

# WHITE COUNTY BUILDING & PLANNING DEMOLITION INFORMATION FORM

Each Commercial or Industrial site intended for demolition requires a Demolition Application and Demolition Permit.

## Property Owner Name, Address and Contact Information

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

## Subject Site Property Address & Parcel Number

\_\_\_\_\_  
\_\_\_\_\_

Parcel Number \_\_\_\_\_

Anticipated Start and Completion Dates of Demolition Efforts: \_\_\_\_\_ - \_\_\_\_\_  
(Max time of sixty (60) days unless authorized by the Administrative Director.)

Zoning District: \_\_\_\_\_ Flood Zone: \_\_\_\_\_ Panel #: \_\_\_\_\_ DNR EFARA #: \_\_\_\_\_

Description or Identification of All Buildings and/or Structures Subject of the Demolition:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide an Aerial View of the Demolition Site

Provide a Detailed Scope of Demolition Work to be Performed (include additional pages as needed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Primary Contractor Name, Address and Contact Information

Name \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

## Required Documents:

- 1) List of all Secondary Contractors Including Name, Address and Contact Information (this includes any person or entity to be used on site during demo phase and those used to haul any material and/or building or structure from the site) (provide on separate page)
- 2) Provide Proof of Ownership of Subject Property (copy of deed should be included on as a separate page)
- 3) A Signed and Notarized Affidavit from the Owner(s) Allowing for the Demolition (must be signed by all owners)
- 4) Proof of Adequate Comprehensive Liability Insurance with a Combined Single Limit in the Amount of No Less Than \$500,000 for any Single Occurrence (provide on separate page)
- 5) Copy of all Notifications to all Utility Organizations (gas, electric, water, sewer & any other utility within one-quarter mile of the perimeter of the parcel upon which the demolition is to occur) (provide on separate page(s))

**All demolition activities must comply with all requirements, regulations and standards provided for in White County Ordinance #: 19-01-22-01 (copy provided to applicant)**

I acknowledge receipt of this above referenced ordinance (must be signed by an owner or primary contractor)

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

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*For Staff Completion Only:*

Meeting date/time with Executive Director: Date \_\_\_\_\_ Time \_\_\_\_\_

**EXEMPTION: As Administrative Director, I have determined the size of the demolition site to be less than 350 square feet and is thus exempt from the permit requirement for demolition activity.**

Signature – Administrative Director \_\_\_\_\_

Date \_\_\_\_\_

Area Plan Approval \_\_\_\_\_  
(Sign)

Date \_\_\_\_\_

Regulated Drain Yes \_\_\_\_\_ No \_\_\_\_\_

Initials for Reg. Drain \_\_\_\_\_

Date \_\_\_\_\_  
(Initial/Date)

Total Fee: \_\_\_\_\_ D-Permit# \_\_\_\_\_ Receipt # \_\_\_\_\_



ORDINANCE NO. 22-10-17-01

**AN ORDINANCE AMENDING §150.30 – §150.99 OF THE WHITE COUNTY CODE OF ORDINANCES CONCERNING COMMERCIAL AND INDUSTRIAL SITE DEMOLITION APPLICATION AND PERMIT PROCESS FOR WHITE COUNTY, INDIANA**

WHEREAS, the White County Board of Commissioners (the “Commissioners”) approved White County Ordinance No. 19-01-22-01 on January 22, 2019 (the “Ordinance”), establishing a demolition application and permitting process for the purposes of managing commercial and industrial demolition activities; and,

WHEREAS, the provisions of the Ordinance are set forth in §150.30 through §150.99 of the White County Code of Ordinances; and

WHEREAS, it is the desire the Commissioners to amend said provisions by exempting governmental entity demolition activities and demolition of buildings of 50,000 square feet or less, and to amend the daily fines for violations thereof, all as set forth herein.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the White County Board of Commissioners, that the Ordinance and §150.30 through §150.99 of the White County Code of Ordinances are hereby amended as follows:

**Section 1: Definitions:** For the purposes of this Ordinance, the following definitions apply:

*Administrative Director:* The individual appointed by the White County Area Plan Commission to manage and supervise the Area Plan Staff or any appointee designated by the White County Board of Commissioners.

