

**CITY OF OAK PARK  
OAKLAND COUNTY, MICHIGAN**

**ORDINANCE NO. O-16-629**

**AN ORDINANCE TO AMEND ARTIVLE V, DANGEROUS BUILDINGS, OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 18-213.**

**THE CITY OF OAK PARK ORDAINS:**

**SECTION 1.** Article V, Dangerous Buildings, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

**Sec. 18-213. Hearing; testimony; order; nonappearance or noncompliance; costs.**

- (a) If requested by the owner, the building board of appeals shall conduct a public hearing at which the owner may show cause why the determination of the department of technical and planning services, as set forth in the notice and order to show cause, should not be complied with.
- (b) The building board of appeals shall take testimony of the enforcing agency, the owner of the property and any interested party. The building board of appeals may inspect any building or structure or premises involved in the hearing proceedings prior to the proceedings. The building board of appeals shall render a written decision either closing the proceedings or ordering the building or structure to be demolished or otherwise made safe. No building or structure shall be ordered demolished or removed unless the cost of repair of the building or structure will exceed 50 percent of the true cash value of the building or structure.
- (c) If it is determined by the building board of appeals that the building or structure should be demolished or otherwise made safe, it shall so order, fixing a time in the order by which the requirements of the order shall commence and be completed. Notice of the findings and order shall be given to the owner, and the occupant, if any, in the same manner as provided in section 18-209.
- (d) If the owner fails to comply with the decision and order provided for in subsection (c) of this section, the department of technical and planning services shall cause such building to be demolished or otherwise made safe. The cost of the demolition or making the building safe shall be a lien against the real property and shall be reported to the assessing officer of the city, who shall assess the cost against the property on which the building is located. The costs referred to in this subsection shall include, but are not limited to, attorney fees, title search costs, recording and termination fees related to lis pendens, and administrative fees.
- (e) The owner in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he fails to pay the amount within 30 days after mailing by the assessor of the notice of the amount thereof, the assessor shall add the same to the next tax roll of the city, and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the city. The costs referred to in this subsection shall include, but are not limited to, attorney fees, title search costs, recording and termination fees related to lis pendens, and administrative fees.

**SECTION 2. Severability.**

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above section and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

**SECTION 3. Effective Date.**

This ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

**MADE, PASSED AND ADOPTED** by the Council of the City of Oak Park, on this 7th day of November, 2016.

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**T. EDWIN NORRIS**  
City Clerk

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**MARIAN McCLELLAN**  
Mayor

**I, T. EDWIN NORRIS**, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on November 7, 2016.

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**T. EDWIN NORRIS, City Clerk**

First Reading:           October 3, 2016  
Second Reading:       November 7, 2016  
Adopted:                November 7, 2016  
Published               November 16, 2016