

ORDINANCE NO. 2024- 3

**ORDINANCE ESTABLISHING CITY OF LOOGOOTEE
UNSAFE BUILDING LAW**

WHEREAS, Indiana Code 36-7-9-1 through 36-7-9-28 provides the City of Loogootee the authority to take action to ensure the inspection, repair, and removal of unsafe structures and tracts of real property which shall be located within the legal boundaries of the City of Loogootee, and

WHEREAS, the City of Loogootee now determines that it is appropriate to assure that buildings and tracts of real property in the City of Loogootee shall be maintained in such a manner so as to preserve the health, safety and welfare of the citizens of the City of Loogootee,

NOW THEREFORE, BE IT RESOLVED, by the Loogootee City Council, as follows:

1. All buildings, structures, or parts thereof which are located within the legal boundaries of the City of Loogootee, Indiana that are determined by the City of Loogootee Building Commissioner to be unsafe, as defined by this Ordinance, are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.

2. A building or structure, or any part of a building or structure, that is:

- a. in an impaired structural condition that makes it unsafe to a person or property;
- b. a fire hazard;
- c. a hazard to the public health;
- d. a public nuisance;
- e. dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or
- f. vacant or blighted and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute or an ordinance;

is considered an unsafe building.

For purposes of this Ordinance, the following are considered unsafe premises:

- a. An unsafe building and the tract of real property on which the unsafe building is located.
- b. A tract of real property, not including land used for production agriculture, that does not contain a building or structure or contains a building or structure that is not considered an unsafe building, if the tract of real property is:
 - (1) a fire hazard;
 - (2) a hazard to public health;
 - (3) a public nuisance; or
 - (4) dangerous to a person or property because of a violation of a statute or an ordinance.

3. The City of Loogootee may administer and proceed under the provisions of the state statute and this Ordinance in ordering the repair or removal of any buildings found to be unsafe, as specified in state statute or as specified in this Ordinance.

4. The definition of “substantial property interest” set forth in I.C. 36-7-9-2 is incorporated by reference in this Ordinance as if copied in full.

5. All work for the reconstruction, repair, or demolition of buildings and other structures shall be performed in good workmanlike manner according to the accepted standards and practices in the trade. The provisions of the building laws, as defined in I.C. 22-12-1-3, adopted as the rules of the fire prevention and building safety commission, shall be considered standard and acceptable practice for all matters covered by this Ordinance or orders issued pursuant to this Ordinance by the City Building Commissioner.

6. No person, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises or cause or permit such to be done contrary to or in violation of any of the subsections of this Ordinance or any order issued by the City Building Commissioner. Any person violating this Ordinance commits a Class C infraction for each day such violation occurs.

7. The Mayor of the City of Loogootee shall name an enforcement officer to investigate such premises alleged to be public nuisances and to provide reports to the City of Loogootee to administer acts of the City of Loogootee under this Ordinance and I.C. 36-7-9-1 through 36-7-9-28 within the legal boundaries of the City of Loogootee, Indiana.

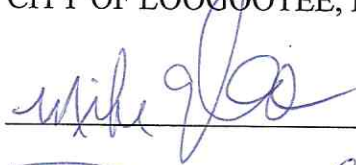
8. All Ordinances, or any section thereof, in conflict with this Ordinance to the extent of such conflict are hereby repealed.

10. This Ordinance will become effective February 12, 2024.

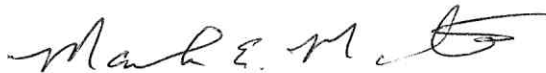
Passed and adopted this 12th day of February, 2024.

THE CITY OF LOOGOOTEE, INDIANA.

CITY COUNCIL
CITY OF LOOGOOTEE, INDIANA









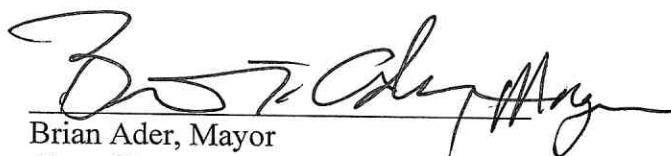


ATTEST:



Lori Carrico, Clerk-Treasurer
City of Loogootee

DATE: 2-12-2024



Brian Ader, Mayor
City of Loogootee, Indiana

