

Chapter 9 Dangerous Buildings

- 9.1 TITLE. This Ordinance is adopted pursuant to the authority of Act No. 61 of the Public Acts of 1969, Act No. 230 of the Public Acts of 1972, and MCLA 41.181; MSA 5.45(f), and shall be known and cited as the Township of Freedom Dangerous Buildings Ordinance.
- 9.2 DANGEROUS BUILDING DEFINED. As used in this Ordinance, the term "dangerous building" means any building or structure, residential or otherwise, which has any of the following defects or is in any of the following condition:
- 9.2.1 Whenever any door, aisle, passageway, stairway or other means of ingress or egress does not conform to the approved fire code of the it shall be considered that such building does not meet the requirements of this Ordinance.
 - 9.2.2 Whenever any portion has been damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or at ability, is appreciably less than it was before such catastrophe and is less than the minimum requirements of the State Construction Code Act of L972, being Act No. 230 of the Public Acts of 1972, as amended, or the Building Code of the or of the County of Washtenaw for a new building or similar structure, purpose or location.
 - 9.2.3 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.
 - 9.2.4 Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 230 of the Public Acts of 1972, as amended, or the Building Code of the of the or of the County of Washtenaw.
 - 9.2.5 Whenever the building or structure of 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, or for other reason, is likely to partially or completely collapse or some portion of the foundation or underpinning is likely to fall or give way.
 - 9.2.6 Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.
 - 9.2.7 When 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, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.
 - 9.2.8 Whenever a building or structure, 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 when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working within.
 - 9.2.9 Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- 9.3 DANGEROUS BUILDINGS PROHIBITED. It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.
- 9.4 PROCEDURES FOR INITIATING PROCEEDINGS TO CORRECT
- 9.4.1 When the whole or any part of any building or structure is found to be in a dangerous condition, the Township Building Inspector shall issue a notice of the dangerous condition.
 - 9.4.2 Such notice shall be directed to the owner of or party in interest in the building in whose name the property appears on the last local tax assessment records of the Township.
 - 9.4.3 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 why the building or structure should not be ordered to be demolished or otherwise made safe.

9.4.4 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 by Certified Mail, Return Receipt Requested, addressed to such owner or party in interest at the address shown on the tax records, at least ten 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 upon a conspicuous part of the building or structure.

9.5 HEARING BEFORE HEARING OFFICER

9.5.1 A hearing officer may be appointed by the Township Supervisor to serve at the pleasure of the Supervisor.

9.5.2 The Building Inspector shall file a copy of the notice of the dangerous condition of any building with the hearing officer.

9.5.3 At any hearing held the hearing officer shall take testimony of the Building Inspector, the owner of the property, and any other interested party. Upon the taking of such testimony, the hearing officer shall render his decision either closing the proceedings or ordering the building to be demolished or otherwise made safe.

9.5.4 If it is determined by the hearing officer 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 in interest to comply therewith.

9.5.5 If the owner or party in interest fails to appear or neglects or refused to comply with the order, the hearing officer shall file a report of his findings and a copy of his order with the Township of Freedom Board 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 of the hearing officer shall be served on the owner or party in interest in the manner prescribed in Section IV (d).

9.6 REVIEW OF HEARING OFFICER'S FINDINGS. Upon receiving the findings and order of the hearing officer, the Township of Freedom Board shall fix a date for hearing reviewing the findings and order of the hearing officer and shall give notice to the owner or party in interest in the manner prescribed in Section 4(d) of the time and place of the hearing. At the hearing, the owner or party in interest shall be given the opportunity to show cause why the building should not be demolished or otherwise made safe and the Township Board shall either approve, disapprove or modify the order for demolition or making safe of the building or structure.

9.7 FAILURE OF REFUSAL TO COMPLY. In the event of the failure or refusal of the owner or party in interest to comply with the decision of the Township of Freedom Board may, in 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 Township who shall assess the cost against the property on which the building or structure is located, pursuant to Public Act 61 of 1969. The owner or party in interest in whose name the property appears upon the last local tax assessment records of the Township shall be notified of the amount of such cost by first class mail at the address shown on the records if he fails to pay the same within thirty days after mailing by the assessor of the notice of the amount thereof, the assessor shall add the same to the next tax roll of the property and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the Township.

9.8 APPEALS TO CIRCUIT COURT. An owner or party in interest aggrieved by any final decision of the Township of Freedom Board may appeal the decision or order to the Circuit Court for the County of Washtenaw by filing a petition for an order of superintending control within twenty days from the date of such decision.

9.9 APPROVAL OF FORMS. The Township Board shall have the authority by resolution to approve, adopt and revise forms for use by the Township Officers from time to time.

9.10 REPEALER. This Ordinance repeals all ordinances or parts of ordinances in conflict therewith.

9.11 EFFECTIVE DATE. This Ordinance shall take effect on the 16th day of September , 1980.

	LEGISLATIVE HISTORY			
	Date passed	Date published	Where Published	Ordinance Number
Adopted:	7-10-90	8-16-90	Manchester Enterprise	9
Amended:				

Appendix A - Building Inspector Checklist

Appendix B - Investigation Report

Appendix C - Affidavit of Township Treasurer

Appendix D - Affidavit of Service - #1

Appendix E - Notice of Hearing and Notice to Appear Concerning Dangerous or Unsafe Buildings

Appendix F - Affidavit of Service - #2

Appendix G - Unsafe Building Order

Appendix H - Unsafe Building Ordinance Violation

Appendix I - Notice of Unsafe Buildings Hearing Before Township of Freedom Board