
TITLE VIII - BUILDING REGULATIONS**CHAPTER 97. WRECKING OR DEMOLITION**

8.1. Permit Required. It shall be unlawful to wreck or demolish any building or structure in the City of Frankenmuth without first securing a permit therefor.

(Ord No. 91-10, Sec. 1, 8-6-91)

8.1.1. [Terms Defined.] For the purposes of this chapter, wreck or demolish shall include, but not be limited to, the following:

- (a) To commence the work of total destruction with the purpose of completing the same.
- (b) To open holes in exterior walls or to expand outside door openings without an intent to return the exterior walls or door openings to an original or to an improved condition.
- (c) To remove equipment and machinery in such a way as to leave debris, foundation or walls in an unsightly condition.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.2. Application for Permit. An application for a permit to wreck or demolish any building or structure in the City shall be made in writing to the City Clerk, with a copy to the Building Inspector, and to any utility company serving the premises, and to the owners or agents of adjoining or neighboring premises. Such application shall give the location of the building or structure, the date when wrecking or demolition is to commence and the approximate amount of time which such wrecking or demolition shall take. In the event the structure is located within the Historical Preservation District of the City of Frankenmuth, an extra copy shall be provided to the City Clerk for delivery to the Historical Preservation District Commission.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.3. Security Deposit. Before a permit is issued, the applicant shall provide to the City Treasurer either cash, cashiers check, escrow funds or a performance bond, determined by the type of work to be performed, in an amount established by resolution of the City Council from time to time, to insure the property is in a proper and safe condition after the wrecking or demolition is completed.

Proper and safe condition means that all debris has been cleared away, that any excavation remaining has either been filled in and tamped down, or surrounded by a chain link or masonry fence at least six (6) feet in height, if such property is not to be put to immediate use. If the property is to be used for any purpose within two (2) months of such wrecking or demolition then adequate barricades, lighted at night shall be installed around the perimeter of such excavation.

If the Building Inspector finds that such property has been put into the proper condition as provided for in this section, he shall instruct the Treasurer to return the deposit. If the site is not cleared, or put into a safe condition or work commenced to do so, within ten (10) days of the finish of the wrecking or demolition, the City shall proceed with the work, and the cost of such work shall be deducted from the deposit, escrowed funds or shall be charged to the performance bond. If any amount is left from such deposit or escrowed funds after the City has performed the work, such balance shall be returned to the person who deposited it.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991; Ordinance No. 2003-04, 09-02-2003)

8.4. Liability Insurance. The application shall include a certificate showing that a minimum of one million dollars (\$1,000,000) in public liability insurance has been obtained by the applicant.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.5. Inspection of Premises. Before any such permit shall be approved, the Building Inspector shall inspect the premises where the wrecking or demolition work is to take place, and ascertain that provision for proper care has been made so as not to endanger any sewer or water connections with the City sewer and water systems, any electrical wires or installations or any natural gas main connections.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.6. Approval and Issuance of Permit. If the Building Inspector finds that the terms of this chapter are being complied with by the applicant, he shall approve the applicant and issue a permit for such wrecking or demolition. However, if the property is located in the Historical Preservation District, the Building Inspector shall not issue a permit until the Historical Preservation District Commission has approved the request.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.7. Permit Fees. Fees for permits shall be established by resolution of the City Council from time to time.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991; Ordinance No. 2003-04, 09-02-2003)

8.8. Regulations for Proceeding with Work. All work of such wrecking or demolition shall be performed in a workmanlike manner and with the least amount of noise possible. Care shall be taken to protect neighboring structures with adequate shoring and other appropriate measures to protect such structures. Signs stating "Wrecking and demolition work going on-No Trespassing" shall be erected on each side of the building that faces on a public street or alley. No sign permit shall be required for such signs; however, they shall be removed immediately upon completion of the work being done. Adequate protection shall be provided to prevent injury to any City or public utility appurtenances. It shall be the duty of all persons working on or responsible for such wrecking or demolition to see to it that children are warned away from such premises, and are not permitted to play in or on or frequent such structures.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.9. Completion of Work. The applicant shall proceed with the work to be done so that it is completed in a timely fashion. Any period of inactivity greater than sixty (60) days shall be deemed to be a violation of this Chapter. Timely fashion means five (5) working days or one (1) day for each twenty-five thousand (25,000) cubic feet of building, whichever is greater.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.10. Supervision. The Building Inspector shall supervise such wrecking or demolition and shall inspect such premises at least once daily during such wrecking or demolitions.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.11. Documentation of Other Requirements. The City Clerk shall be provided with photocopies of any state or federal permits that may be required for the proposed demolition at the time of application.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991)

8.12. Violation: Municipal Civil Infraction. A person who violates any provision of this Chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each violation. Repeat offenses shall be subject to increased fines as provided by Section 1.12(3)(b) of this Code. The Building Inspector is hereby designated as the authorized City official to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the City of Frankenmuth Municipal Ordinance Violations Bureau) for violations under this Chapter as provided by this Code.

(Ordinance No. 1991-10, Sec. 1, 08-06-1991; Ordinance No. 2002-05, 08-07-2002)