

ORDINANCE Ord #2017-006

**AN ORDINANCE TO ADOPT
CHAPTER 12. BUILDING AND CONSTRUCTION
ARTICLE 1. TECHNICAL CODES, ARTICLE 2. BUILDING NUMBERS,
ARTICLE 3. MOVING OF BUILDINGS,
ARTICLE 4. DEMOLITION ARTICLE 5. RESERVED
TO THE CITY OF POLSON BOOK OF ORDINANCES**

WHEREAS, the City Commission of Polson has determined that it is in the best interests of the citizens of Polson to reestablish, rewrite and reauthorize the Ordinances of the City;

WHEREAS, the Commission recognizes the most expeditious way of adopting such Ordinances is by adoption in a near sequential manner over a term of months to give the Commission and the public time to review the material;

WHEREAS, it appears in the best public interest that the following ordinances be adopted for the City of Polson;

NOW, THEREFORE, BE IT ORDAINED by the City of Polson that the following Article of the Ordinances of the City of Polson be adopted in full as attachment hereto:

CHAPTER 12. BUILDING AND CONSTRUCTION

- Article 1. Technical Codes**
- Article 2. Building Numbers**
- Article 3. Moving of Buildings**
- Article 4. Demolition**
- Article 5. Reserved**

The clerk is hereby instructed to codify this Ordinance and to place the same in the Book of Ordinances of the City of Polson.

Date: November 6, 2017

First Reading: 6 ayes nays 1 absent

Date: November 20, 2017

Second Reading: 7 ayes nays abstentions

Effective Date: December 20, 2017

Mayor Heather Knutson

Attest:

City Clerk Cora E. Pritt

ARTICLE 12. BUILDING AND CONSTRUCTION

Chapter 12.01 Technical Codes

- Sec. 12.01.010. Model technical codes and administrative rules.
- Sec. 12.01.020. Building and Planning Department fees; permits.
- Sec. 12.01.030. International Building Code.
- Sec. 12.01.040. International Residential Code.
- Sec. 12.01.050. International Existing Building Code.
- Sec. 12.01.060. International Fuel Gas Code.
- Sec. 12.01.070. International Mechanical Code.
- Sec. 12.01.080. International Energy Conservation Code.
- Sec. 12.01.090. Uniform Plumbing Code.
- Sec. 12.03.100. National Electrical Code.
- Secs. 12.01.110—12.01.199. Reserved.

Sec. 12.01.010. Model technical codes and administrative rules.

A. Adoption of the model technical codes and administrative rules.

1. The current editions of the model technical codes, to include but not be limited to building, plumbing, electrical and mechanical, and all accompanying appendices, amendments and modifications adopted or required to be adopted by the Building Codes Bureau, Montana Department of Labor and Industry (or its successor), as set out in the Administrative Rules of Montana (hereinafter ARM), as amended from time to time by the building codes bureau, are adopted by reference and incorporated in this chapter as if set forth in full, except for any exceptions noted in this article or any regulations not applicable to local government jurisdictions.
2. One copy of each code shall be kept on file in the office of the building department and shall be open to review and inspection during all city business hours.
3. Any amendments to the codes as originally adopted by ordinance in this chapter which may be adopted by the building codes bureau and which apply to local government jurisdictions, including the adoption of the latest editions of the model technical codes, to include but not be limited to building, plumbing, electrical and mechanical, or applicable Administrative Rules of Montana, shall become effective in the city through automatic adoption upon execution of an administrative order of the city manager unless a different effective date is specified in the administrative order.
4. A copy of the amendment notification will be kept in the office of the city clerk.
5. The Model Technical Codes and Administrative Rules of Montana as adopted in this chapter or as amended through automatic adoption in subsection A.3 of this section, and the other provisions of this chapter are applicable within the city building jurisdiction.

B. Municipality and city defined. Whenever the words "municipality" or "city" are used in the code adopted by this article, they shall mean the City of Polson.

