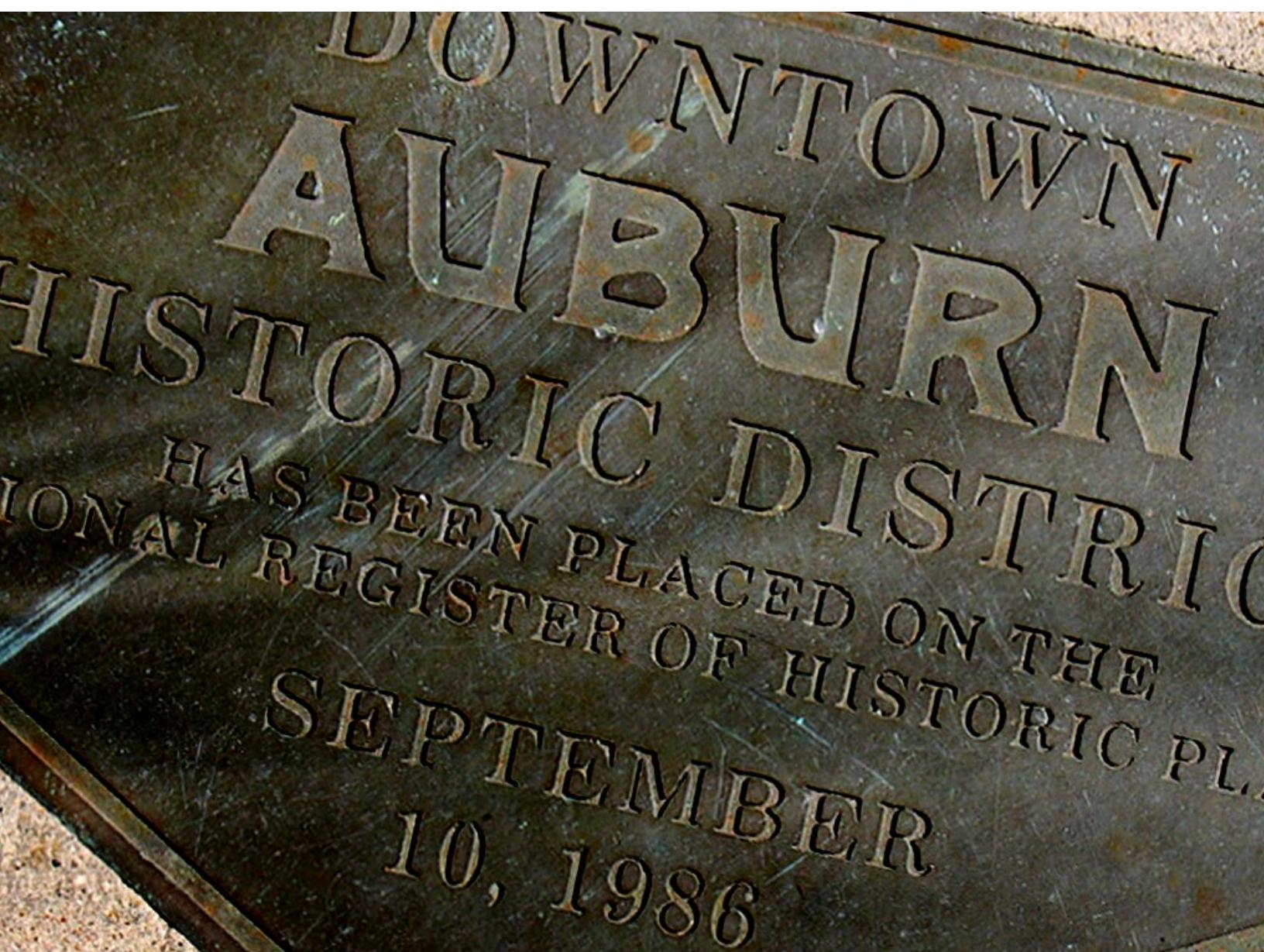




Code of Ordinances
CITY OF AUBURN





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Unsafe Buildings

CHAPTER
159



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159.1 ADOPTION OF INDIANA CODE 36-7-9 ET SEQ.

- A. Ind. Code§ 36-7-9 et. seq. is hereby adopted by reference as the Unsafe Building Law. All proceedings within the City for inspection, repair, and removal of unsafe buildings shall be governed by this law and the provisions of this section. In the event the provisions of this section conflict with the provisions of Ind. Code § 36-7-9 et seq. the provisions of the state statute shall control and prevail.
- B. SUBSTANTIAL PROPERTY INTEREST shall have the meaning set forth in Ind. Code§ 36-7-9-2.
- C. DEPARTMENT refers to the Building, Planning, and Development Department of the City of Auburn, Indiana.
- D. ENFORCEMENT AUTHORITY refers to the Administrator of the Building, Planning, and Development Department, Building Commissioner, or his/her designee.
- E. HEARING AUTHORITY refers to the Board of Public Works and Safety.

159.2 DEFINITIONS OF UNSAFE BUILDINGS AND PREMISES

The City shall follow the definitions provided in Ind. Code§ 36-7-9 et seq.

159.3 ENFORCEMENT AUTHORITY

The City ENFORCEMENT AUTHORITY shall be authorized to administer and to proceed under the provisions of state law and this chapter, as amended, in ordering the repair or removal of any buildings or premises found to be unsafe.

159.4 SIGNS POSTED; NOTICE TO OWNERS

Unsafe building or structure notices shall be posted at each entrance to such building or structure with the following: "Do Not Enter. Unsafe to Occupy. Building Planning, and Department, City of Auburn, Indiana." The notice shall remain posted until the required repairs are made or demolition is completed. The notice shall not be removed without written permission from the ENFORCEMENT AUTHORITY and no person shall enter the building except to make repairs or to demolish same.

159.5 DECLARED A NUISANCE

All buildings or portions thereof within the City which are determined after inspection by the ENFORCEMENT AUTHORITY to be unsafe, hereof are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.

159.6 DISCRETION OF CITY OFFICIALS

Whenever in the building regulations of the City or in this subchapter, it is provided that anything must be done to the approval of, or subject to, the discretion of the ENFORCEMENT AUTHORITY, or any other officer of this City, this shall be construed to give the officer only the discretion of determining whether the rules and standards established by code and/or ordinance have been complied with. No provision shall be construed as giving any officer discretionary powers as to what the regulations or standards shall be, power to require conditions not prescribed by code and/or ordinance or to enforce the provisions of such code and/or ordinance in an arbitrary or discretionary manner.

159.7 RECONSTRUCTION OF REPAIR TO BUILDINGS

All work for the reconstruction, repair or demolition of buildings and other structures shall be performed in a good workmanlike manner according to the accepted standards and practices in the trade. The provisions of the rules pertaining to construction, plumbing, electrical, mechanical and one- or two-family dwellings,



appropriated by the Indiana Fire Prevention and Building Safety Commission, shall be considered standard and acceptable practice for all matters covered by this subchapter or orders issued pursuant to this section by the ENFORCEMENT AUTHORITY.

159.8 UNSAFE BUILDING FUND

The Common Council of the City of Auburn is hereafter authorized to establish an operating budget of the City in accordance with the provisions of I.C. 36-7-9-14.

(Ordinance 2025-06 passed 04/01/2025)