

**DEKALB COUNTY COMMISSIONERS
DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES REGULATIONS
AN AMENDED ORDINANCE REQUIRING PERMITS FOR THE
DEMOLITION OF STRUCTURES
DEKALB COUNTY RESOLUTION NO.2018-R- 15
DEKALB COUNTY SECTION 32-3-4-1**

WHEREAS, the DeKalb County Board of Commissioners desire to regulate demolition of structures in DeKalb County and in any city or town for which DeKalb County has contracted to function as building inspector.

WHEREAS, the DeKalb County Board of Commissioners enacted Ordinance No. 2007-R12, DeKalb County Code Section 32-3-4, approved on August 20, 2007, but effective upon the publication of said Ordinance in 2007; and

WHEREAS, the municipalities of Garrett and Butler no longer have an agreement with DeKalb County to regulate demolition and have their own demolition ordinances; and

WHEREAS, the sole purpose of this Amendment to Ordinance 2007-R-12, DeKalb County Code Section 32-3-4 is to officially declare that the municipalities of Garrett and Butler have their own demolition ordinance, not governed by the DeKalb County Ordinance originally established as Ordinance Number 2007-R-12, DeKalb County Code Section 32-3-4, which is now replaced by this Amended Ordinance removing the municipalities of Garrett and Butler and reenacted as DeKalb County Resolution No. 2018-R- 15, DeKalb County Code Section 32-3-4-1; and

WHEREAS, the DeKalb County Board of Commissioners desire to require contractors and/or persons demolishing a structure in DeKalb County, and in its contracted cities and towns, to obtain a permit from the DeKalb County Building Department before they begin demolition; and

WHEREAS, the DeKalb County Board of Commissioners believe it is in the interests of public safety and welfare to adopt an ordinance regarding the above concerns:

NOW THEREFORE BE IT HEREBY ORDAINED BY THE DEKALB COUNTY COMMISSIONERS OF DEKALB COUNTY, STATE OF INDIANA AS FOLLOWS:

Section 1: Permit required. Prior to any demolition in DeKalb County, and in any city or town for which DeKalb County has contracted to function as the building inspector ("DeKalb County" herein), the owner, or contractor on behalf of the owner, shall obtain a building permit from the DeKalb County Building Department.

- 1-1. It shall be unlawful to wreck or demolish any building or structure in DeKalb County without first securing a permit.
- 1-2. An application for a permit to demolish any building or structure in DeKalb County shall be made in writing to the DeKalb County Building Department.
- 1-3. Upon receiving an application for appropriately planned demolition of structures

with all necessary signatures, and payment of the appropriate fee, the permit will be issued for the demolition.

Section 2: Permit Fee. Payment for permit under this Ordinance shall be made as follows:

- 2-1. The applicant shall pay to the DeKalb County Building Department a fee of \$50.00.
- 2-2. All payments will be made by cash, money order, check, or credit card to the DeKalb County Building Department.

Section 3: Before Demolition.

- 3-1. Before any demolition may begin, the Building Inspector shall inspect the premises where the demolition is to take place, and ascertain that provision for proper care has been made.
- 3-2. The owner or contractor performing the demolition shall agree to adhere to any requirements established by the Building Inspector in connection with such proper care.
- 3-3. The contractor and/or person doing the demolition must be registered through the DeKalb County Building Department.

Section 4: During Demolition.

- 4-1. All work of such demolition shall be carried out in the manner prescribed by the Building Inspector.
- 4-2. All work of such demolition shall be performed in a workman like manner and with the least amount of noise possible. Care shall be taken to protect neighboring structures with adequate shoring and whatever else is needed to protect such structures. Adequate protection shall be provided to prevent injury to a City or Town or public utility pertinence. It shall be the duty of all persons working on or responsible for such demolition to see to it that children are warned away from such premises and are not permitted to play in, on, around or frequent such structures.
- 4-3. If excavation is necessary from demolishing, it is to be filled in and the material to be used for such fill should consist of clay, sand, bank gravel (or equivalent), and no appliances, wood or similar items of debris from building demolition site. Such filling shall also provide for proper and adequate drainage. Any backfill shall be placed in lifts and properly compacted.
- 4-4. All floor drains must be capped, and wells must be plugged.
- 4-5. Septic systems must be placed out of service in the manner provided by the DeKalb County Board of Health.

- 4-6. Utilities must be removed such as electric, gas, propane tanks, fuel or oil tanks, etc., in the manner provided by law.
- 4-7. Contractor and/or person must provide proof of where debris is being hauled and provide a receipt after dumping. All debris is to be disposed of properly. No dumping on private or public property, burying on private or public land, or the like.

Section 5: After Demolition.

- 5-1. There shall be an inspection after the demolition to ensure that the property is in a proper safe condition. By proper and safe condition is meant that all debris is properly cleared away and that any excavation remaining is properly filled in and properly tamped down.
- 5-2. If the site is not cleared or put into a safe condition or work commenced to do so within 30 days of the finish of the demolition, DeKalb County shall proceed with the work and the cost of such work will be at the expense of the property owner.

Section 6: Penalty.

- 6-1. Any person or firm or corporation violating any provisions of this Ordinance shall be fined not less than \$50.00 for each offense, plus court costs and other expenses incurred in the enforcement of said ordinance, and a separate offense shall be deemed committed on each day during or on which a violation occurs.
- 6-2. Each day of violation shall be considered a separate offense.
- 6-3. The Building Inspector is authorized to take such action as is needed to enforce this Ordinance, including without limitation, the right to obtain a court order authorizing the entry on any property where the Building Inspector has reason to believe a contractor or person has violated this Ordinance.
- 6-4. The Building Inspector shall have the authority to issue a stop work order on any project not being completed in strict conformance with any provision of this Ordinance.
- 6-5. The failure of any responsible party to immediately abide by such order of the Building Inspector when posted at the site shall authorize the Building Inspector to sue in the name of the County and Department in any court of general jurisdiction in the County for injunctive relief, damages, and to obtain such court orders as may be proper for the strict enforcement of this Ordinance.

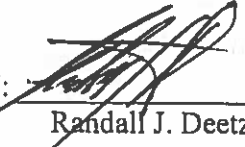
Section 7: Effective Date. The effective date of the Ordinance shall be September 10, 2018 or such date thereafter when this Ordinance is published as required by law.


Section 8: Codification. This DeKalb County Resolution Number 2018-R- 15 shall be codified in the DeKalb County Code as 32-3-4-1.

THIS RESOLUTION NUMBER 2018-R- 15 WAS PASSED AND ADOPTED AS
DEKALB COUNTY CODE 32-3-4-1 BY THE DEKALB COUNTY BOARD OF
COMMISSIONERS, INDIANA, ON THE 10 DAY OF SEPTEMBER, 2018.

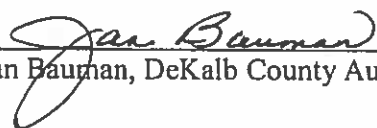
DEKALB COUNTY COMMISSIONERS:

BY: 
Donald D. Grogg - President

BY: 
Randall J. Deetz, Vice President

BY: 
Jacqueline Rowan - Vice President

Attested:


Jan Bauman, DeKalb County Auditor

Dekalb/dek-County/ord&res-Ord-amended-2018-demolition-permits