

## Chapter 505

### DANGEROUS BUILDINGS

#### **Section 505.010. Dangerous Buildings Defined.** [Ord. No. 135.13 §1, 3-19-2013]

- A. For the purpose of this Code, any building or structure which is detrimental to the health, safety or welfare of the public or the residents of the City of Tarkio, Missouri, and that has any or all of the following defects shall be deemed a "dangerous building":
1. Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle one-third (1/3) of its base.
  2. Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members, or fifty percent (50%) or more damage or deterioration of the non-supporting enclosing or outside walls or coverage.
  3. Those that have improperly distributed loads upon the floors or roofs or in which the same are overloaded or that have insufficient strength to be reasonably safe for the purpose used.
  4. Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or the people of this City.
  5. Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building or structure.
  6. Those having light, air and sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
  7. Those having inadequate facilities for egress in case of fire or panic, or those having insufficient stairways, elevators, fire escapes or other adequate means of evacuation.
  8. Those that have parts thereof that are attached so that they may fall and injure members of the public or property.
  9. Any portion of a building or structure remaining on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of ninety (90) days so as to constitute such building or portion thereof to be an attractive nuisance or hazard to the public.

10. Those that because of their condition is unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

**Section 505.020. Dangerous Buildings Declared Nuisances.** [Ord. No. 135.13 §2, 3-19-2013]

Each "dangerous building", as defined in Section 505.010 of this Chapter, is hereby declared to be a public nuisance and shall be repaired, vacated and/or demolished as further provided for herein.

**Section 505.030. Standards for Repair, Vacation and/or Demolition.** [Ord. No. 135.13 §3, 3-19-2013]

- A. The following standards shall be followed by the Code Enforcement Officer and the Building Commissioner in ordering repair, vacation and/or demolition of a dangerous building:
  1. If the dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this Chapter, it shall be ordered repaired and all design, construction and workmanship shall conform with accepted industry standards or the International Residential Code, 2012 Edition and the International Building Code, 2012 Edition.
  2. If the dangerous building is in such condition as to make it dangerous to the health, safety or welfare of its occupants, it shall be ordered to be vacated and either repaired or demolished, as is appropriate under the circumstances.
  3. If the dangerous building is damaged, decayed or deteriorated by fifty percent (50%) or more based upon value of the structure, and it cannot reasonably be restored or repaired so that it will no longer exist in violation of the terms of this Chapter, it shall be demolished.
  4. If both the owner and any other persons having an interest in the dangerous building are unwilling to restore or repair the building or structure, it shall be demolished.
  5. If the dangerous building is a fire hazard existing or erected in violation of any code or ordinance of the City or any Statute of the State of Missouri, it shall be demolished.

**Section 505.040. Emergency Situations.** [Ord. No. 135.13 §4, 3-19-2013]

In any case where it reasonably appears that there is immediate danger to the health, life or safety of any person or to any adjacent property unless the "dangerous building", as defined herein, is immediately repaired, vacated or demolished, the Code Enforcement Officer shall report such facts to the Building Commissioner, and such Commissioner, by resolution, may cause the immediate repair, vacation or demolition of such dangerous building. The cost of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in Section 505.110 herein.

