

ORDINANCE NO. 2390

The City of Pontiac ordains:

ARTICLE VII. REHABILITATION AGREEMENTS

42-239 Purpose.

The purpose of this article is to develop a method to allow for the lawful rehabilitation of condemned buildings that have been ordered demolished by the Pontiac Board of Appeals. Further, this article is intended to discourage property speculators from acquiring condemned properties for the express purpose of creating substandard dwellings for human occupancy or other use.

42-240 Condemned buildings ineligible for permits.

Any property with a registered demolition order as recorded by the Oakland County Register of Deeds is not eligible to receive a building, mechanical, plumbing, electrical or occupancy permit or a certificate of compliance unless the property owner enters into a rehabilitation agreement with the City prior to the issuance of any permit.

42-241 Rehabilitation agreements.

The Building Official, or any duly appointed designee, may enter into a rehabilitation agreement with a property owner to rehabilitate condemned buildings. A rehabilitation agreement must include the following:

(1) *Property maintenance inspection required.* The property owner(s) shall apply to obtain a property maintenance inspection of the premises/structure(s) from the City of Pontiac Building Department prior to the execution of the rehabilitation agreement, which will result in the issuance of a property maintenance inspection report that will specify all of the improvements and/or repairs required to bring the premises/structure(s) into compliance with the applicable building code(s) and municipal ordinances, the report which shall be incorporated into the rehabilitation agreement. The property owner shall pay the appropriate fee for the property maintenance inspection.

(2) *Payment of demolition bond.*

a. The property owner must post a cash bond in the amount equal to the cost of the demolition as determined by the Building Official which will be based on the average square foot demolition cost for the most recent demolition bid received and awarded by the City.

b. The bond is fully refunded to the owner, without interest, upon the issuance of a certificate of compliance for the subject property.

c. If the property owner fails to adhere to the terms of the rehabilitation agreement, the City shall retain the bond to pay for demolition costs and/or cover associated legal costs.

(3) *Permit application.* Property owner(s) shall make application to the City for all required building permits within seven days after execution of the rehabilitation agreement and all other necessary permits within 30 days.

(4) *Schedule of rehabilitation.* Property owner(s) shall rehabilitate and/or repair said structure(s) in a lawful manner in compliance with the rehabilitation agreement during a 180-day period after making proper application and obtaining the requisite permits from the City. An additional 90-day period shall be allowed for properties located within the Historic District.

(5) *Inspections.*

a. Property owner(s) shall allow the City to conduct any and all necessary inspections at a mutually agreed-upon time between the parties.

b. Property owner shall be responsible for calling the Building Safety Division to schedule all necessary inspections.

(6) *Property maintenance.*

a. The exterior of the premises shall be kept free of all debris and trash.

b. Lawn and grass must be maintained in conformance with chapter [122](#), article III.

c. Sidewalks adjacent to the property shall be kept free of all snow and ice in accordance with the Code of Ordinances.

(7) *Other terms.*

a. Recognition by the property owner that the owner will adhere to the provisions of this article.

b. By execution of a rehabilitation agreement the property owner waives all rights to appeal.

c. Such other information that the Building Official determines is required to be included.

(8) *Demolition expenses.* No property shall be eligible for a rehabilitation agreement if the City has incurred any demolition-related costs on the property unless a service fee is added to the costs of the rehabilitation agreement in an amount equivalent to the demolition-related costs previously incurred on the property.

42-242 Termination of rehabilitation agreement.

(a) At the expiration of the 180-day period, if the building subject to the terms of the rehabilitation agreement has not been rehabilitated or repaired as required by section [42-240](#), with a certificate of occupancy or compliance having been issued for the structure(s), the City may immediately proceed with demolition and use the demolition bond to pay for the demolition as well as other associated costs. After all - costs have been paid, and if there is any balance, such balance shall be returned to the property owner without interest. Any extensions of this rehabilitation agreement shall be at the sole discretion of the Building Official and upon their finding that such an extension is in the best interests of the City of Pontiac.

(b) If a rehabilitation agreement has been fulfilled by the property owner, and a certificate of occupancy or compliance has been issued, the Building Official shall request the Board of Appeals to lift the decision and order of demolition and remove such decision and order from the record of the Oakland County Register of Deeds.