

AN ORDINANCE TO AMENDED CHAPTER 500 BUILDING REGULATIONS BY ADDING REGULATIONS AND REQUIREMENTS FOR DEMOLITION OF STRUCTURES.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSAW, COUNTY OF BENTON, MISSOURI AS FOLLOWS:

Section 1: Chapter 500, Building Regulations shall be amended to include regulations and requirements for demolition of structures as follows:

ARTICLE III. DEMOLITION

SECTION 500.100: PERMIT REQUIRED

Any person or entity desiring to demolish, wreck, raze, dismantle or otherwise destroy any structure or building within the City shall first obtain a permit from the Building Inspector authorizing the work to be performed, which permit shall be valid for a period of thirty (30) days from the date of issuance and no demolition, wrecking, razing or dismantling shall take place unless and until such permit has been issued.

SECTION 500.110: APPLICATION FOR PERMIT

Before the Building Inspector shall issue a permit under this Article, the person or entity desiring to effect such demolition, wrecking, razing or removal of any building or structure shall make application in writing accompanied by the written consent of the owner of the property, if not the applicant, and by the written consent of the subdivision trustees, if the property is in a subdivision and consent is applicable and required. The application shall also set out the location and methods of the proposed work and state when the same shall be commenced. The application shall demonstrate that the applicant has made satisfactory provision, in the discretion of the Building Inspector, for the following and that the following shall be conditions to and requirements of issuance of any permit under this Article:

1. That all material, debris or parts of the wrecked structure be stored or removed in a manner so as not to create a fire or safety hazard;
2. That all material, debris or parts of the wrecked structure be stored or removed in a manner so as not to create a public nuisance or a harbor for animal and insect infestation;
3. That the razed structure and all debris area shall be roped, taped or otherwise identified as an area of demolition and of a safety hazard;
4. That after any such building or structure has been demolished, razed, wrecked or removed, all ground openings, excavations or extrusions shall be filled or graded in compliance with relevant provisions of the current adopted building and property codes of the City of Warsaw in order to eliminate or reduce, to the fullest extent practicable, the hazards of falling or tripping;

5. That all accumulations of rubbish or debris or other unsafe or hazardous conditions, including broken glass, timber products and nails, shall be removed expeditiously; and
6. That complete restoration of the site including the planting of grass seed or sodding shall occur within thirty (30) days of the completion of the demolition of the structure or building unless, within such thirty (30) days, a building permit for the construction of a new structure or building on the same site has been obtained from the Building Inspector and construction commenced.

SECTION 500.120: **BOND POSTING PRIOR TO THE ISSUANCE OF DEMOLITION PERMIT**

Any person or entity desiring to demolish, wreck, raze, dismantle or otherwise destroy any structure or building within the City shall be further required to post, for each such permit under this Article, a cash bond or a bond, in a form suitable to the City, in an amount not less than **one thousand five hundred dollars (\$1,500.00) or a greater amount**, as determined by the Building Inspector, with such amount sufficient to insure that all clearing, filling, backfilling and removal of debris, returning the site elevations to the original contour levels, seeding and/or sodding of bare dirt, stormwater and siltation controls can be properly completed or installed. Such bond shall be held, without interest, and shall not be released by the City until such restoration is complete or construction of a replacement structure or building has commenced.

SECTION 500.130: **CERTIFICATE OF INSURANCE REQUIRED**

Any person or entity desiring to demolish, wreck, raze, dismantle or otherwise destroy any structure or building within the City shall be further required to provide a certificate of insurance stating general liability and workers compensation coverage.

SECTION 500.140: **PERMIT AND INSPECTION FEES**

Before any permit is issued under this Article, there shall be paid to the City Clerk a permit fee in a sum of \$300; with \$250 refunded if all regulations and requirements are met.

SECTION 500.150: **INSPECTIONS**

Inspections under this Article shall be made by the Building Inspector or his designee and a record of each such inspection shall be entered and maintained in the City office.

SECTION 500.160: **UTILITIES**

All utilities to the property are to be disconnected and/or capped off per instruction by the appropriate utility. All disconnections shall be made know to the building inspector and noted on the demolition permit prior to commencing work on the demolition.

SECTION 500.170: **EMERGENCY SITUATIONS**

The provisions of this Article relating to issuance of a permit prior to commencement of any demolition, wrecking, razing or removal of a building or structure shall not apply in case of emergency where public

safety or health is endangered and such work may proceed immediately, subject thereafter to compliance with the conditions and requirements of Section 500.110 of this Article and followed by application for appropriate permits as soon as practicable after the work is initiated.

SECTION 500.180: RECORDS AND REPORTS

It shall be the duty of the Building Inspector or his designee to keep a full complete account in a file for that purpose of all permits issued showing the date of issue, party to whom issued, location, money collected on account thereof, which money shall be paid directly to the City Office when and as received, and any and all other information as required by this article.

SECTION 500.190: COMPLIANCE WITH APPLICABLE CODES

In addition to compliance with the terms of this Article, demolition, wrecking, razing or removal of any building or structure shall comply with the Code of Ordinances of the City of Warsaw, including all applicable building codes. The Building Inspector shall deny approval of any demolition, wrecking, razing or removal which does not meet all minimum standards as set forth in the Code of Ordinances of the City of Warsaw.

SECTION 500.200 VIOLATION

Any firm, association, person, partnership, or corporation or any agent thereof, who violates any provisions of this Article or any of the codes adopted herein, shall be guilty of an offense, upon the conviction of which, shall be punished pursuant to City of Warsaw Ordinance 100.220.

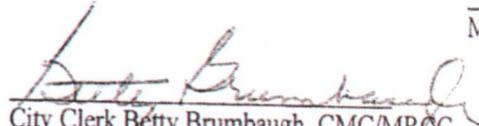
Section 2: That this ordinance shall be in effect upon its approval and passage and ordinances in conflict shall be null and void.

First Reading: 12/21/09 Second Reading: 12/21/09

This ordinance approved and passed this 21st day of DECEMBER, 2009.



Mayor Ken Brown



City Clerk Betty Brumbaugh, CMC/MRCC