

ORDINANCE #362

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA ORDERING THE IMMEDIATE DEMOLITION OF BUILDING OWNED BY DAVID PHILLIPS, LOCATED AT 400 ENGRAM STREET, MONTEZUMA, GEORGIA, DESIGNATED BY TAX MAP 18, BLOCK D, LOT 8A.

WHEREAS, the Mayor and Council of the City of Montezuma, Georgia, have determined through the proper procedures and provisions that the building or structure owned by David Phillips, located at 400 Engram St. (Tax Map 18, Block D, Lot 8A), Montezuma, Georgia in its current condition, violates Sec. 15-33 (b) of the Code of Montezuma and O. C. G. A. Section 41-2-7 et. seq. "in no event shall the city council require removal or demolition of any dwelling, building or structure EXCEPT upon finding that the cost of repair, alteration or improvement thereof exceeds one-half the value of such dwelling building or structure will have when repaired to satisfy the minimum requirements of this article.";

WHEREAS, after inspection of this dwelling on October 19, 2007 and October 22, 2007 by the City building official, it was determined that the cost to bring this dwelling up to minimum housing code does in fact exceed one-half the value the structure would have after completion of repairs; and

WHEREAS, property owner, has failed to make necessary repairs to bring building up to minimum Code standards, and did appear at the Public Hearing held on November 12, 2007 by Mayor & Council but did not request permission to make such repairs;

WHEREAS, pursuant to Section 15-33 (b) of said Code of Montezuma and O. C. G. A. Section 41-2-7 et. seq., the Mayor and City Council does hereby, by this Ordinance, order the property owner to begin the immediate demolition of the structure located at 400 Engram Street with demolition to be completed within 30 days of the date of this Order;

WHEREAS, it is further ordered that, in the event property owner fails to complete demolition within 30 days of the date of this Order, then City will cause the demolition and removal and all costs will become a lien against the property upon which cost was incurred. Said lien shall attach to the property and shall be recorded in the Clerk's Office, Superior Court, Macon County, Georgia, under notice of lien section; and

WHEREAS, accordingly, the Mayor and City Council of Montezuma do hereby declare the property of David Phillips, located at 400 Engram Street, Montezuma, Georgia to be unfit for human habitation and does hereby authorize and order the demolition of same pursuant to the Code of the City of Montezuma.

SO ORDAINED, ENTERED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MONTEZUMA, GEORGIA THIS 13th DAY OF NOVEMBER, 2007.

CITY OF MONTEZUMA, GEORGIA

By: _____

Willie J. Larry - Mayor

Attest: _____

Joyce H. Hardy - City Clerk