

ORDINANCE NUMBER 2006-9

UNSAFE BUILDING ORDINANCE

WHEREAS, the Town of Redkey desires to prevent the existence of unsafe buildings which are a danger to the public health, safety and welfare in the Town of Redkey, Indiana.

NOW THEREFORE BE IT RESOLVED by the Town of Redkey Indiana that:

Section I. The Town of Redkey hereby adopts I.C. 36-7-9.

Section II. The Town of Redkey hereby supplements I.C. 36-7-9-5 as follows:

(A) Redkey Town Board is the enforcement authority for the provisions set forth in this subchapter.

(1) Prior to the issuance of an order requiring action relative to any unsafe building, whenever the enforcement authority determines that any building or structure, or any part of a building or structure, fails to meet the requirements set forth in this subchapter or any applicable rules and regulations issued pursuant thereto, they shall issue a notice setting forth the alleged failures advising the owner that such failures must be corrected. This notice shall:

- (a) Be in writing
- (b) Set forth the alleged violations of this subchapter or of applicable rules and regulations issued pursuant thereto;
- (c) Describe the dwelling, dwelling unit, rooming unit or structure where the violations are alleged to exist or to have been committed;
- (d) Provide a reasonable time, not to exceed (60) days, for the correction of any violation alleged;
- (e) 1. Be served upon the owner, of the dwelling unit, rooming unit, or structure personally by the Town Marshall to the last known place of residence of the

owner. If one or more persons to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such person or persons by posting a notice in or about the dwelling, dwelling unit, rooming unit or structure described in this notice, or by causing such notice to be published in a newspaper of general circulation for a period of two consecutive days.

2. At the end of the time allowed for the correction of any violation alleged the administration officer of the Redkey Planning Commission shall re-inspect the dwelling, dwelling unit, rooming unit or structure described in the notice.

3. If upon re-inspection the violations alleged are determined by the administration officer of the Redkey Planning Commission to have been corrected, they shall issue a second notice of violation which shall constitute an order as required under I.C. 36-7-9-5.

Section IV. The Town of Redkey adopts by reference the definition of SUBSTANTIAL PROPERTY INTEREST as defined in I.C. 36-7-9-2.

Section V. The Town of Redkey designates the Redkey Town Board as the "hearing authority" with regard to unsafe building matters pursuant to I.C. 36-7-9-2.

This Ordinance is hereby effective upon its passage by the Town Board of the Town of Redkey, Indiana.

Duly passed and adopted this 20th day of July, 2006.

Dottie Quakenbush (signed)

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Board Member

Dixie Toy (signed)

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Board Member

Joyce Harshbarger (signed)

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Board Member

Darrell Smith (signed)

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Board Member

Violet Erlenbush (signed)

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Board Member

ATTEST:

Sandy Kirby (signed)

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Sandy Kirby, Clerk-Treasurer