**Section 505.050. Insurance Proceeds.** [Ord. No. 135.13 §5, 3-19-2013]

- A. If there are any insurance proceeds based upon a covered claim where payment is made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, and if the covered claim payment is in excess of fifty percent (50%) of the face value of the policy covering the building or other structure, then the following procedure shall apply:
1. The insurer shall withhold from the covered claim payment twenty-five percent (25%) of the covered claim payment, and shall pay that amount to the City for deposit into an interest-bearing account.
  2. As to said monies, any mortgagee or lienholder named on the insurance policy shall maintain priority superior to any obligation under this Chapter.
  3. Within thirty (30) days after receipt of such insurance monies, the City shall release the proceeds and any interest which has accrued on such proceeds to the insured, or as the terms of the policy, including any endorsements thereto, provide, unless the City has instituted proceedings under the provisions of this Section. In the event the City has proceeded under the provisions of Section 505.060, all monies in excess of that necessary to comply with the provisions of this Chapter for the removal of the building or structure, less salvage value, shall be paid to the insured, subject to the limitations of this Section.
  4. If a special tax bill or assessment is issued by the City for the expenses of demolition of such building as a dangerous building, the monies held by the City shall be applied toward payment of a special tax bill or assessment. If there is any excess, it shall be paid by the City to the insured or as the terms of the policy, including any endorsements thereto, provide.
  5. In lieu of payment of all or part of the covered claim payment under this Subsection, the City may certify that it has obtained satisfactory proof that the insured has or will remove debris and repair, rebuild or otherwise make the premises safe and secure. In this event and subject to the limitations of Subsection (2), the City may issue a certificate within thirty (30) days after receipt of said proof, allowing payment of the insurance monies to the insured without deduction. It shall be the obligation of the insured or other person making claim to the monies to provide the insurance company with the written certificate provided for in this Subsection.
  6. No provision of this Section shall be construed to make the City a party to any insurance contract.

**Section 505.060. Duties of Code Enforcement Officer.** [Ord. No. 135.13 §6, 3-19-2013]

- A. The Code Enforcement Officer shall have and perform the following duties.
1. *Notice of inspection.*
    - a. Prior to conducting the inspection pursuant to this Section, the Code Enforcement Officer shall make reasonable, diligent efforts to provide the record owner of the building to be inspected, forty-eight (48) hours' notice in advance of the inspection, and to inform the owner of their right to accompany

the Code Enforcement Officer during the inspection. In the event the Code Enforcement Officer is unable to provide the notice envisioned herein, the Code Enforcement Officer may proceed to inspect the premises. However, in such event, the Code Enforcement Officer shall document all attempts to provide notice to the owner.

- b. In the event an inspection involves an "emergency situation", wherein it reasonably appears there is immediate danger to health, life or safety of any person or any adjacent property, said inspection may occur without the forty-eight (48) hours' notice in advance of the inspection to the property owner. As used in this Section, the term "*emergency situation*" shall include the following:
  - (1) Structural failure, including a roof, floor, stairs, foundation have collapsed or in danger of collapse;
  - (2) Electrical wiring failure, including complaints of "hot" wires, sparks, shock, repetitive failure of fuses or repetitive failure of circuit breakers;
  - (3) Sewage backups, including chronic problems of sewage backing up into the premises, or the collection of methane gas in the dwelling or noxious odors emanating from the sewer system;
  - (4) Gas leaks, including natural gas odors in the premises of gas appliances which are suspected of malfunction;
  - (5) Mechanical failures, including elevators, which have malfunctioned or which are in danger of malfunction;
  - (6) Possession, maintenance or retention of hazardous materials on the premises, including explosives and toxic chemicals;
  - (7) A complaint which has been prompted by a serious injury occurring on the premises;
  - (8) Excessive infestation of rodents and/or insects;
  - (9) Excessive accumulation of garbage or debris.

In each instance the Code Enforcement Officer shall document the basis for concluding the existence of the emergency situation.

2. *Inspection.* The Code Enforcement Officer shall:

- a. Inspect or cause to be inspected, as often as may be necessary, all residential, commercial, institutional, accessory, garage, assembly, special or miscellaneous occupancy buildings for the purpose of determining whether any condition exists which render such places to be a dangerous building within the terms of Section 505.010 of this Chapter.
- b. Inspect any building, wall or structure about which complaints are filed by any person alleging that such building, wall or structure is or may be existing in

violation of this Chapter.

