

ORDINANCE NO: 792

AN ORDINANCE TO AMEND CHAPTER 60 OF THE ORDINANCES OF THE CITY OF ALMA THROUGH THE ADDITION OF SECTION 60-188, TO SET FORTH SPECIFIC STEPS TO BE TAKEN BY THE OWNER AND/OR INSURANCE CARRIER RELATIVE TO THE RESTORATION OF PROPERTY AFTER DEMOLITION, REGARDLESS OF THE REASON FOR THE DEMOLITION

THE CITY OF ALMA ORDAINS:

Section 1. Chapter 60 of the Code of the City of Alma, be, and is hereby amended by adding Section 60-188, to read as follow:

Section 60.188 after demolition of any building or structure within the City of Alma, regardless of their reason for said demolition, the owner of the premises that the building previously occupied, and/or the insurance carrier insuring said premises, if applicable, shall be required to take the following steps relative to the restoration of the subject premises after demolition:

- a. Any and all State of Michigan licensing, testing, and disposal requirements must be followed, with proof of said complaints submitted to the City of Alma upon request;
- b. All debris must be removed from the demolition site, and disposed of in accordance with federal and state statutes, and local ordinance, if applicable;
- c. All foundations existing on the property, after demolition must be removed, unless permission is given in writing by the City of Alma Public Works Director indicating that the foundation must remain in place, and stating, also in writing, the reason that the foundation must remain in place;
- d. The excavated building site must be back filled with sand, and a layer of top soil placed over the sand, and seeded, to grow grass as top cover;
- e. From the time of demolition, until a new building or structure is erected on the premises, the property owner shall be responsible for upkeep and maintenance of the premises, including regular lawn mowing, shoveling snow and ice off of adjacent sidewalk, and control of noxious weeds.

Section 2. Violation of the above section shall constitute a civil infraction, subjecting the violator to a fine of \$50.00 for the first offense, \$100.00 for the second offense and \$250.00 for the third and subsequent offenses.

Section 3. Separability. Should any provision of this section be declared by any court of competent jurisdiction be unconstitutional or invalid, the same will not affect the validity of the remaining provisions of this section, as a whole, or any provision of this section other than the provision so declared to be unconstitutional or invalid.

Section 4. Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force 15 days from and after its enactment as provided by the City Charter.

Passed and approved by the City Commission of the City of Alma, Michigan, in regular session, held August 22, 2107.

We, the undersigned, Mayor and Clerk of the City of Alma, Michigan do hereby certify that the above and foregoing ordinance, known as Ordinance No: 792 of the City of Alma, Michigan, was introduced at a regular meeting of the City Commission, held on July 25, 2017, and was thereafter passed at a regular meeting on August 22, 2017, at least two weeks elapsing between the introduction and the enactment.

Date in Alma, Michigan, this 22nd day of August, 2017.

Gregory S. Mapes, Mayor

Sheila Letourneau, Clerk

I, the undersigned, City Clerk, DO HEREBY CERTIFY that the foregoing and above Ordinance No. 792 of the City of Alma, Michigan, is a true and compared copy of the original ordinance, now on file in my office, and of the whole thereof; that the same was published within 10 days from its adoption in the Morning Sun, a newspaper printed, published and circulated in the City of Alma, Michigan, on September 1, 2017 and that the Affidavit of Publication thereof is now on file in my office and is a part of the original records pertaining to the adoption of the aforesaid ordinance. I FURTHER CERTIFY that in accordance with the provisions of Section 5.3 and 5.5 of Chapter V of the Charter of Alma, Michigan, the foregoing ordinance shall take effect 15 days after its enactment as aforesaid.

Dated August 22, 2017 at Alma, Michigan.

Sheila Letourneau, City Clerk