



Code of Ordinances
CITY OF AUBURN





Demolition Permit
Procedures

CHAPTER
165

AUBURN



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165.01 PERMIT REQUIRED

It shall be unlawful to demolish any primary building or structure, or any accessory structure built on a foundation over three hundred and twenty (320) square feet in size, within the Auburn Corporate Limits without first securing a demolition permit.

- A. Such permit shall be provided by the Administrator/Zoning Administrator of the Department of Building, Planning and Development, and shall contain information regarding the location of the building or structure, the date when demolition is to commence and the approximate duration of the permit.
- B. The Administrator/Zoning Administrator or the applicant shall notify other parties that may be affected by the proposed demolition (utilities, property owners, governmental entities, etc.) as they deem necessary before the start of the demolition.

165.02 DEFINITIONS

For the purpose of this Chapter, the following words and definitions shall apply unless the context clearly indicates a different meaning:

- Demolition
The razing, tearing down, or removal of all or part of a building; the removal or outer facing of a building but leaving a skeleton or structural frame; or the removal of an upper story or stories of a building.
- Building
Any structure used or intended for supporting or sheltering any use or occupancy.
- Structure
Anything constructed or created which provides location in or on the ground or attached to something having a location in or on the ground.
- Accessory Structure
A structure that is subordinate to a primary structure in area, intent, and/or purpose; contributes to the comfort, convenience, or necessity of the occupants of the primary structure; does not alter or change the character of the property; and is located on the same lot as the primary structure.
- Demolition Permit Requirement Checklist
A checklist developed by the Department of Building, Planning and Development that may be changed from time to time to ensure a safe and complete demolition and one that meets the requirements of the this Chapter.
- Liability Insurance
The contractor shall, as a prerequisite to obtaining a demolition permit, obtain and thereafter maintain such liability insurance as will protect the contractor and the City from the claims set forth below which may arise out of, or result from, the contractor's operation under this permit, whether such operations be by the contractor(s) or by subcontractor(s) or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable.

165.03 ISSUANCE OF PERMIT

The Administrator/Zoning Administrator may issue a demolition permit upon submittal of an appropriate application in compliance with the Permit Application Process described below.

- A. Permit Application Process.



1. Applicant must complete an application in writing on a form furnished by the Department of Building, Planning and Development.
2. Applicant must provide the following information to apply for the demolition permit:
 - a. A description of the building or structure to be demolished.
 - b. The location of the building or structure to be demolished.
 - c. Proof of ownership by the applicant of the building or structure to be demolished in the form of a title deed showing the legal description, court order conveying real estate, or other evidence of title accepted in the State of Indiana to prove ownership such as a recent property tax bill, or property tax receipt.
 - d. If the applicant is not the owner, a signed affidavit by the owner is required giving permission to demolish the building or structure.
 - e. Documentation of liability insurance as defined on the “Demolition Permit Requirement Checklist”.
 - f. Estimated Start and Completion Dates.
 - g. Applicant must show proof that notification to all utilities were given to ensure disconnection of the utilities prior to demolition.
 - h. Applicant must agree to address all appropriate items as defined by the Administrator/Zoning Administrator in the “Demolition Permit Requirement Checklist”.

165.04 INSPECTION OF PROPERTY

- A. Prior to issuing a Demolition Permit: The Administrator/Zoning Administrator shall inspect the property with the property owner or a designated representative, to ensure that the property can be safely prepared for demolition, protected from the public, and provided adequate access around the site as possible during demolition.
- B. During Demolition:
 1. Demolition shall be performed in a competent manner and with the least amount of noise and/or dust as possible. Care shall be taken to protect neighboring structures. Adequate protection shall be provided to prevent injury to any city or public utility or pertinence. It shall be the duty of all persons working on or responsible for such demolition to see that the demolition site is adequately secured to protect the general public, particularly children, from exposure to any potential hazards and from accessing the site during demolition.
 2. The Administrator/Zoning Administrator may limit the hours during the day in which demolition activity may occur.
- C. After Demolition: The Administrator/Zoning Administrator will inspect the property after notification of completion to ensure compliance with the “Demolition Permit Requirement Checklist”.

165.05 ENFORCEMENT AND FINAL INSPECTION

- A. Upon completion of the demolition, the Administrator/Zoning Administrator shall inspect the property to ensure compliance of this ordinance. If the demolition work is properly completed, the Administrator/Zoning Administrator shall issue a Completion Certificate to the property owner. This certificate shall allow the owner to redevelop the property according to the requirements of the City of Auburn Zoning Ordinance and other applicable regulations, or to use the property as a yard and/or open space.
- B. If the inspection performed by the city determines that the applicant is not in full compliance with the requirements of the demolition permit of this Chapter, the Administrator/Zoning Administrator shall advise the applicant in writing of the terms of the non-compliance. The applicant shall have thirty



(30) days from the date of the notice to comply and, if full compliance is made, the Administrator/Zoning Administrator shall issue a Certificate of Completion.

- C. In the event that the applicant fails to comply within thirty (30) days of the notice given, the applicant shall be in violation of this ordinance and subject to fines as described in Section 6 below.

165.06 PENALTY

Any person, firm or corporation violating any provisions of this Chapter shall be fined not less than one-hundred dollars (\$100.00), and not more than five-hundred dollars (\$500.00) for each offense, plus court costs and other expenses incurred in the enforcement of said Sections. Each day of the existence of any violation of this Chapter shall be considered a separate offense.

165.07 FEES

Prior to the issuance of a demolition permit, the applicant shall pay a fee of fifty dollars (\$50.00) to the City of Auburn. This fee shall be collected by the Department of Building, Planning and Development at the time of submitting a completed and approved permit application as defined in Section 3 of this Chapter.

165.08 DEMOLITION PERMIT REQUIREMENT CHECKLIST

The Department of Building, Planning and Development shall create a separate document to work in conjunction with the demolition permit. This document shall be updated from time to time in order to keep up with ever-changing code requirements. The City Council may have oversight review of the checklist.