C. *Violation; penalty.* Violation of the Model Technical Codes or Administrative Rules of Montana, as adopted in this chapter or as amended through automatic adoption in subsection A of this section, or violation of any other provision of this chapter is a misdemeanor. Any person convicted of a violation shall be subject to the penalties defined for general offenses of city ordinance. Each day that the violation continues is a separate offense, and shall be punished accordingly. The court, in its discretion, may add to the fines any costs incurred by the city in the prosecution of the charge or enforcement of the code.

Sec. 12.01.020. Building and Planning Department fees; permits.

A. *Building and Planning Department fees.* The building and planning department shall charge fees for permits, plan checks and other work in accordance with a fee table adopted by separate resolution by the city commission and included in the city's Schedule of Fees. The specific fee tables referenced below, and including those for the various uniform, national or international codes, shall be approved and amended by resolution of the city commission.

Sec. 12.01.030. International Building Code.

The International Building Code, 2012 Edition, as provided by ARM 24.301.131 (or successor provision) is hereby adopted subject to amendment or modification under section 12.01.010. The International Building Code regulates the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the jurisdiction of the city; and provides for the issuance of permits and collection of fees therefor. The International Building Code is subject to any modifications as stated in ARM 24.301.146 (or successor provision).

Sec. 12.01.040. International Residential Code.

The International Residential Code (IRC), 2012 Edition, as provided by ARM 24.301.124 (or successor provision) is hereby adopted subject to amendment or modification under section 12.01.010. The IRC is a nationally recognized model code setting forth minimum standards and requirements for detached one or two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height, and their accessory structures.

Sec. 12.01.050. International Existing Building Code.

The International Existing Building Code (IEBC), 2012 Edition, as provided by ARM 24.301.171 (or successor provision) is hereby adopted subject to amendment or modification under section 12.01.010. The International Existing Building Code may be used as an alternate prescriptive method for the remodel, repair, alteration, change of occupancy, addition, and relocation of existing building.

Sec. 12.01.060. International Fuel Gas Code.

The International Fuel Gas Code, 2012 Edition, as provided by ARM 24.301.173 (or successor provision) and as published by the international code council, is hereby adopted subject to amendment or modification under section 12.01.010. The International Fuel Gas Code is a nationally recognized model code setting forth minimum standards and requirements for certain mechanical installations.

Sec. 12.01.070. International Mechanical Code.

The International Mechanical Code, (ICC version) 2012 Edition as provided by ARM 24.301.172 (or successor provision) is hereby adopted subject to amendment or modification under section 12.01.010. The International Mechanical Code, published by the International Code Council, is a nationally recognized model code setting forth minimum standards and requirements for certain mechanical installations.

Sec. 12.01.080. International Energy Conservation Code.

The International Energy Conservation Code, 2012 Edition, as provided by ARM 24.301.161 (or successor provision) is hereby adopted subject to amendment or modification by section 12.01.010. The International Energy Conservation Code is a nationally recognized model code for energy efficient construction of buildings.

Sec. 12.01.090. Uniform Plumbing Code.

A. *Adopted.* The Uniform Plumbing Code, 2012 Edition as provided by ARM 24.301.301 (or successor provision), is hereby adopted subject to amendment or modification by section 10.01.010. The purpose of this code is to provide minimum requirements and standards for plumbing installations for the protection of the public health, safety and welfare. The Uniform Plumbing Code is a nationally recognized model code setting forth minimum standards and requirements for plumbing installations.

B. *Supplemental documents.* To supplement the Uniform Plumbing Code, as modified by the state, the city adopts and incorporates by reference into the Polson Ordinances the amendments as set forth in the Administrative Rules of Montana at section 24.301.301 et seq. (Building Codes, Subchapter 3, Plumbing Requirements).

Sec. 12.01.100. National Electrical Code.