3. *Determination and order.*
  - a. The Code Enforcement Officer shall set forth a description of the building or structure deemed to be dangerous, and a statement of the particulars which made the building or structure a dangerous building.
  - b. If the Code Enforcement Officer determines that the building or structure is a dangerous building which must be repaired, the order shall require that all required permits be secured therefore and the work physically commenced within a specific time not to exceed thirty (30) days from the date of the order unless, in the judgment of the Code Enforcement Officer, it is determined to be necessary to extend such time to commence the required work. The order shall further require that the work proceed continuously without unnecessary delay, so as to complete said work within a reasonable time, but not to exceed one hundred eighty (180) days.
  - c. If the Code Enforcement Officer determines that the building or structure is a dangerous building which must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined to be reasonable by the Code Enforcement Officer.
  - d. If the Code Enforcement Officer determines that the building or structure is a dangerous building which must be demolished, the order shall require that the building be demolished within such time as the Code Enforcement Officer shall determine reasonable, but not to exceed thirty (30) days from the date of the order and that all required permits be secured therefore within thirty (30) days from the date of the order.
  - e. If the Code Enforcement Officer determines that the building or structure is not a dangerous building, then no order shall be issued.
4. *Posting of notice.* Upon completion of the inspection of a building or structure and upon making a determination that said building or structure is a dangerous building as defined in Section 505.010 herein, the Code Enforcement Officer shall post a notice on such building or structure which shall be substantially in the following form, but may include other information:
  4. "This building has been found to be a dangerous building by the Code Enforcement Officer. This notice is to remain on this building until it is repaired, vacated and repaired, or vacated and demolished, in accordance with the notice which has been given the known owner, occupant, lessee, mortgagee or agent of this building, and all other persons having an interest in such building as shown by the land records of the Recorder of Deeds of Atchison County. It is unlawful to remove this notice until such notice is complied with. All persons are hereby notified to keep out as long as this notice remains posted. Any person(s) willfully destroying, mutilating and removing this notice or entering this structure will be prosecuted to the full extent of the law."
4. Provided however, that the posting of such notice shall not be construed to deprive

any person, entitled thereto by this Chapter, to the notice and hearing as prescribed herein.

5. *Service of notice and order.* The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner of the dangerous building and posted on the property. Additionally, one (1) copy shall be served on each of the following if known to the Code Enforcement Office or disclosed from the land records of the Recorder of Deeds of Atchison County, Missouri:
  - a. The holder of any mortgage, deed of trust or other lien or encumbrance of record;
  - b. The owner or holder of any lease of record;
  - c. The holder of any other estate or legal interest of record in or to the building or the land on which it is located;
  - d. Any tenant in possession of the premises.
6. *Method of service.*
  - a. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of Atchison County or as known to the Code Enforcement Officer.
  - b. If no address of any such person so appears or is known to the Code Enforcement Officer, then notice shall be had by publication in a newspaper qualified to publish legal notices at least fourteen (14) days in advance of any hearing date, specifically addressed to the person for whom no address is known and all other persons having an interest in said building that has been found to be a dangerous building within the standards set forth in Section 505.010 of this Chapter and shall set forth the requirements of the determination and order of the Code Enforcement Officer.
  - c. The Code Enforcement Officer shall ensure that each person entitled to notice pursuant to this Section is advised in writing of their right to request a hearing pursuant to Section 505.070 and shall provide information concerning the procedures therefore.
7. *Proof of service.* If service is obtained by personal service, proof of service of the notice and order shall be certified as to the time of service by a written declaration executed by the person effecting service, declaring the time, date and manner in which service was made. This declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Code Enforcement Officer.
8. *Failure of service.* The failure of the Code Enforcement Officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served, nor shall it relieve any such person from any duty or

obligation imposed by the provisions of this Section.

9. *Report.* The Code Enforcement Officer shall make a report in writing to the Building Commissioner for any non-compliance with the notice and order to vacate, repair and/or demolish.
10. *Appearance.* The Code Enforcement Officer shall appear at all hearings conducted by the Building Commissioner pursuant to this Chapter and shall testify as to the condition of dangerous buildings.

