

TITLE III: PUBLIC HEALTH AND SAFETY

CHAPTER III: DEMOLITION OF STRUCTURES

ARTICLE I. DEMOLITION PERMITS

SECTION 1. The Owner of property to be demolished shall apply to the North Manchester Building Inspector for a Demolition Permit before commencing the demolition on site. A uniform application shall be designed and made available to an applicant by the Building Inspector. The application shall be accompanied by an acknowledgment from the entities which provide natural gas, electricity, telephone, telecable, water and sanitary sewer services to the site that arrangement for the termination of services to the site have been completed. Prior to issuing a demolition permit the Building Inspector shall certify that the structure to be demolished is free of toxic and/or hazardous materials or, in the alternative, that the Indiana Department of Environmental Management has approved removal and disposal of toxic and/or hazardous materials on the site.

SECTION 2. As used in this ordinance the term "demolition" means and includes the razing and removal from site of a structure or a designated portion of a structure. "Demolition" does not include incidental removal of building or construction materials from a site for which a valid building permit is issued unless the demolition phase is a pre-requisite to the construction for which the building permit was issued, in which case a separate demolition permit is required.

SECTION 3. The Building Inspector shall impose and collect fees for demolition permits as follows:

- 3.1 Complete or partial demolition of a structure appurtenant to a residential use, \$25.00
- 3.2 Partial demolition of a residence structure, \$50.00
- 3.3 Demolition of a residence structure, \$100.00
- 3.4 Demolition of all or part of a commercial structure, \$200.00
- 3.5 Demolition of multiple commercial or industrial structures on the same site, \$125.00 per structure.

SECTION 4. The Building Inspector shall familiarize himself with the demolition site prior to issuing a demolition permit. In the course of the demolition, the Building Inspector shall make two inspections of the demolition site, the first within seventy-two hours of receiving notification from the owner or contractor that demolition has progressed to the point of sub-surface removal, and a final inspection when the owner or contractor provides notification that the demolition is complete. The owner or applicant for permit shall be present for the final inspection when the Building Inspector makes a determination that the final condition of the site does or does not satisfy the provisions of this ordinance. If the final inspection does not show full compliance with the provisions of this ordinance, the Building Inspector shall give written instructions specifying the additional work necessary to complete the demolition and assure compliance with this ordinance. To be followed by another final inspection. The notice required by this section may be by telephone, cut shall be documented by a memo showing the time of contact and identity of person contacted.

SECTION 5. The following specifications for demolition shall be observed:

- 5.1 Permitted demolition shall be completed within one hundred eighty (180) days from the issuance of the permit unless, for good cause shown, the owner shall request a longer time and the Plan Commission shall have reviewed and approved the request.

- 5.2 The owner or entity contracted with by the owner for demolition shall eliminate hazards of bodily injury and property damage to abutting owners and occupants of property, pedestrians and operators of vehicles on and around the site, on the public ways of the Town and agree to indemnify and hold the Town of North Manchester harmless from all claims of and for bodily injury and property damage occasioned by the demolition. At the time of application the owner or other entity contracted by the owner to complete the demolition shall file a certificate of insurance evidencing current commercial insurance coverage for bodily injury and property damage liability.
- 5.3 Basement walls, concrete slabs, footing, chimneys, steps, sidewalks and underground structures shall be removed to a depth of three (3) feet below finish grade. Concrete slab(s) below three (3) foot depth shall be broken to allow the penetration of water.
- 5.4 Backfill materials shall consist of non-organic granular materials only.
- 5.5 Utility service lines shall be cut and plugged under the supervision of the service provider to whom notice of severance shall be given. Water and sewer lines shall be cut and plugged at or near the main under the supervision of the Department of Public Works.
- 5.6 Plant life on the tree lawn of the site shall be protected against damage and preserved unless prior authorization is given for its removal or destruction by the Tree Advisory Commission of the Town of North Manchester.
- 5.7 No fire will be ignited on a permitted demolition site except in accordance with a duly issued and valid burn permit under applicable law.
- 5.8 When demolition is complete the top four (4) inches of the site shall be backfilled with soil suitable to support vegetation and the site shall be seeded or sodded within thirty (30) days or, if not within the growing season, within such time as the Building Inspector shall specify in the demolition permit. The site shall be re-seeded or re-sodded as often as may be necessary to produce a covering of growing and thriving grass. The requirements of this sub-section shall not apply to that portion of a demolition site, and necessary access thereto, upon which a valid building permit has been issued for construction of surface improvements under the North Manchester Zoning Ordinance.
- 5.9 Demolition work shall comply with all requirements of the Uniform Building Code in force and effect in the State of Indiana.

SECTION 6. It shall be a violation of this ordinance to commence demolition without a demolition permit or to fail to observe the requirements of this ordinance in connection with the execution of a permitted demolition, for which a civil penalty shall be imposed in an amount not exceeding the maximum amount permitted by the North Manchester Municipal Code. Each day a violation continues may be considered a separate violation.

ADOPTED June 6, 2002.