The National Electrical Code, 2014 Edition, as provided by ARM 24.301.401 (or successor provision), is hereby adopted subject to amendment or modification under section 15.03.015. The National Electrical Code is a nationally recognized model code setting forth minimum standards and requirements for electrical installations.

Secs. 12.01.110—12.01.199. Reserved.

CHAPTER 12. BUILDING AND CONSTRUCTION

ARTICLE 2. BUILDING NUMBERS

Sec. 12.02.010. Purpose of article provisions.

Sec. 12.02.011. Official map adopted.

Sec. 12.02.012. Numbers assigned before 1920.

Sec. 12.02.013. Numbering buildings required.

Sec. 12.02.014. City engineer to assign numbers.

Sec. 12.02.015. Numbering system described; base lines.

Sec. 12.02.016. Affixing numbers to buildings; owner or occupant responsibility.

Sec. 12.02.017. Style and location of numbers.

Sec. 12.02.018. Alley numbering system.

Sec 12.02.019 Areas outside of City Grid

Sec 12.02.020—12.02.099. Reserved.

Sec. 12.02.010. Purpose of article provisions.

In order to establish a uniform system of numbering houses, private, public or business, within the city, all houses, private, public or business, fronting on streets, avenues and public highways within the city shall be numbered as provided in this article.

Sec. 12.02.011. Official map adopted.

The map or plat heretofore prepared by the City under the date of May 5, 2016, designated as "Map of Polson, Montana, Showing House Numbering System," is hereby referred to and made a part of this article, and shall govern in all matters relating to the numbering of houses, private, public and business, as provided in this article.

Sec. 12.02.012. Numbers assigned before 2017.

The numbers assigned before July 1, 2017 to houses, private, public or business, except as provided in this article, shall remain the numbers of such houses, respectively, until otherwise changed by the commission.

Sec. 12.02.013. Numbering buildings required.

It is hereby made the duty of the owner, agent or person in possession of every house, private, public or business, in the city, to number it as provided in this article.

Sec. 12.02.014. City Planning Department to assign numbers.

The City Planning Department shall assign to each house, private, public or business, in the city, its proper number, and upon application shall deliver to the owner or occupant thereof, a certificate designating the number for a fee as defined in the City schedule of fees.

Sec. 12.02.015. Numbering system described; base lines.

- A. All streets running north and south shall be numbered from Main Street as a base or division line and shall be numbered east and west therefrom. All avenues running east and west shall be numbered from the south shore of Flathead Lake (Salish Point as a base line and shall be numbered east and west from Main Street.. The initial number in each instance shall be zero.
- B. One hundred numbers shall be assigned to the houses, private, public or business, on any street or avenue in any block.
- C. Houses, private, public or business, on the north and west sides of streets and avenues shall be given odd numbers, and houses, private, public or business, on the south and east sides of streets and avenues shall be given even numbers.
- D. In numbering, only full blocks shall be given one hundred numbers; blocks approximately double the ordinary frontage shall be given two hundred numbers. Across all undivided tracts of land intervening between portions laid out into blocks, the lines of all streets or avenues shall be considered to cross in regular continuation of streets in additions adjoining.

Sec. 12.02.016. Affixing numbers to buildings; owner or occupant responsibility.

It is the duty of every owner or occupant of every house, private, public or business, and the agents of such owners of such houses upon all streets and avenues of the city to number buildings in accordance with the provisions of this article, and it is unlawful for any such owner, occupant or agent to retain or use, or permit to remain upon any such house, any other number than the number designated by this article for such house. It shall be the duty of every such owner, occupant or agent, upon notice from the City, to cause the official number to be placed upon every house so owned or occupied by such owner or occupant, or for which such agency may exist, such numbering to be done in the manner provided in this article within 30 days after service of such notice.

Sec. 12.02.017. Style and location of numbers.

