

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4222

AMENDING THE REGULATIONS PERTAINING TO THE REGISTRATION OF VACANT AND ABANDONED BUILDINGS ESTABLISHED BY SECTIONS 22-33(A), 22-34(D), 22-35(A), and 22-38(A) OF THE MUNICIPAL CODE FOR MICHIGAN CITY, INDIANA

WHEREAS, on July 3, 2012, the Common Council passed Ordinance No. 4181, which is now codified in Chapter 22 and Chapter 50 of the Michigan City Municipal Code and is commonly known as the Registration of Vacant and Abandoned Buildings; and

WHEREAS, the need currently exists to amend Sections 22-33(a), 22-34(d), 22-35(a), and 22-38(a) contained in Chapter 22 of the Municipal Code, and more specifically, the City desires to do the following:

- 1.) Amend Sec. 22-33(a) to make said section easier to read;
- 2.) Amend Sec. 22-34(d) to only require owners of buildings deemed abandoned to display their registration permit outside of their building;
- 3.) Amend Sec. 22-35(a) to remove the requirement that a Property Manager reside in LaPorte County, however, now require that a Property Manager live within twenty (25) miles from City limits; and
- 4.) Amend Sec. 22-38(a) to correct a typographical error.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City that the following Sections of the Michigan City Municipal Code are amended to read as follows:

1. Sec. 22-33(a) shall read:

"Abandoned building" means as follows: (1) a structure on a parcel of real property which is vacant for more than ninety (90) days; is the subject of an order issued pursuant to the Indiana Unsafe Building Law, which has been incorporated into this Code, and at which the condition which generated the order has existed for at least thirty (30) days and has not been remedied; or (2) is not maintained in compliance with applicable provisions of the City Code, building codes, or state laws or regulations for a period of at least thirty (30) days.

2. Sec. 22-34(d) shall read:

The owner of building that is registered as an abandoned building shall at all times display the registration permit issued to him by the City on the front of the abandoned building in a visible, secure, and weather-proof location on said building. An owner of a building who voluntarily registers their building as vacant with the City shall not be required to post their registration permit on their building.

3. Sec. 22-35(a) shall read:

The Owner of a building which is required to be registered pursuant to this Division must appoint a Property Manager residing within twenty-five (25) miles from Michigan City limits and provide the Department of Code Enforcement with regular and emergency contact information for Property Manager. The failure to appoint a Property Manager or to provide the required information is a separate violation of this Division. The Property Manager may be the Owner or an agent of the Owner.

4. Sec. 22-38(a) shall read:

The Owner of any building required to be registered under this Division shall pay an annual registration fee to the Department of Code Enforcement upon registration. However, the Owner of a building that is vacant but not abandoned within the meaning of this Division, who voluntarily registers the building pursuant to Section 22-34(c), is not required to pay a registration fee.

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Chris Schwanke, Member
Michigan City Common Council

/s/ Pat Boy, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 2nd day of April, 2013 by a vote of 7 to 0.

/s/ Duane Parry, President
Michigan City Common Council

Approved by me, this 5th day of April, 2013.

/s/ Ron Meer, Mayor
City of Michigan City

ATTEST:

/s/ Gale A. Neulieb, Clerk
City of Michigan City

Prepared by City Attorney's Office Upon Request