

VILLAGE OF OTISVILLE
VACANT STRUCTURE INSPECTION
Ordinance No. 206

The Village of Otisville Ordains:

Section 1. Short Title

This Ordinance shall be known as the “*Vacant Structure Inspection Ordinance*”.

Section 2. Purpose

The purpose of this Ordinance is to ensure that structures that have become vacant due to foreclosure, abandonment, or by other means are safe and meet minimum standards prior to being reoccupied. It provides administrative procedures for the re-occupancy of vacant structures that have been subject to vandalism, or have been subjected to the removal or alteration of any required system that ensures safe occupancy pursuant to the Michigan Construction Codes pursuant to Section 3401.2 of the Michigan Building Code and Sections 110.5 and 113.1 of the Michigan Residential Code.

Section 3. Standards for Inspections

a. Initial Inspections

This Ordinance is intended to provide the same minimum standards for re-occupancy of vacant structures as those required for rental properties located within the Village of Otisville pursuant to Ordinance No. 173, the (“*Rental Property Inspection Ordinance*”). For the purpose of this Ordinance, the Building Inspector shall follow those provisions when making his initial inspections.

b. Inspections When Permits are Required

When any permit is required to construct, enlarge, alter, repair, install, convert or replace, inspections shall be subject to the provisions of the Michigan Codes.

Section 4. Criteria for Ordering Inspections

The intent of this Ordinance is to require inspections of any vacant structure prior to being reoccupied under the following conditions:

- a. The structure has been visibly damaged as a result of vandalism, neglect or by other means thereby making the structure unsafe or uninhabitable.
- b. The village has reason to believe that damage has occurred either through neglect or other willful acts thereby making the vacant structure unsafe and unfit for *re-occupancy*.
- c. The village receives a complaint by individuals having knowledge of vandalism or other damage to a vacant structure.

Section 5. Authority to Order Inspections

Upon the determination of the Village Council that an inspection is warranted pursuant to Section 4 of this Ordinance, the Village Clerk shall submit a *Request for Vacant Structure Posting* to the Building Inspector.

Section 6. Administrative Procedure

The following procedures shall be adhered to:

- 1). Village Council orders the inspection of a vacant structure.
- 2). The Village Clerk shall submit a completed "*Request for Vacant Structure Posting*" form to the Building Inspector.
- 3). The Building Inspector shall visit the site and placard the structure with a notice that is visible and prohibits the structure from being altered, repaired, or occupied without first obtaining a *Vacant Structure Permit* from the Village Building Inspector.
- 4). The Building Inspector shall send a notice to the title holder (bank or private owner) stating that the structure must be inspected before occupancy is allowed.
- 5). The legal owners of the property and, or their agent shall apply for a *Vacant Structure Permit* provided by the Village of Otisville prior to any attempt to alter, repair, or reoccupy the structure.
- 6). The Building Inspector shall issue a *Vacant Structure Permit* to the applicant.

- 7). The property owner or their legal agents shall make all necessary repairs in order to come into compliance with all state and local regulations.
- 8). The structure shall be re-inspected and a Certificate of Occupancy issued once the structure is found to be in compliance.

Section 7. Authority to Inspect

Issuance of the permit shall authorize entry by inspectors to inspect the building, electrical, plumbing, and mechanical systems to ensure that they have not been altered, removed, or tampered with beyond the original inspector’s approval. Further, Inspectors shall have the authority to require additional permits for any system that requires replacement, is missing or has been subject to vandalism, and is not longer in compliance with the safety requirements of manufacturer or design professional.

Section 8. Inspection Fees

Inspection and administrative fees at the time of adoption of this Ordinance shall be as follows:

➤ Inspector’s initial Visit to placard the structure	\$0.00	
➤ Vacant Structure Permit (initial inspection) by Building Inspector	\$75.00	Total
➤ Re-Inspections	\$37.50	Each
➤ If there is work required for repair, or replacement, of the electrical, plumbing, mechanical, or structure a standard permit would be required for each trade involved.	\$81.00	Each

Section 9. Annual Review of Rates and Fees.

Charges for inspection fees shall be set by a resolution of the Village Council. The resolution setting the charges for the next fiscal year shall be made before the beginning of the next fiscal year, after presentation of a budget.

Section 10. Violations and Penalties

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor. The penalty for a misdemeanor violation shall be a fine not exceeding \$100.00, plus costs of prosecution, or imprisonment not exceeding 90 days, or both. Costs shall include all expenses, direct and indirect, to which the Village has been put in connection with the misdemeanor violation, including the cost of prosecution.

Section 12. Effective Date

This Ordinance shall become effective ten (10) days after adoption by the Village Council.

Section 13. Posting Ordinances

This Ordinance was approved by a vote of the Village of Otisville Council; a quorum being present on the 7th day of September, 2010 and ordered published in five (5) public places within the Village of Otisville within ten (10) days after its adoption.

(Signed) Tom Bess, Jr. Village President
Andrea M. Barden, Village Clerk

I, Andrea M. Barden, do hereby certify that the foregoing Ordinance No. 206 was duly adopted at a regular meeting of the Otisville Village Council held on the 7th day of September, 2010, and posted in five (5) public places in the village.

(Signed) Andrea M. Barden, Village Clerk