All numbers shall be of some metallic substance, or porcelain, or may consist of gilt lettering on the inside of a glass transom or door, and shall be distinctly legible and at least three inches high, and all such metal or porcelain figures or lettering shall be in a conspicuous place where the number can be easily seen from the middle of the street.

Sec. 12.02.018. Alley numbering system.

Every alley running east and west shall take the number of the street south of it, and every alley running north and south shall take the name of the street or avenue east of it. All alleys shall take the same numbers as the streets or avenues from which they are named, the even numbers being on the south and east sides and the odd numbers being on the north and west sides thereof.

Secs. 12.02.019. Areas outside of City Grid

In areas platted within the City outside of its grid system herein defined, the Planning Department shall have full discretion in assigning numbers to parcels and buildings. Such assignment shall be final and binding. All street names shall be designated by the City Commission.

Secs. 12.02.020 12.02.099. Reserved.

CHAPTER 12. BUILDINGS AND CONSTRUCTION

ARTICLE 3. BUILDING MOVING CODE

- Sec. 12.03.010. Title for citation.
- Sec. 12.03.011. Purpose of article provisions; certain buildings exempt.
- Sec. 12.03.012. Enforcement authority.
- Sec. 12.03.013. Building mover—License and insurance required.
- Sec. 12.03.014. Same—Bond or cash deposit required.
- Sec. 12.03.015. Moving permit—Required.
- Sec. 12.03.016. Same—Application.
- Sec. 12.03.017. Same—Contents.
- Sec. 12.03.018. Same—Issuance authorized when.
- Sec. 12.03.019. Same—Fee.
- Sec. 12.03.020 Same—Issuance restrictions and moving conditions.
- Sec. 12.03.021. Same—Responsibilities of permit holders.
- Sec. 12.03.022. Same—Revocation conditions.
- Secs. 12.03.023—12.03.099. Reserved

Sec. 12.03.010. Title for citation.

This article shall be known as the "Moving Code," may be cited as such, and will be referred to herein as "this article."

Sec. 12.03.011. Purpose of article provisions; certain buildings exempt.

- A. *Purpose.* The purpose of this article is to provide minimum standards to safeguard life, safety, health, property and public welfare by regulating and controlling the moving or relocating of buildings and structures over, along or across highways, streets and alleys in the city.
- B. *Exception.* Buildings or structures less than 250 cubic feet in size shall be exempt from the provisions of this article.

Sec. 12.03.012. Enforcement authority.

The building official and street superintendent or their designee are authorized and directed to enforce all the provisions of this article.

Sec. 12.03.013. Building mover—License and insurance required.

- A. Any person, firm or corporation who engages in the business of moving or relocating buildings or structures within, without or into the corporate city limits shall first obtain a building mover's license in accordance with these ordinances. This license is not transferable or assignable to other persons, firms or corporations.
- B. Any person, firm or corporation engaging in the business of moving or relocating buildings or structures within, without or into the corporate city limits shall first provide proof of general liability insurance in an amount acceptable to the city; and which includes the city as an additional insured.

- C. A copy of the insurance policy shall be filed with the building and planning department and the City Clerk and shall release, defend, indemnify and hold harmless the city, its officers, employees, agents and assigns from and against any and all actions, claims, liabilities, demands or assertions of liability, causes of action, losses, costs and expenses including, but not limited to, reasonable attorney's fees, involving or relating to any harm, injury or damage, suffered or sustained which in any manner may arise or be alleged to have arisen, or resulted or alleged to have resulted from the movement of the building or structure.

Sec. 12.03.014. Same—Bond or cash deposit required.