*Building:* A structure having a roof supported by columns or walls, for the support, enclosure or protection of persons, animals, chattel or other property.

*Demolition:* All activities affiliated with the destruction, removal, or disposal of all or any part of a building or structure as well as site restoration.

*Property Owner:* Any person or entity which has ownership or any other interest in, or control of, any real estate and any structure, improvements, or personal property situated thereon

*Primary Contractor:* The entity or party responsible for all aspects of a demolition process.

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*Secondary Contractor:* An entity or party subordinate to the Primary Contractor with specific and limited responsibilities to a demolition process. This also includes each person or entity to be used to haul any material and/or building or structure from the site.

*Site:* An area of real estate defined by the smallest rectangle which captures all buildings, structures, improvements, and maneuvering activities pertaining to demolition.

*Staff:* The employees of the White County Area Plan Commission or any employee or group of employees assigned by the White County Board of Commissioners.

*Structure:* Anything constructed or erected which requires location on or in the ground or attachment to something having a location on or in the ground. The term also includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days and used in the conjunction of a commercial or industrial use.

**Section 2: Purpose and Intent:** This Ordinance shall provide the means of regulating, administering and supervising commercial and industrial sites which require or are in need of demolition activities. However, any department or office of a local, State or Federal government conducting demolition activities or contracting for demolition services on a property owned by said government is exempt from the requirements of this Ordinance.

**Section 3: Demolition Application Fees:** The following fees shall be charged and must be paid to the Staff prior to an application being considered complete, based upon the demolition Site area:

- \$4,500.00 for 50,001 to 250,000 square feet
- \$7,500.00 for 250,001 to 500,000 square feet
- \$10,000.00 for 500,001 or more square feet

**Section 4: Performance Assurance:** In addition to the required permit fee, a Performance Assurance shall be posted in the following described amounts, made payable to White County in the form of a surety bond issued by a corporation licensed to do business in Indiana and approved by the Administrative Director, cash deposit, irrevocable letter of credit, or other form of financial guarantee acceptable to the Administrative Director. The Performance Assurance shall remain in full force and effect during the entirety of the demolition activity under the Demolition Permit until satisfactory completion thereof as determined by the Administrative Director. The Performance Assurance is intended to provide the County with assurance that the person or entity issued a Demolition Permit performs its obligations required under the Demolition Permit, in full, but shall not in any way limit the amount of obligations, fines, costs, or liability owed by the person or entity issued a Demolition Permit. The County may draw upon the Performance Assurance to the extent that the person or entity issued a

Demolition Permit fails or refuses to complete the demolition as required under the Demolition Permit, in which case the County may complete the remaining required demolition, paying the costs incurred therein from the Performance Assurance draw proceeds. The amount of the Performance Assurance to be posted shall be determined by the demolition Site area upon which the demolition activities are to take place, as follows:

Performance Assurance:	Square feet of Demolition Site:
\$250,000.00	50,001 to 250,000
\$500,000.00	250,001 to 500,000
\$1,000,000.00	500,001 or more

**Section 5:** Administration: This Ordinance will be administered by the White County Area Plan Commission Staff under the guidance of the White County Board of Commissioners.

**Section 6:** Application, Application Process and Application Approval & Permit Issuance: The following regulations and guidelines establish the minimum application requirements, the application process and application approval and permit issuance pertaining to Commercial and Industrial Demolition Activities

A: Demolition Application Requirements: For purposes of this Ordinance, the term "Demolition Application" refers to a completed Demolition Information Form (this form is available from the Staff) as well as any and all documents required by the Demolition Information Form or this Ordinance. The Demolition Application shall also include any and all other documents, materials, information and/or certifications requested by the Administrative Director which, in the Director's opinion, are relevant to the planned demolition activities. A Demolition Application is not considered complete until the fee stipulated in Section 3 is paid in full, with any Performance Assurance required under Section 4 herein.

