

ORDINANCE NO. 587

AN ORDINANCE OF THE CITY OF LAGRANGE, MISSOURI, AMENDING SECTION 585.010 DEMOLITION OF BUILDING STRUCTURES AND FOUNDATIONS.

WHEREAS, Section 585.010 imposes procedures for the demolition of building structures and foundations within the City; and

WHEREAS, the regulation of property conditions within the City enhances the public safety and welfare of the residents of the City of LaGrange; and

WHEREAS, it is beneficial for property owners to be granted additional allowable uses of structure foundations that are in safe and useable condition.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGRANGE, MISSOURI, as follows:

Section 585.010 of the Municipal Code of the City of LaGrange is hereby repealed and the following is adopted in replacement of said Ordinance.

SECTION 585.010: DEMOLITION OF BUILDING STRUCTURES AND FOUNDATIONS

- A. No demolition shall proceed within the City prior to completion of the following:
 1. Receipt of demolition permit from City Hall.
 2. Approval by the City Administrator and/or authorized agent of a demolition plan which shall be in writing and shall contain, as a minimum, the following information:
 - a. Address of building to be demolished.
 - b. Name of owner of building.
 - c. Written approval of owner of demolition or order to demolish from the Building Commission.
 - d. Written explanation of method to be used in demolishing the building.
 - e. Time to complete demolition.
 - f. Copies of any bonds and evidence of insurance required by the Building Inspector or City Administrator including, but not limited to, performance bonds, public liability insurance, collapse insurance, etc.
- B. Upon the demolition of any building structure and foundation, all debris shall be removed, the property shall be graded to promote proper drainage and all disturbed areas of the property shall be revegetated to prevent soil erosion. Demolition and required revegetation shall be completed within the time allotted for the demolition.
- C. In any instance where a property owner can show that the structure foundation is structurally sound and may be reused for the construction of a replacement structure, such foundation may be temporarily exempted from demolition, provided that a fence of no

less than three (3) feet in height is placed around the entire structure by the owner to prevent access to foundation. The owner of the property shall then have three (3) months from the date of notification by the City of the violation of this Section to submit plans and permit application for the construction of a building that reuses said foundation. In any event that proper plans are not submitted for the construction of a building that utilizes said foundation, or if such construction is not completed within the time frame contained in the construction permit, then said foundation is hereby declared to be a dangerous or unsafe building and nuisance and may be demolished by the City at the expense of the owner pursuant to Chapter 565 of the Code.

- D. In the event that a property owner wishes to use a structure foundation for an alternate use such as a patio or parking area, then such use must be applied for by completion of a construction permit for approval by the City. As a condition to such permit being granted, the structure foundation must not pose any unsafe or hazardous conditions.
- E. Expiration, Suspension or Revocation of Permit.
 - 1. The City Administrator and/or authorized agent shall have the authority to immediately revoke without notice any demolition permit for unsafe conditions or other Code violations.
 - 2. There shall be set forth on the application and permit required by this Chapter the time for completion of the removal, demolition or tearing down and the restoration of the property as provided for in this Chapter. In no case shall the work authorized by the date of the issuance of the permit exceed sixty (60) days. The City Administrator and/or authorized agent may grant extensions to this time, not to exceed an additional sixty (60) days, based on inclement weather or some other undue hardship on the applicant, provided such hardship is not self-imposed. Failure to complete in the time allowed under the permit shall cause the individual or permit holder to be in violation of this Chapter.
 - 3. Any person who shall fail to comply with the provisions of this Section shall be subject to the penalties contained in Section 560.020 and Chapter 565.

ORDINANCES IN CONFLICT: All Ordinances or parts thereof in conflict with or inconsistent with the terms of this Ordinance are hereby repealed.

SEVERABILITY: If any portion of this Ordinance is declared illegal or void by a court of competent jurisdiction, the remainder of the Ordinance shall survive and not be affected thereby.

FULL FORCE AND EFFECT: This Ordinance shall be in full force and effect from and after a copy of the proposed Ordinance has been made available to the general public by posting a copy thereof in the City Office, 118 S. Main Street, LaGrange, Missouri, after it has been read by title two (2) times before the City Council of the City of LaGrange, Missouri, approved by the City Council, and after it has been approved by the Mayor of the City of LaGrange, Missouri.

Adopted this ___ day of _____, 20__

Mayor/Presiding Officer

Approved this ___ day of _____, 20__

Mayor/Presiding Officer

ATTEST:

City Clerk