- A. *Bond.* An applicant for a building mover's license shall file with the building division a bond of \$2,000.00, conditioned that the applicant will in good faith perform all work required by this article and other applicable city codes, and shall release, defend, indemnify and hold harmless the city, its officers, employees, agents and assigns from and against any and all actions, claims, liabilities, demands or assertions of liability, causes of action, losses, costs and expenses including, but not limited to, reasonable attorney's fees, involving or relating to any harm, injury or damage, suffered or sustained which in any manner may arise or be alleged to have arisen, or resulted or alleged to have resulted from the work authorized to be done pursuant to this article. This bond must be filed with the building division and must be approved by the city attorney.
- B. *Cash deposit in lieu of bond.* Any person filing an application hereunder may, in lieu of the bond required in subsection A of this section, file with the building division a cash deposit in the sum of 20 times the permit fee as an indemnity for any damage which the city may sustain by reason of damage or injury to any highway, street, or alley, sidewalk, fire hydrant or other property of the city, which may be caused by or be incidental to the removal of any building or structure over, along or across any street in the city and to indemnify the city against any claim of damages to persons or private property, and to satisfy any claims by private individuals arising out of, caused by or incidental to the moving of any building or structure over, along or across any street in the city. In no case is the cash deposit herein required to be more than \$2,000.00.

Sec. 12.03.015. Moving permit—Required.

No building or structure shall be moved, removed or relocated within, without or into the city without first having obtained a moving permit from the building and planning department.

Sec. 12.03.016. Same—Application.

- A. Any person, firm or corporation seeking issuance of a permit under this article shall file an application for such permit with the building and planning department.
- B. All applications for moving, removing or relocating of any buildings or structures in the city shall be made to the building and planning department in writing upon forms furnished by the building and planning department, and shall set forth the following information:
 - 1. Address of present location;
 - 2. Address of new location;

3. Type of construction (frame, masonry, masonry veneer, etc.);
4. Length, width and height of building or structure;
5. Specific route over which the building or structure is to be moved including identification of any hazards along the route and description of actions to be taken to address the hazard;
6. Type of occupancy (dwelling, garage, office, etc.) for both old and new location;
7. Proposed moving date and time of day;
8. Any additional information which the building official or designee finds necessary to make a fair determination of whether a permit should be issued.

Sec. 12.03.017. Same—Contents.

The permit required by this article shall state the name of the person, firm or corporation authorized to move the structure, shall describe the location from which and the location to which the structure is to be moved, and the route to be followed.

Sec. 12.03.018. Same—Issuance authorized when.

If the applicant for a permit under this article is qualified and has the license, insurance and bond required elsewhere in this code and, in the judgment of the building official/street superintendent, the building or structure can be moved as contemplated, the building and planning department shall issue a permit for the moving, except as provided in section 12.03.112.

Sec. 12.03.019. Same—Fee.

- A. The fee for a moving permit shall be in accordance with the Schedule of Fees, or prorated portion thereof, necessary for the building official or designee to conduct an inspection. Additional costs, including mileage for travel outside the city limits, may be assessed.
- B. The base fee in subsection A of this section shall be modified in accordance with the following:
 1. If the moving distance is one-quarter mile or less, the fee shall be 25 percent of the base as determined in subsection A of this section;
 2. If the moving distance is over one-quarter mile but not more than one-half mile, the fee shall be 50 percent of the base as determined in subsection A of this section;
 3. If the moving distance is over one-half mile but not more than three-quarters of a mile, the fee shall be 75 percent of the base as determined in subsection A of this section;
 4. If the moving distance is more than three-quarters of a mile, the fee shall be 120 percent of the base as determined in subsection A of this section.
- C. If the building or structure to be relocated presently lies outside the city limits, the applicant shall pay a mileage fee of the current IRS mileage reimbursement rate per mile for each mile actually and necessarily traveled by the building official to make such inspection. Such fee shall be paid in advance, and shall be in addition to all other fees required by this article.

Sec. 12.03.020. Same—Issuance restrictions and moving conditions.

