AMEND

THE VILLAGE OF SOUTH RANGE DANGEROUS BUILDING ORDINANCE

The Village of South Range Dangerous Building Ordinance, Ordinance no. 1991-3 is hereby amended as follows: Sections IV, V, VI and VII are amended as follows.

SECTION IV.

a: When the whole or any part of any building or structure is found to be in a dangerous condition, the Village Marshall or such other person appointed by resolution of the South Range Village Council as building administrator (hereafter referred to in this ordinance as the Administrator) shall issue a notice of the dangerous condition.

b: Such a notice shall be directed to the owners of, or all parties in interest in, the building as appears on the last local tax assessment records of the Village.

c: The notice shall specify the time and place of a hearing on the condition of the building or structure, at which time and place the person to whom the notice is directed shall have the opportunity to show cause to the Village Marshall or Administrator why the building or structure should not be ordered to be demolished or otherwise made safe.

d: All such notices required by this ordinance shall be in writing and shall be served upon the person to whom they are directed personally or, in lieu of personal service, may be mailed Certified Mail - Return Receipt Requested, addressed to such owner or party in interest at the address shown on the tax records at least ten (10) days before the date of the hearing described in the notice. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted in a conspicuous part of the building or structure.

SECTION V.

a: At any hearing held the Village Marshall or Administrator shall take testimony of the owner of the property, and any other interested party. Upon the taking of such testimony he shall render his decision either closing the proceedings or ordering the building to be demolished or otherwise made safe.

b: If it is determined by the Marshall or Administrator that the building or structure should be demolished or otherwise made safe, he shall so order, fixing a time in the order for the owner or party of interest to comply therewith.

c: If the owner or party in interest fails to appear or neglects or refuses to comply with the order, the Village Marshall or Administrator shall file a report of his findings and a copy of his findings and a copy of his order with the South Range Village Council and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of such findings and order shall be served on the owner or party in interest in the manner prescribed in Section IV(d).

SECTION VI.

Upon receiving the findings and order of the Village Marshall or Administrator the South Range Village Council shall fix a date for hearing to review the findings and order and shall give notice to the owner and parties in interest in the manner prescribed in Section IV(d) of the time and place of hearing. At the hearing, the owner or party of interest shall be given the opportunity to show cause why the building should not be demolished or otherwise made safe and the Council shall either approve, disapprove or modify the order for demolition or making safe the building or structure and establish time limits for such demolition or corrective action.

SECTION VII.

In the event of failure or refusal of the owner or party in interest to comply with the decision of the South Range Village Council, the Council may, at its discretion, contract for the demolition or making safe of the dangerous building. The cost of the demolition or making the building safe shall be a lien against the real property and shall be

reported to the assessing officer of the Village. The owner and each party in interest in whose name the property appears upon the last Village tax assessment records shall be notified of the amount of such cost, upon it being incurred, by First Class Mail at the address shown on the records. If he fails to pay the same within thirty (30) days after the mailing by the assessor of the notice of the amount thereof, the assessor shall certify the unpaid amount on the next tax roll of the Village and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the Village.

In addition to any other remedies provided by this Ordinance or Michigan law, the Village may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds as ordered. Any judgment obtained pursuant to this section may be enforced against assets of the owner other than the building, structure or lands involved and the Village shall be entitled to seek and record a lien for the amount of the judgment against the owner's interest in any and all other property owned in whole or in part by the owner of the building or structure against whom the Judgment is obtained in accordance with Michigan law providing for the enforcement of judgments.

In all other respects, except as amended hereby, Ordinance No. 1991-3 is reaffirmed.

This Ordinance shall become effective on April 30, 2000.

This Ordinance was adopted by the Village Council of the Village of South Range at a regular meeting held on the 6th day of April, 2000.

Synopsis published in:

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Michael Ronp, President

Elvera Detki, Clerk