

Memo

To: Historic Preservation Committee

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: REVIEW OF RAZING ORDINANCE AMENDMENT

Date: August 21, 2014

Attached is a proposed amendment to the razing section of the village's building code (Chapter 13). The proposed amendment includes changes suggested during the May and July Historic Preservation Committee meetings in 2014, as well as additions suggested from the Wisconsin Historical Society's website. All changes are meant to work with property owners and developers in preserving the character, history, and architectural integrity of buildings and structures located in Allouez.

As was suggested at the July 2014 meeting, the ordinance was reviewed by the Wisconsin Historical Society. Language was added to the ordinance to reflect the committee's comments and the Wisconsin Historical Society's recommendations.

The Historic Preservation Committee is asked to review the proposed amendment to the building code and recommend the proposed amendment to be adopted by the Village Board.

13.09 RAZING OF BUILDINGS.

A. No person shall raze any building, structure, or part thereof in the Village of Allouez without first securing a permit from the Building Inspector.

1. No permit shall be granted unless a certificate of insurance, holding the Village harmless from liability for the specific job, shall be filed with the Village Clerk-Treasurer. The amount of insurance shall be set by the insurance counselor for the Village, and shall be determined by the amount of the Village's exposure on the particular job.
2. Except as provided below, a raze permit may be issued following the building inspector's receipt of a fully completed application.
 - a. If a building or structure is a historic landmark or contributing to a historic district, as recognized by either a local designation by the Village of Allouez or listed on the State Register or National Register as such, the building inspector shall forward the completed application to be reviewed by the Historic Preservation Committee within ten (10) days of receiving said application and prior to a raze permit being issued for the building or structure.
 - i. The village shall publish a notice of the demolition permit application in a newspaper having substantial circulation in the municipality. The notice shall be published within ten (10) days following the filing of the completed application.
 - b. Issuance of raze permits for a building or structure found to be a historic landmark or contributing to a historic district as recognized in par(a) of this ordinance, shall be postponed for review by the Historic Preservation Committee for no longer than sixty (60) days, during which time the Historic Preservation Committee will attempt to find a buyer or funding for rehabilitation of the building or structure. The Historic Preservation Committee shall notify the petitioner of any potential buyers and/or rehabilitation funds for the questioned building or structure. If the Historic Preservation Committee cannot find a suitable buyer or funds for rehabilitation within sixty (60) days of the petitioner submitting a completed application to the building inspector and the petitioner having adhered to all other necessary village and state requirements, a raze permit may be issued by the building inspector.
 - c. If a building or structure is to be reviewed by the Historic Preservation Committee, under the conditions listed under par(a), the Historic Preservation Committee shall allow the raze permit if the building or structure meets any of the conditions provided below as determined by the committee.
 - i. Public welfare requires the removal of the building
 - ii. The building has lost its architectural and historical value and its removal will improve the appearance of the neighborhood
 - iii. Delay of the effort will result in a substantial hardship on the applicant
 - d. This subsection shall not apply to buildings or structures for which an order has been issued for razing or rehabilitation in accordance with Wis. Stats. § 66.0413 or 13.08 of this Code.
3. The person granted a permit shall comply with the following requirements within a time limit of three (3) months.

B. Street, alley or private property shall be properly protected by erecting proper fencing and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards, to prevent falling of debris on sidewalk or street. The top of the scaffold shall be at least eight feet above sidewalk or alley.

C. It shall be unlawful to remove horizontal support and let exterior walls or partitions stand unsupported.

D. In buildings more than one story in height, the exterior walls, interior partitions and other supports to be removed shall be by floor-to-floor using the floor below as protection against falling debris, and to hold exterior walls and interior walls to prevent them from collapsing.

E. No walls, chimneys, or other construction shall be allowed to fall en masse on a floor, and bulky material such as beams and columns shall be lowered and not thrown.

F. Cranes may be used in wrecking or demolition of buildings providing the methods stated in this section are complied with.

G. When a building is moved or demolished, the building sewer shall be located at a point outside the foundation lines. The sewer shall be sealed off. The plug or seal shall not be covered until an approval has been given by the Plumbing Inspector.

H. No person shall leave litter, building debris, excavations or ground piles on property on which a building is being razed or has been moved off. Where work is being done in an unsatisfactory manner, or where work is not progressing, and causes a hazard and/or nuisance to the public safety, the Building Inspector shall give written notice to the owner specifying a definite time limit to clean up the property and level off the ground to the adjoining level. If notice is not complied with, the Building Inspector shall cause work to be undertaken by the Village or a firm hired by the Village and the cost thereof to be charged back to the property or property owner.

I. Demolition of a structure without a permit shall subject the violator to all applicable penalties under the law, including a fine of the greater of one thousand (\$1,000.00) dollars or the assessed value of the property demolished for each violation.

Comment [01]: Assessed only?

<http://www.wisconsinhistory.org/Content.aspx?dsNav=Ny:True,Ro:0,N:4294963828-4294961311&dsNavOnly=N:4294963828-4294961311&dsRecordDetails=R:CS232&dsDimensionSearch=D:demolition,Dxm:All,Dxp:3&dsCompoundDimensionSearch=D:demolition,Dxm:All,Dxp:3>