**Section 505.070. Appeal to the Building Commissioner.** [Ord. No. 135.13 §7, 3-19-2013]

- A. *Appeal.* Any person entitled to service of the notice and order of the Code Enforcement Officer may appeal from any such notice and order, or any other action of the Code Enforcement Officer under this Chapter by filing at the office of the City Clerk a written appeal containing:
  1. A heading in the words: "Before the Building Commissioner of the City of Tarkio, Missouri . . ."
  2. A caption reading: "Appeals of . . ." giving the names of all appellants participating in the appeal.
  3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
  4. A brief statement in ordinary and concise language of that specific order or action protested, together with any material fact claimed to support the contentions of the appellant. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
  5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
  6. The signatures of all parties named as appellants and their official mailing addresses.
  7. The verification by declaration under penalty of perjury of at least one (1) appellant as to the truth of the matters stated in the appeal.
- B. *Fees.* The fee for such appeal shall be twenty-five dollars (\$25.00) and shall accompany the application for appeal. The application fee shall not be refundable.
- C. *Timing Of Appeal.* The appeal shall be filed within thirty (30) days from the date of the service of such notice and order or action of the Code Enforcement Officer. However, if the building or structure is in such condition as to make it immediately dangerous to the health, life, or safety of any person, or any adjacent property as defined in Section 505.040, and is ordered vacated and is posted in accordance with Section 505.060, such appeal shall be filed within ten (10) days from the date of the service of the notice and order of the Code Enforcement Officer.
- D. *Stay Of Order.* Except for orders to vacate the premises made pursuant to Section 505.040,

enforcement of any notice and order of the Code Enforcement Officer issued under this Chapter shall be stayed during the pendency of a properly and timely filed appeal.

- E. *Failure To Appeal.* Failure of any person to file an appeal in accordance with the provisions of this Section shall constitute a waiver of the right to request an administrative hearing and adjudication on the notice and order or to any portion thereof.

**Section 505.080. Building Commissioner.** [Ord. No. 135.13 §8, 3-19-2013]

The Mayor or a representative assigned by the Mayor shall act as the Building Commissioner under this Chapter.

**Section 505.090. Duties of the Building Commissioner.** [Ord. No. 135.13 §9, 3-19-2013]

- A. The Building Commissioner shall have and perform the following duties pursuant to this Chapter:

1. *Date of hearing.* As soon as practicable after receiving the written appeal under Section 505.070, or after the receipt of the report of the Code Enforcement Officer pursuant to Section 505.060, the Building Commissioner shall fix a date, time and place for the hearing. Such date shall be not less than ten (10) days nor more than sixty (60) days from the date the appeal was filed with the office of the City Clerk or from the date the Code Enforcement Officer filed the report with the Commissioner, whichever is applicable, unless continued by the Commissioner for good cause shown.
2. *Notice.* The notice shall be substantially in the following form, but may include other information:
  2. "You are hereby notified that a hearing will be held before the Building Commissioner at on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, at the hour \_\_\_\_ related to the property described as \_\_\_\_\_, to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated and/or demolished in accordance with the state of particulars set forth in the Code Enforcement Officer's notice as provided for in this Chapter. You may be present at the hearing. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you."
  2. Said notice shall advise the recipient of the procedures involved in the hearing pursuant to this Section.
3. *Service of notice.* Written notice of the time and location of the hearing and any amended or supplemental notice shall be served upon each appellant and/or the record owner of the dangerous building. Additionally, one (1) copy shall be served on each of the following if known to the Building Commissioner or disclosed from the land records of the Recorder of Deeds of Atchison County, Missouri:
  - a. The holder of any mortgage, deed of trust or other lien or encumbrance of record;
  - b. The owner or holder of any lease of record;



