

SPONSOR: David Woerpel
5th District Councilman

ORDINANCE NO. 9401

**AN ORDINANCE AMENDING ORDINANCE 6066 AND ORDINANCE 8435 ALSO
KNOWN AS SECTION 150.070 OF THE HAMMOND MUNICIPAL CODE AS IT
PERTAINS TO EMERGENCY BOARD UPS IN HAMMOND**

WHEREAS, Section 150.070 of the Hammond Municipal Code permits the securing and boarding up of Hammond residential and commercial properties in the event of a fire in the interest of protecting public health and safety; and

WHEREAS, Section 150.070 in its present form does not address the need to secure property in the event of a break-in, weather related failure of a structure, or vehicle-structure collision; and

WHEREAS, Section 150.070 in its present form does not address the recovery of costs expended by the Inspections Department when the property owner is unwilling or unable to reimburse the cost of the emergency board up on the property as well as the recovery of County imposed recording fees; and

WHEREAS, the Hammond Inspection Department is requesting the Ordinance be amended to reflect these deficiencies; and

WHEREAS, the Hammond Common Council recognizes that emergency board ups are a necessary and proper use of the City of Hammond Inspections Department Police Powers, and powers of the Enforcement Authority under the Unsafe Building Act; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that Ordinance 6066 and 8435, also known as Section 150.070 of the Hammond Municipal Code be Amended as Follows:

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Vacated or Damaged Buildings; Security and Time Restraints

Section 150.070 Securing Buildings; Emergency Board-Ups:

- (A) Securing:** Whenever a structure is abandoned, vacated or damaged by fire, weather, collision, break-in or accident, it shall be the owner's responsibility to secure and/or board up the structure within forty eight (48) hours. If, in the opinion of the Chief of Inspections, or highest ranking fire official on scene, it is considered dangerous to the health, welfare and safety of the Citizens of the City of Hammond, it shall be secured or boarded up by the owner within twenty-four (24) hours.
- (B)** If the owner of the property is unavailable, unwilling or unable to secure the property, the City of Hammond, through the Inspections Department, or by order of the Hammond Fire or Police Department, may hire a contractor to secure or board up the structure and the owner shall be responsible for the cost incurred by the City of Hammond. All dangerous, hazardous, or flammable materials including waste and rubbish shall be removed prior to securing or boarding up the structure.
- (C)** The Hammond Inspections Department, if not compensated by the owner of the property within ten (10) days, may lien the property for the costs incurred including recovery of all recording fees incurred and a processing fee of fifty (\$50.00) dollars per board up incident.

BE IT FURTHER ORDAINED by the Common Council that this Ordinance shall be in full force and effect from and after its passage by the Common Council, signing by the President thereof and approval by the Mayor and approval of the DLGF.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 12th day of February, 2018.

Janet Venecz, President /s/
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

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PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 13th day of February, 2018.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

The foregoing Ordinance No. 9401 consisting of two (2) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 15th day of February, 2018.

Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 12th day of February, 2018, and approved by the Mayor on the 15th day of February, 2018.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana