

ORDINANCE NO. 2004 - 5

WHEREAS, the Town Council desire to enact an Ordinance relating to certain minimum building standards by adoption I.C. 36-7-9 of the Statute of the State of Indiana.

WHEREAS, the legislative and executive bodies of the Town of Fort Branch, Indiana, are charged with the responsibility of maintaining a healthy environment for the citizens of the Town and to protect the health and welfare of the citizens; and

WHEREAS, the State of Indiana as enacted legislation on the subject of unsafe buildings and unsafe premises which authorizes municipal government to adopt the terms and provisions of I.C. 36-7-9 by Ordinance.

NOW THEREFORE, be it ordained by the Common Council of the Town of Fort Branch as follows:

SECTION 1.

TITLE

This Ordinance shall be known as Building Standards for the Town of Fort Branch, Indiana.

SECTION 2.

APPLICATION OF CHAPTER

This Chapter applies within the boundaries of the Town of Fort Branch, Indiana.

SECTION 3.

DEFINITIONS AS USED IN THIS CHAPTER:

- "Department" - Refers to the Town Council of Fort Branch.
- "Enforcement Authority" - Refers to the President of the Town Council of Fort Branch, Indiana.

"Hearing
Authority"

- Refers to the Town Council of Fort Branch, Indiana.

"Substantial
Property
Interest"

- Means any right in real property that may be affected in a substantial way by actions authorized by this chapter, including a fee interest, a life estate interest, a future interest, a present possessory interest, or an equitable interest of a contract purchaser. In a consolidated city, the interest reflected by a deed, lease, license, mortgage, land sale contract, or lien is not a substantial property interest unless the deed, lease, license, mortgage, land sale contract, lien, or evidence of it is:
 - (1) recorded in the office of the county recorder; or
 - (2) the subject of a written information that is received by the division of development services and includes the name and address of the holder of the interest described.

SECTION 4.

ADOPTION OF I.C. 36-7-9 BY REFERENCE.

I.C. 36-7-9-2 through I.C. 36-7-9-28 of the laws of the State of Indiana as amended by all amendments thereof from original passage through the amendments contained in PL 14-1991, a copy of which is attached hereto and made a part hereof are hereby adopted as an Ordinance of the Town of Fort Branch except to the extent modified herein above to comply with the terms of I.C. 36-7-9 and the Town of Fort Branch, Indiana to the extent stated in Section 2 herein shall be governed by said statute.

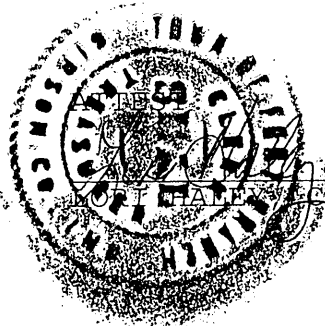
ADOPTED THIS 18th DAY OF August, 2004.

TOWN COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA

Gerald L. Bledsoe
GERALD L. BLEDSOE, PRESIDENT

Ray O. Falls
RAY O. FALLS, COUNCILMAN

Christopher J. Mosby
CHRISTOPHER J. MOSBY, COUNCILMAN



(SEAL)

CLERK - TREASURER