- A. The following restrictions and conditions shall be observed before the issuance of a permit as required by this article:
1. No permit shall be issued to any person, firm or corporation to move or relocate any building or structure upon another building site unless such use, building or proposed conversion thereof conforms to zoning, building codes, and all other pertinent portions of this Code.
 2. No permit shall be issued to any person, firm or corporation to move, remove or locate any building or structure which is:
 - a. So constructed or in such condition as to be dangerous or unsafe;
 - b. Infested with pests or is otherwise unsanitary;
 - c. Or, if a dwelling or habitation, is unfit for human habitation;
 - d. Or is so dilapidated, defective or in such a condition of deterioration or disrepair that its relocation at the proposed site would create a safety or health hazard, or would cause substantial damage or material detriment to the property in the immediate vicinity of the proposed site.
 3. Every application shall be accompanied by the written consent of the police chief or his designee and the fire chief, who shall be notified as to the route to be taken and the date of the move.
 4. The building official/street superintendent after coordination with the City Police and Fire Chief and other impacted jurisdictions shall specify in the permit the route to be taken in the moving of a building or structure, such means to be used to prevent the street pavement from being subjected to abnormal stresses as may be deemed necessary by the city engineer, and the limit of time which such building or structure shall be upon the streets or alleys.
 5. No building or structure which is being moved upon or over any street, alley or property of the city shall be occupied as living quarters while such building or structure is in transit.
 6. No permit as required by this article shall be issued unless the applicant demonstrates that the applicant has adequate machinery, appliances and equipment to safely complete the proposed move.

Sec. 12.03.021. Same—Responsibilities of permit holders.

Every permittee under this article shall:

1. Move a building only over streets designated for such use in the written permit;
2. Notify the building official in writing of a desired change in moving date and hours as proposed in the application;
3. Notify the building official in writing of any and all damage done to property belonging to the city within 24 hours after the damage or injury has occurred;
4. Cause warning lights to be displayed during the hours of darkness on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in

such manner as to protect the public from damage or injury by reason of the moving or removal of the building;

5. Remove the building from the city streets after four days of such occupancy, unless an extension is granted by the building official;
6. Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition;
7. Properly disconnect all utilities, plug the sanitary sewer with a concrete plug, and have the water department disconnect the water service.

Sec. 12.03.022. Same—Revocation conditions.

The building official/ street superintendent is authorized and empowered to revoke any permit granted under the terms of this article if it becomes known to the building official that the permittee is in any manner failing to comply with the terms of this article, or when, in the opinion of the building official, public convenience and safety require such revocation.

Secs. 12.03.023—12.03.099. Reserved.

CHAPTER 12. BUILDINGS AND CONSTRUCTION

ARTICLE 4. DEMOLITION CODE

- Sec. 12.04.010. Title for citation.
- Sec. 12.04.011. Purpose and scope of provisions.
- Sec. 12.04.012. Permit—License and insurance required.
- Sec. 12.04.013. Same—Issuance approved when.
- Sec. 12.04.014. Same—Issuance restrictions.
- Sec. 12.04.015. Same—Fee schedule.
- Sec. 12.04.016. Same—Responsibilities of permit holder.
- Sec. 12.04.017. Same—Performance bond requirements.
- Sec. 12.04.018 Same—Surety bond required when.
- Sec. 12.04.019. Same—Revocation conditions.
- Sec. 12.04.020. Failure to complete demolition; work performed by city; costs.
- Secs. 12.04.021-12.04.099. Reserved.

Sec. 12.04.010. Title for citation.

This article shall be known as the "Demolition Code," may be cited as such, and will be referred to herein as "this article."

Sec. 12.04.011. Purpose and scope of provisions.

The purpose of this article is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the methods and procedures for demolishing and disposing of buildings and structures.

Sec. 12.04.012. Permit—License and insurance required.