B: Scope: Any person or entity desiring to engage in demolition, as defined herein, of any building or structure or associated parking areas or incidental structures, with a Site area of fifty thousand (50,000) or more square feet, utilized for any commercial or industrial purpose, either active or passive, is required to submit an application for each Site targeted for such activity; although, such application may cover parking areas or incidental structures associated with the subject building or structure. No commercial or industrial demolition, destruction or removal shall be allowed to occur without issuance of a unique Demolition Permit authorized by the Administrative Director. No person or entity shall be permitted to demolish, destroy, or remove only a portion of the exterior wall of a building or structure in order to salvage or remove any property within the building or structure, and a Demolition Permit to do so will not be issued. **No person or entity shall be granted a Demolition Permit if payment of the real estate and personal property taxes assessed upon the real estate where the Site is located is not current.**

C: Persons or Entities Liable: The Property Owner and Primary Contractor have the duty of compliance with the requirements of this Ordinance.

D: General Performance Standards: All commercial and industrial demolition activities must comply with the following performance standards:

- 1) Upon issuance of a Demolition Permit, the party to whom the Permit is issued is required to contact Indiana 811 for utility infrastructure location a minimum of three (3) days prior to the commencement of demolition activities. No demolition activities may commence until after Indiana 811 has completed utility markings.
- 2) All laws, regulations and ordinances governing the disposal of materials, debris, rubbish and trash on or off site shall be followed;
- 3) No contractor, employee or equipment involved in the demolition or any affiliated process to the demolition shall commit trespass on any private property other than the subject site without written approval from that private property owner being submitted to the Staff;
- 4) Any asbestos material encountered shall be disposed of in accordance with the requirements of the Indiana Department of Environmental Management. The Primary Contractor indemnifies the County, and every City or Town located in White County, of all asbestos materials and assumes all liability for such materials and their proper disposal.
- 5) Demolition Permits are valid for a period of sixty (60) days unless proper written approval of a longer completion period is obtained from the Executive Director of the White County Area Plan Commission. Upon written request from the Property Owner or Primary Contractor, a permit may be renewed for no more than two (2) sixty (60) day periods unless authorized by the White County Board of Commissioners.
- 6) In the case where the demolition is to occur within an area covered by a municipal water and/or sewer department or equivalent, written plan approval is required from the jurisdictional department for disconnection of water and sewer services. A copy of such written approval must be provided to the Staff prior to executing any disconnect activities.
- 7) The Primary Contractor must assure the site is secured to protect the general public, including small children, from the exposure to any work hazards and from accessing the site during the Demolition process.
- 8) The Primary Contractor is responsible for maintaining control over all demolition activities, on and off site, along with preventing exposing the community to hazards created by such activities; including, but not limited to nails and other tire puncturing items being dropped on the streets or abutting property, trash or debris being left out

in the open and damaged infrastructure such as curbs, sidewalks, driveways, streets and drainage coverings and pipe.

- 9) Any portion of the building or structure which extends below ground must be removed a minimum of three (3) feet below grade. These areas must be restored with solid backfill only with the twelve (12) inches first below grade being filled with material which is eighty (80) percent soil base with no stones larger than two (2) inches in diameter.
- 10) Should any underground tanks be encountered, said tanks shall be removed in accordance with the requirements of the Indiana Department of Environmental Management. The Primary Contractor indemnifies the County, and every City and Town located in White County, and assumes all liability for extraction and disposal of said tanks.
- 11) The primary contractor shall be liable for any and all damage to curbs, streets, alleys, driveways and all property damage caused as a result of demolition and removal activities.
- 12) The primary contractor is responsible to assure that manhole covers, catch basin castings and fire hydrants are protected and left intact.
- 13) At no time will structures or materials be burned or any other fire be permitted on site unless the primary contractor has received written approval from the White County Environmental Officer to conduct such fires and has submitted such written approval with the Staff.
- 14) The site shall be left in a finished condition where all rubbish, debris, garbage, building or structure materials have been properly disposed of and the site properly graded and seeded. All surface soil shall be suitable to support vegetation and all disturbed ground seeded at a rate of one hundred fifty (150) pounds per acre using a park grass seed mix.

