

**ORDINANCE 94**

**ORDINANCE GRANTING TO THE COUNCIL THE AUTHORITY TO ORDER REPAIR OR REMOVAL OF THOSE CONDITIONS, SITUATIONS OR STRUCTURES DETERMINED TO BE HAZARDOUS TO THE HEALTH AND/OR SAFETY OF THE CITIZENS OF THE VILLAGE.**

THE VILLAGE COUNCIL OF THE VILLAGE OF BIRD ISLAND DO ORDAIN:

SECTION I. The Board of Health and/or the Village Council of Bird Island shall investigate any complaint directed to it concerning the actions, construction, lack of repair, or general conditions of any private property within the corporate limits of the Village of Bird Island.

SECTION II. If, upon such inspection, it shall be determined to be or create a hazard to the health, safety of physical well being of the citizens of this Village, the Village Council of Bird Island shall order the owner of the designated property to correct the hazard.

SECTION III. If the owner of the property has not complied; or given satisfactory evidence of compliance within thirty (30) days of the order; or has stated in writing he will not or cannot comply; the Village Council of Bird Island shall order in the necessary measures or repairs needed to comply with the order and pay for same with Village funds.

SECTION IV. The cost of such compliance shall be assessed against the property and added to the Real Estate Taxes and such assessment shall carry interest at no more than current Bank rate per annum simple interest on the unpaid balance.

SECTION V. Any property owner receiving an order under this ordinance may file a written request with the Village Clerk for a hearing before the Village Council of said Village within ten (10) days after issuance of such order, which request shall be accompanied by a deposit of \$15.00 to defray expenses for providing notice of hearing and other incidental costs thereof. The balance remaining after paying such costs shall be refunded to such person as soon as the amount of such costs has been determined. Upon receiving such written request and deposit, the Village Clerk shall then cause to be published notice of hearing before the Village Council, once at least five (5) days prior to such hearing, at which hearing all persons having an interest therein, shall be given an opportunity to be heard. After such hearing, and upon hearing and considering all matters presented thereat, the Village Council shall take action. Such request shall constitute a stay of order until after the results of the hearing are determined and the thirty (30) day period of compliance shall not commence until such hearing is complete.

SECTION VI. This ordinance shall take effect from and after its passage and publication.

Passed and adopted this 21<sup>st</sup> day of August, 1969, with the following vote being taken: Ayes (5) – Noes (none) – Absent and not voting (none).

Approved and signed this 22<sup>nd</sup> day of August, 1969.

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Mayor

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Village Clerk