

City of Royal Oak, MI
Wednesday, July 2, 2025

Chapter 556. Property Maintenance

§ 556-4. Additional amendments to standards.

D. Section 110, Condemnation and demolition, is hereby added to read as follows:

110 CONDEMNATION AND DEMOLITION

110.1 General: It is unlawful for any owner or agent thereof to keep or maintain any dwelling, structure or part thereof, which is a dangerous building as defined in Section PM-110.2 below.

110.2 Definition of a dangerous building: As used herein, "dangerous building" means any building or structure which has any of the following defects or is in any of the following conditions:

- (a) Whenever any door, aisle, passageway, stairway or other means of exit does not conform to the approved fire code of the City of Royal Oak.
- (b) Whenever any portion has been damaged by fire, wind, flood, deterioration, neglect, abandonment, vandalism, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before the damage and does not meet the minimum requirements of this chapter or any building code of the City of Royal Oak for a new building or similar structure, purpose or location.
- (c) Whenever any portion or member or appurtenance is likely to fall or become detached or dislodged or to collapse and thereby injure persons or damage property.
- (d) Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by this chapter or the building code of the City of Royal Oak.
- (e) Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building, or portion thereof, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way.
- (f) Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.
- (g) Whenever the building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.
- (h) Whenever a building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the Health Officer, or is likely to work injury to the health, safety or general welfare of those living within.
- (i) Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

- (j) Whenever the Code Official estimates the cost of placing the building in safe and sanitary condition exceeds 50% of the real value as determined by the City Assessor.
- (k) Whenever any building or structure is under construction or repair without a valid permit.

110.3 Notice of dangerous and unsafe condition:

- (a) Notwithstanding any other provision of this code, when the whole or any part of any building or structure is found to be in a dangerous or unsafe condition, the City shall issue a notice of the dangerous and unsafe condition.
- (b) Such notice shall be directed to the owner, agent or lessee registered with the City. If no owner, agent or lessee has been registered, then the notice shall be directed to each owner of or party of interest in the building in whose name the property appears on the last local tax assessment records.
- (c) The notice shall specify the time and place of a hearing on the condition of the building or structure, at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished or otherwise made safe.
- (d) The hearing officer shall be appointed by the City Commission. The City's Code Enforcement Department shall file a copy of the notice of dangerous or unsafe condition with the hearing officer.
- (e) All notices shall be in writing and shall be served upon the person to whom they are directed personally, or in lieu of personal service may be mailed by certified mail, return receipt requested, addressed to such owner or party of interest at the address shown on the tax records, at least 10 days before the date of the hearing described in the notice. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

110.4 Testimony, determination, order, compliance, hearing, cost of compliance as lien, collection:

- (a) The hearing officer shall take testimony of the Code Enforcement Department, the owner of the property and any interested party. The hearing officer shall render his decision, either closing the proceedings or ordering the building to be demolished or otherwise made safe.
- (b) If it is determined by the hearing officer that the building or structure should be demolished or otherwise made safe, he shall so order, fixing a time in the order for the owner, agent or lessee to comply therewith.
- (c) If the owner, agent or lessee fails to appear or neglects or refuses to comply with the order, the hearing officer shall file a report of his findings and a copy of his order with the City Commission and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of the findings and order of the hearing officer shall be served on the owner, agent or lessee in the same manner as the notice.
- (d) The City Commission shall fix a date for hearing, reviewing the findings and order of the hearing officer and shall give notice to the owner, agent or lessee in the manner described above of the time and place of the hearing. At the hearing, the owner, agent or lessee shall be given the opportunity to show cause why the building should not be demolished or otherwise made safe, and the City Commission shall either approve, disapprove or modify the order for the demolition or making safe of the building or structure.
- (e) The cost of the demolition or making the building safe shall be in a lien against the real property and shall be reported to the City Assessor, who shall assess the cost against the property on which the building or structure is located.
- (f) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first-class mail at the address shown on the records. If he fails to pay the same within 30 days after

mailing by the Assessor of the notice of the amount thereof, the Assessor shall add the same to the next City tax roll of the City and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.