**Section 7: Inspections:**

A: Prior to issuing a Demolition Permit, the Administrative Director or designee, shall inspect the property with the Property Owner or a designated representative, to ensure that the property can be safely prepared for demolition, that proper steps are planned to protect the public, and that adequate access exists around the site to protect the developments of neighboring property owners from collateral damage.

B: After completion of all demolition activities, the Property Owner or a designated representative, must contact the Staff to arrange for a final inspection. The Administrative Director or designee shall inspect the site to confirm whether or not the site meets all finish requirements of this Ordinance as well as those called for in the Demolition Application. This inspection process shall be repeated until such time as the site satisfies the finished site conditions intended by this Ordinance.



C: Upon passage of a final inspection, the Staff shall issue a Certificate of Demolition Completeness to the Property Owner. Until a Certificate of Demolition Completeness is issued, no Improvement Location or Building Permits may be issued for the site.

**Section 8: Inspection Failure:** Should the site fail any required inspection conducted by the Administrative Director or designee, the Property Owner will be notified in writing of the deficiencies identified from the inspection. The Property Owner shall have thirty (30) days from the date of the notice to correct all deficiencies. In the event that the Property Owner fails to remediate all deficiencies identified in the inspection report, the Property Owner will be assessed fines in accordance with Section 9 herein.

**Section 9: Demolition Hours:** Demolition activities shall not begin before 7:00 am and shall cease no later than 6:00 pm.

**Section 10: Violations:** Failure to comply with the regulations, requirements and responsibilities assigned by this Ordinance or any other Local, State or Federal law or regulation pertaining to site maintenance or demolition activities or failure to complete the demolition project within the time frame allowed by the Demolition Permit, inclusive of any properly received extensions, is a violation of this Ordinance and subjects the Property Owner and Primary Contractor, jointly and severally to a daily fine of two thousand dollars (\$2,000) per day per violation. Each violation is considered separate and unique and subject to the daily fine assessment. In addition, the Administrative Director may revoke any Demolition Permit in the event of any such violation, in which case all demolition activity shall cease until such violation is remedied. All other remedies available at law or in equity, including injunctive relief, shall be available to enforce this Ordinance. Further, performing any demolition activity without a required Demolition Permit, or demolishing, destroying or removing only a portion of an exterior wall of a building or structure without a permit, shall subject the Property Owner to a fine of two thousand five hundred dollars (\$2,500.00) per day such violation exists. A person or entity that has been adjudged to have committed a violation of this Ordinance is liable to the White County Board of Commissioners for court costs and its attorney fees incurred in connection with enforcing this Ordinance and collecting fines.

**Section 11: Appeal:** Any fine assessment or enforcement action, including establishment of a violation, **or denial of Demolition Permit due to delinquent real estate taxes under Section 6B**, may be appealed to the White County Board of Commissioners.


**Section 12: Effectiveness:** This Ordinance shall be effective immediately upon its passage and shall repeal or amend all other Ordinances, or portions thereof, inconsistent herewith.

APPROVED AND ORDAINED, by the Board of Commissioners of White County on this 17<sup>th</sup> day of October, 2022.

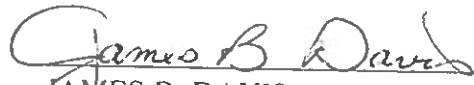
BOARD OF COMMISSIONERS OF  
WHITE COUNTY, INDIANA

  
\_\_\_\_\_  
DAVID A. DIENER, President

Attest:

  
\_\_\_\_\_  
GAYLE E. ROGERS  
White County Auditor

  
\_\_\_\_\_  
STEVE BURTON

  
\_\_\_\_\_  
JAMES B. DAVIS