

ORDINANCE NO. 5

AN ORDINANCE DECLARING THE MAINTAINING OF DILAPIDATED BUILDINGS WITHIN THE TOWN OF FRANKFORD TO BE A COMMON AND PUBLIC NUISANCE AND PRESCRIBING REMEDIES THEREFOR.

BE IT ORDAINED by the Town Council of The Town of Frankford, in Council met, in the manner following, to wit:

SECTION 1. Maintaining of dilapidated buildings on any property located within The Town of Frankford which constitute a serious hazard to life and property be and the same is hereby declared to be a common and public nuisance.

SECTION 2. The President of the Town Council shall appoint a Fire Hazard Inspection Committee consisting of not less than three (3) persons, at least one (1) of whom shall be an elected member of the Town Council. The elected member of the Town Council appointed by the President shall be the Chairman of the Committee.

SECTION 3. It shall be the responsibility of the Fire Hazard Inspection Committee to investigate information received by the Town Council that any building located within the corporate limits of The Town of Frankford is a serious hazard to life and property.

SECTION 4. Whenever the Town Council receives any information that a building located within the corporate limits of The Town of Frankford is a serious hazard to life and property, the President of the Town Council shall direct the Fire Hazard Inspection Committee to investigate and determine whether the building is a serious hazard to life and property.

SECTION 5. The Fire Hazard Inspection Committee shall proceed to make its investigation and shall make a report not later than thirty (30) days after having been directed to make an investigation to the Town Council setting forth in writing its findings and conclusions concerning the building.

SECTION 6. If the Committee concludes, following its investigation, that the building is a serious hazard to life and property, the President of the Town Council shall cause a notice to be sent to the owner of the building at his last known address.

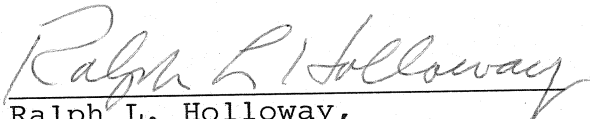
SECTION 7. The notice shall set forth the findings and conclusions of the Fire Hazard Inspection Committee. The notice shall set a time and date for a public hearing before the Town Council to afford the interested parties an opportunity to show why the building investigated by the Fire Hazard Inspection Committee should not be declared a hazard to life and property and a public nuisance and why it should not be ordered demolished. The date of the public hearing shall be not earlier than twenty (20) days from the date of receipt of the notice. Any notice given pursuant to this Section shall be by certified mail with return receipt requested.

SECTION 8. At the public hearing, the owner of the building shall be permitted to present evidence why the building should not be declared a common and public nuisance and why he should not be required to abate the dangerous conditions found by the Committee.

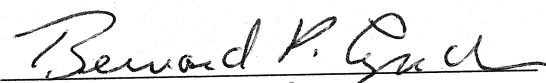
SECTION 9. Following the hearing and presentation of any evidence by the owner, the Town Council shall issue its findings and conclusions concerning the building. If it is found that the building constitutes a hazard to life and property and that measures may be taken to remove the dangerous conditions and render the building safe, the findings and conclusions shall specify what measures shall be taken to correct the conditions and shall specify a time within which the corrective measures shall be taken. The owner may, at his discretion, comply with the order of the Town Council or demolish the building. If it is found that the conditions render the building a hazard to life and property and that no corrective measures may be taken to abate the conditions and render the building safe, the building shall be declared to be a common and public nuisance and its demolition by a certain date shall be ordered by the Town Council.

SECTION 10. If the owner fails to comply with the order issued by the Town Council within the time specified, the Town Council shall authorize the Town Solicitor to file suit in the proper court against such owner and obtain the necessary orders to enforce the directions of the Town Council.

Adopted by the Town Council of The Town of Frankford on
3rd Day of November A.D. 1986.


Ralph L. Holloway,
President of the Town Council of
The Town of Frankford

LAW OFFICES
TUNNELL & RAYSOR
GEORGETOWN, DEL.


Bernard P. Lynch,
Secretary/Treasurer of the
Town Council of
The Town of Frankford