

CODIFIED ORDINANCES OF PERRY
PART FOURTEEN - BUILDING AND HOUSING CODE

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CHAPTER 1410
Dangerous Buildings

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CROSS REFERENCES

Building sewers and connections - see
S.U. & P.S. 1042.04
Building permits - see P. & Z. 1262.03
Unsafe buildings - see P. & Z. 1292.03
Restoration of damaged buildings - see P. & Z.
1292.07
Condemnation - see P. & Z. 1292.13

1 1410.0 DANGEROUS BUILDING DEFINED.

As used in this chapter, "dangerous building" means and includes:

- (a) Any building, shed, fence or other man-made structure which is dangerous to the public health because of its condition and which may cause or aid in the spread of disease or injury to the health of its occupants or neighboring structures;

- (b) Any building, fence, shed or other man-made structure which, because of faulty construction, age, lack of proper repair, accumulation of rubbish, debris, papers, rags or other combustible materials or any other cause, is especially liable to fire and constitutes a fire hazard;
- (c) Any building, shed, fence or other man-made structure which, by reason of faulty construction, age, lack of repair, overloading or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any of such structure; and
- (d) Any building, shed, fence or other man-made structure which, because of its condition or because of lack of doors or windows, is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.
(Ord. 112. Passed 5-16-67.)

2 1410.0 DECLARATION OF NUISANCE.

All dangerous buildings are hereby declared to be nuisances.
(Ord. 112. Passed 5-16-67.)

3 1410.0 OCCUPATION PROHIBITED.

No person shall maintain or permit the existence of any dangerous building in the City. No owner, occupant or person in custody of any dangerous building shall permit the same to remain in a dangerous condition, or occupy such building or permit it to be occupied while it is or remains in a dangerous condition. (Ord. 112. Passed 5-16-67.)

4 1410.0 INSPECTIONS.

The County Building Inspector, the Fire Chief or the Health Officer, or anyone specifically deputized by any such officer, shall enter upon any land or into any building or structure for the purpose of inspecting the same whenever he or she has cause to believe or fear that a building, shed, fence or other man-made structure is a dangerous building.
(Ord. 112. Passed 5-16-67.)

5 1410.0 REPORTS.

Whenever the County Building Inspector, the Fire Chief or the Health Officer is of the opinion that any building or structure in the City is a dangerous building, he or she shall file, with the City Clerk, a written statement to this effect stating the condition which makes it dangerous and his or her recommendations for abating such condition.
(Ord. 112. Passed 5-16-67.)

6 1410.0 ABATEMENT OF DANGEROUS CONDITIONS.

(a) Notice. The City Clerk, upon receiving the report of inspection provided for in Section 1410.05, shall cause a written notice to be served upon the owner and occupant of a dangerous building, if any, by certified mail or by personal service. Such notice shall state that the building has been declared to be in a dangerous condition and that such dangerous condition must be removed or remedied by repairing, altering or cleaning out the building or by demolishing it, and that the condition must be remedied at once. Such notice shall be in the following terms:

"To (owner or occupant) of the premises known and described as _____. You are hereby notified that (describe building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by _____. The causes for this condition are: _____. You must remedy this condition or demolish the building immediately or the _____ will proceed to do so at your expense. The following is the recommendation of the inspector for remedying such condition: _____.
Dated:

City Clerk"

(b) Remedies. The person receiving such notice shall, within five days after receipt of such notice, start to remedy such condition and continue therewith with reasonable speed until the same is completely remedied.

(Ord. 112. Passed 5-16-67.)

7 1410.0 APPEALS.

Any person deeming himself or herself aggrieved by a decision of the County Building Inspector, the Fire Chief or the Health Officer pursuant to this chapter may appeal such decision, within five days after receipt of the notice provided for in Section 1410.06(a), to Council by filing a notice of appeal with the City Clerk within five days. Such appeal shall be heard and determined by Council at the next regular or special meeting thereof. The time for starting to remedy the condition shall be extended until five days after the appeal is decided.

(Ord. 112. Passed 5-16-67.)

8 1410.0 PUBLIC BUILDINGS; BARRICADES.

(a) If a building is entered by the public and if the inspecting officer deems that there is immediate danger of injury to persons entering such building, or if such officer deems that there is immediate danger of injury to persons in a public place next to or near such building, then such officer may immediately condemn such building and mark it by a large sign saying "Condemned," and may rope off or barricade such building so as to keep the public away from the danger.

(b) No person, other than a duly authorized officer, may remove such sign or barricade until such building's condition is remedied and an occupancy permit is issued by the inspecting officer. While such building is so barricaded, no person, other than the owner thereof and his or her repairmen or the City inspector, shall enter such building or go beyond the barricade.
(Ord. 112. Passed 5-16-67.)

9 1410.0 REMEDIES BY CITY.

If the owner or occupant of a dangerous building fails, refuses or neglects to remedy a dangerous condition thereof as required in this chapter, then the inspecting officer may cause the same to be done at the expense of the owner.
(Ord. 112. Passed 5-16-67.)

10 1410. ASSESSMENTS.

In addition to all other remedies for collecting the cost and expenses of remedying the dangerous condition by the inspecting officer, the costs and expenses may be levied as a special assessment tax against the property, whether the work is done at the time the assessment is levied or later.
(Ord. 112. Passed 5-16-67.)

1410.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)