- c. The holder of any other estate or legal interest of record in or to the building or the land on which it is located; and
  - d. Any tenant in possession of the premises.
4. *Method of service.*
- a. Service of the notice of the hearing shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of Atchison County or as known to the Building Commissioner. Such notice shall be served or received at least fourteen (14) days prior to the hearing date.
  - b. If no address of any such person so appears or is known to the Building Commissioner, then notice shall be given by publication in a newspaper qualified to publish legal notices at least fourteen (14) days prior to the hearing date, specifically addressed to the person for whom no address is known and all other persons having an interest in said building, to appear before the Building Commissioner on the date specified and to show cause why the structure or building reported to be a dangerous building should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the Code Enforcement Officer's notice or decision. Said notice shall notify the recipient of the procedures involved in the hearing pursuant to this Section.
5. *Proof of service.* If service is obtained by personal service, proof of service of the notice and order shall be certified as to the time of service by a written declaration executed by the person effecting service, declaring the time, date and manner in which service was made. This declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Building Commissioner.
6. *Failure of service.* The failure of the Building Commissioner to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this Section.
7. *Hearing.* Upon receipt of the report of the Code Enforcement Officer or a duly filed appeal, and after having given the required notice, the Building Commissioner shall hold a full and adequate hearing, and hear such relevant testimony as the Code Enforcement Officer, any appellant, the record owner, and any other person entitled to service of notice shall offer relative to the dangerous building.
8. *Decision.* Upon conclusion of the hearing, the Building Commissioner shall make written findings of fact based upon competent and substantial evidence offered at the hearing as to whether or not the building in question is a "dangerous building" as defined by Section 505.010 herein, and:
- a. If the evidence supports a finding that the building or structure is a dangerous building detrimental to the health, life or safety of any person or to any adjacent

property, the Building Commissioner shall issue an order based upon the findings of fact, commanding the appellant and/or the record owner, as well as any other person entitled to notice of the hearing, to vacate and ordering the demolition of the building or structure.

- b. It is further provided that the appellant and/or the record owner as well as any other person entitled to notice of the hearing shall have the privilege of either repairing or vacating and repairing said building, if such repair will bring such building into compliance with the ordinances and codes of the City of Tarkio, provided that such repair is completed within sixty (60) days of the order being entered by the Building Commissioner.
- c. The appellant and/or the record owner, as well as any other person entitled to notice of the hearing, shall have the privilege of vacating and demolishing said dangerous building at their own risk to prevent the City of Tarkio from acquiring a lien against said land on which the dangerous building is located, provided that such demolition is completed within sixty (60) days of the order being entered by the Building Commissioner.
- d. If the evidence does not support a finding that the building or structure is a dangerous building, then no order shall be issued.
- e. The findings of fact shall be in writing and shall contain findings, a determination of the issues presented, and an order as to any requirements to be satisfied. A copy of the decision shall be personally delivered to the appellant and/or the record owner, as well as any other person entitled to notice of the hearing, or shall be sent by certified mail, postage prepaid, return receipt requested to each such person. The effective date of the decision shall be as stated therein.

**Section 505.100. Recording of Certificate of Dangerous Building.** [Ord. No. 135.13 §10, 3-19-2013]

- A. *Non-Compliance.* If compliance is not had with the order of the Building Commissioner within the time provided, and no appeal is properly and timely filed, a certificate shall be filed in the Recorder's office of Atchison County, Missouri, certifying:
  1. The legal description and street address of the property;
  2. The building is a dangerous building;
  3. The landowner and all other persons with known interests of record in the property have been so notified; the decision rendered by the Building Commissioner.
- B. *Subsequent Compliance.* In the event that subsequent to the filing of the certificate of dangerous building the corrections ordered shall be completed or the building demolished, so that the building or structure no longer exists as a dangerous building on the property described in the certificate, a new certificate shall be filed in the Recorder's office of Atchison County, Missouri, certifying that the building is no longer a dangerous building.

**Section 505.110. Failure to Comply With Building Commissioner's Decision — Lien.** [Ord. No.

135.13 §11, 3-19-2013]

