

AN ORDINANCE REGARDING THE REMOVAL OF BUILDINGS FROM THE
CITY OF MICHIGAN CITY, NORTH DAKOTA

Ordinance No #151

Be it ordained by the City Council of the City of Michigan City, North Dakota that the removal of any building, either residential or commercial, from the Michigan City Limits shall be subject to the following conditions and restrictions:

An application requesting the removal of a building from the City of Michigan shall be submitted with a nonrefundable \$10.00 application fee to the Michigan City Auditor forty-five (45) days prior to the expected removal date. In order to remove a building from the City of Michigan, said application must be approved by a majority of the Michigan City Council.

The application must include a description of the property and the date of planned removal. The applicant must state a specific plan to remove any building from the City, including, but not limited to, the route for removal, the type of removal of the building, the plans to remove and fill the foundation and/or basement and leveling of the lot, and the equipment used in this project.

The applicant must agree to the following terms and conditions:

1. to pay all delinquent and current taxes assessed against the property.
2. To pay off all special assessments and other special taxes assessed against the property.
3. To remove any basement or foundation and to level the lot to the satisfaction of the City of Michigan.
4. To leave any water and/or sewer hookups available for future use but below ground level.
5. To remove all debris and personal property from the lot.
6. To be responsible for the upkeep of the lot after removal including, but not limited to mowing of the lot. If the applicant fails to keep up the lot as agreed, applicant further agrees to reimburse the City for any costs of such upkeep.
7. The applicant certifies and acknowledges to the city of Michigan that the applicant has obtained all of the authorizations, permits, consents and permissions from the State, County and other political subdivisions, electric power companies, cable companies, or other utilities and any and all private land owners, lien holders and other interested persons for the removal of the property according to the specified plans.
8. The applicant agrees to defend, indemnify, and hold harmless the City of Michigan from any claim, demand, suit, loss, cost or expense, or any damage which may be asserted, claimed or recovered against or from the City of Michigan by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whosever and which damage, injury or death arises out of or is incident to or in anyway connected with the removal of said building pursuant to this application.

9. The applicant agrees that the applicant will be liable and responsible for any costs incurred as a result of any damage to any person or property in connection with the removal of any structure for the above property.
10. The applicant agrees to pay a \$5,000.00 refundable deposit to the city with within five (5) days of approval of the application to remove a structure from the City. This deposit will be refunded with sixty (60) days after the removal of the structure from the city providing that all provisions of the application have been met. If within sixty (60) days the provisions of the agreement have not been met the city shall have the required work completed and the cost shall be paid from the \$5,000.00 deposit. Any unused deposit will be refunded to the applicant once the requirements have been completed

Allen I. Orwick – Mayor

Attested to:

Jay Haugen – Auditor

First reading – April 4, 2005

Second and Final Reading – May 2, 2005