

ORDINANCE NUMBER 6, 1988

AN ORDINANCE PROVIDING FOR THE INSPECTION, REPAIR OR REMOVAL OF UNSAFE BUILDINGS WITHIN WABASH COUNTY, INDIANA.

Be it ordained by the Commissioners of Wabash County, Indiana as follows:

1. Pursuant to the provisions of Indiana Code 36-7-9, there is hereby established the Wabash County Unsafe Building Law.

2. The provisions of Indiana Code 36-7-9 are hereby incorporated by reference into this ordinance. Within the jurisdiction of the Wabash County Plan Commission, all proceedings for the inspection, repair and removal of unsafe buildings shall be governed by the provisions of Indiana Code 36-7-9 and the provisions of this ordinance. In the event of any conflict between the provisions of this ordinance and the provisions of the Indiana Code, then the Indiana Code provisions shall control.

3. As used in this ordinance:

"Department" refers to the Wabash County Plan Commission, which shall be authorized to administer this ordinance.

"Enforcement Authority" refers to the Director of the Wabash County Plan Commission.

"Hearing Authority" refers to the Wabash County Plan Commission.

"Substantial Property Interest" means any right in real property that may be affected in a substantial way by actions authorized by this ordinance, including a fee interest, a life estate interest, a future interest, a present possessory interest, or an equitable interest of a contract purchaser.

4. Unsafe Building and Unsafe Premises Described. For purposes of this chapter, a building or structure is considered an unsafe building if any part of such building or structure is:

1. In an impaired structural condition that makes it unsafe to any person or property;
2. A fire hazard;
3. A hazard to the public health;
4. A public nuisance; or

5. Dangerous to any person or property because of violation of a statute or ordinance concerning building condition or maintenance.

For the purposes of this ordinance, an unsafe building and the tract of real estate on which the unsafe building is located, are considered unsafe premises.

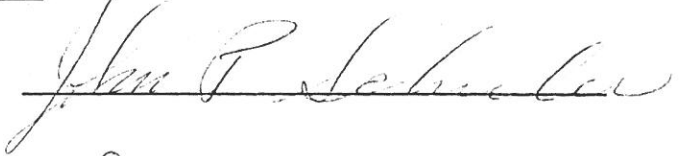
5. The Wabash County Plan Commission Director, as the enforcement authority, is hereby authorized to administer and to proceed under the provisions of Indiana Code 36-7-9 in issuing any orders requiring action relative to any unsafe premises.

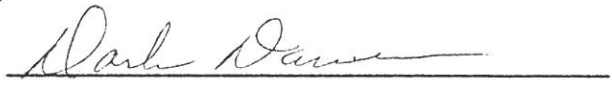
6. An Unsafe Building Fund is hereby established in the operating budget of the Wabash County Plan Commission in accordance with the provisions of Indiana Code 36-7-9-14.

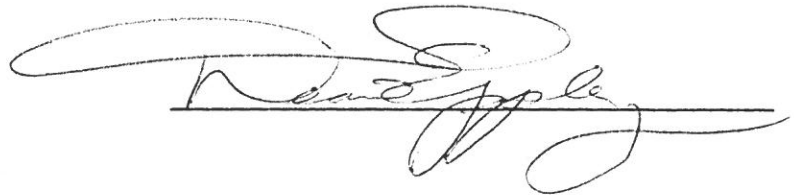
7. Should any portion of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall remain in effect.

8. This ordinance shall be in full force and effect on the ___ day of _____, 1988, according to the laws of the State of Indiana. All former ordinances which conflict with this ordinance are hereby repealed.

Passed by the Board of Commissioners of Wabash County, Indiana this 13th day of June, 1988.







This instrument was prepared by Larry C. Thrush
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