- A. *Non-Compliance.* If within sixty (60) days the record owner, appellant, or any other person entitled to service of notice pursuant to Section 505.090 fails to comply with the decision and order of the Building Commissioner, the Building Commissioner or the Code Enforcement Officer shall so advise the City Clerk who shall cause such building or structure to be repaired, vacated and/or demolished as the facts may warrant.
- B. *Tax Bill.*
1. Whenever the City shall have caused repair or demolition work to be completed as provided in Demolition of Buildings of the Municipal Code of the City of Tarkio, the Superintendent shall certify the costs of the repair or demolition work to the City Clerk who shall cause a special tax bill to be issued against the lot, tract or parcel of land until paid, and shall cause the same to be registered in the office of the Recorder of Atchison County and to be mailed by certified mail to all owners of record of the property. The tax bill shall be collected by the official collecting taxes.
  2. Upon written request of the taxpayer delivered to the City Clerk within thirty (30) days after completion of the demolition or repair work, a tax bill for repair or demolition of a building or structure may be paid in ten (10) equal, annual installments, which installments with interest thereon to date on the unpaid balance shall be due annually on the anniversary of the date of issuance of the bill. Interest shall be paid at the maximum rate per annum allowable by law on the unpaid balance of the special assessment computed from the date of issuance. If any annual payment of principal or interest shall not be paid within thirty (30) days of its due date, the entire remaining balance of the tax bill shall immediately become due and payable.
  3. If said request for the payment plan is not made within thirty (30) days after the completion of the repair or demolition work, then the entire tax bill shall be payable within sixty (60) days of issuance, with interest thereon.
  4. Tax bills so issued shall be prima facie evidence of the validity of the bill, the doing of the work and the liability of the property for the damages stated in the bill. If default should occur, said amounts shall be collected by suit brought in a court of competent jurisdiction by the City Attorney on behalf of the City.

**Section 505.120. Appeal to Circuit Court.** [Ord. No. 135.13 §12, 3-19-2013]

Within thirty (30) days of the receipt of the decision of the Building Commissioner, any person entitled to notice pursuant to Section 505.090 as to a dangerous building may appeal such decision to the Circuit Court of Atchison County pursuant to the procedure established in Chapter 536, RSMo.

**Section 505.130. Violations and Punishment.** [Ord. No. 135.13 §13, 3-19-2013]

- A. It is a violation of this Chapter to:
1. Fail to comply with an order to repair, vacate and/or demolish any building or structure which has been determined to be maintained in violation of the provisions of

- this Chapter, issued by the Code Enforcement Officer, unless an active appeal is pending thereon; or
2. Fail to diligently and timely repair any building or structure which has been determined to be maintained in violation of the provisions of this Chapter, as determined by the Building Commissioner, unless an active appeal is pending thereon; or
  3. Fail to proceed continuously with the repair or demolition of any building or structure determined to be in violation of this Chapter unless an active appeal is pending thereon; or
  4. Fail to comply with an order to repair, vacate or demolish any building or structure issued by the Building Commissioner unless an active appeal is pending thereon; or
  5. Remove, deface or mutilate the notice placed on any building or structure; or
  6. Violate any provision of this Chapter.
- B. Any person who shall violate any provision of this Chapter or fails to comply with any of the provisions or requirements thereof shall be punished by a fine not to exceed five hundred dollars (\$500.00) or be imprisoned for a term not to exceed ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after notice has been issued shall be deemed a separate offense.
- C. The imposition of the penalties herein prescribed shall not preclude the City from additionally instituting appropriate action to restrain, correct or abate a violation, to prevent illegal occupancy of a building, structure or premises, to stop an illegal act, conduct business or utilization of the building, structure or premises or take any other act as allowed by law in addition to the penalties prescribed herein.

**Section 505.140. Duties of the City Attorney.** [Ord. No. 135.13 §14, 3-19-2013]

The City Attorney shall prosecute all persons failing to comply with the terms of the notices and orders provided for herein; appear at all hearings before the Building Commissioner pursuant to this Chapter; bring suit to collect all municipal liens, assessments or costs incurred by the City in the repairing or demolishing of dangerous buildings; and take all such other legal actions as are necessary to carry out and enforce the terms and provisions of this Chapter.

**Section 505.150. Administrative Liability.** [Ord. No. 135.13 §15, 3-19-2013]

No officer, agent, commissioner, Alderman or employee of the City shall render themselves personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their duties under this Chapter. Any suit brought against any officer, agent, board, Alderman or employee of the City as a result of any act required or permitted in the discharge of their duties under this Chapter shall be defended by the City Attorney until the final determination of the proceedings therein.