- A. Any person, firm or corporation who engages in the business of building demolition within the corporate city limits shall first obtain a demolition permit from the building and planning department.
- B. Any person, firm or corporation engaging in the business of building demolition within the corporate city limits shall first provide proof of general liability insurance in an amount acceptable to the city; and which includes the city as an additional insured.
- C. A copy of the insurance policy shall be filed with the building and planning department and the City Clerk. and shall release, defend, indemnify and hold harmless the city, its officers, employees, agents and assigns from and against any and all actions, claims, liabilities, demands or assertions of liability, causes of action, losses, costs and expenses including, but not limited to, reasonable attorney's fees, involving or relating to any harm, injury or damage, suffered or sustained which in any manner may arise or be alleged to have arisen, or resulted or alleged to have resulted from the movement of the building or structure.

Sec. 12.04.013. Same—Issuance approved when.

If the applicant for a permit under this article is qualified and has the license and insurance, and has supplied the bond or cash equivalent as required elsewhere in this code, and in the judgment of the building official/street superintendent, the building or structure can be demolished as contemplated, the building and planning department shall issue a permit for the demolition except as provided in section 12.04.050.

Sec. 12.04.014. Same—Issuance restrictions.

The following restrictions and conditions shall be observed before the issuance of a permit as required by this article:

1. No permit shall be issued to any person, firm or corporation to demolish any building or structure while any part thereof is occupied.
2. No permit as required by this article shall be issued unless the applicant demonstrates that the applicant has adequate machinery, appliances, and equipment to safely complete the proposed demolition and disposal.

Sec. 12.04.015. Same—Fee schedule.

The applicant for a permit under this article shall pay a fee to the building division for the issuance of a demolition permit at the time of application in accordance with the Schedule of Fees.

Sec. 12.04.016. Same—Responsibilities of permit holder.

Every permittee under the article shall:

1. Remove all rubbish and waste materials and fill all excavations to existing grade at the site so that the premises are left in a safe and sanitary condition;
2. Properly disconnect all utilities, plug the sanitary sewer with a concrete plug, and have the water department disconnect the water service;
3. Notify the building official in writing of any and all damages to public or other property or persons within 24 hours after the damage or injury has occurred.

Sec. 12.04.017. Same—Performance bond requirements.

Every person, firm or corporation applying for a demolition permit shall file with the city a bond in the sum of \$2,000.00, conditioned that the person, firm or corporation will in good faith perform all work required by the code and other applicable codes of the city, and shall release, defend, indemnify and hold harmless the city, its officers, employees, agents and assigns from and against any and all actions, claims, liabilities, demands or assertions of liability, causes of action, losses, costs and expenses including, but not limited to, reasonable attorney's fees, involving or relating to any harm, injury or damage, suffered or sustained which in any manner may arise or be alleged to have arisen, or resulted or alleged to have resulted from the work authorized to be done pursuant to this article. Such bonds must be filed with the building division.

Sec. 12.04.018. Same—Surety bond required when.

- A. *Required.* Every person, firm or corporation applying for a demolition permit shall file with the building division a surety bond, in the sum of 125 percent of the contract price issued by an insurance company authorized to do business in the state, to insure that all work is completed in a proper and safe manner and in accordance with all the provisions of this article. In no case shall the surety bond be less than \$5,000.00.
- B. *Exception.* The provisions of this section shall not apply to single-family residences, garages, out-buildings, or customary accessory buildings or structures.

Sec. 12.04.019. Same—Revocation conditions.

The building official/street superintendent is authorized and empowered to revoke any permit granted under the terms of this article if it becomes known to said building official that the permittee is in any manner failing to comply with the terms of this article, or when, in the opinion of the building official/street superintendent, public convenience and safety require such revocation.

Sec. 12.04.020. Failure to complete demolition; work performed by city; costs.

If the permittee fails or refuses to complete the demolition authorized by this article within a reasonable period of time, and, after ten days' written notice having been given to the permittee and owner, the city may proceed to have the necessary work completed, and may recover the expense of such work from the surety bond required to be posted by section 12.04.090. The permittee shall be liable for any amounts not covered by the surety bond.

Secs. 12.04.021-12.04.099. Reserved.