

**TOWN OF MILLHOUSEN
ORDINANCE 2026-6**

**AN ORDINANCE PROVIDING FOR THE INSPECTION,
REPAIRS, OR REMOVAL OF UNSAFE STRUCTURES
WITHIN THE TOWN OF MILLHOUSEN, INDIANA**

WHEREAS, the legislature of the State of Indiana has found that unoccupied structures that are not maintained constitute a hazard to public health, safety, and welfare;

WHEREAS, the problem found by the state general assembly to be caused by deteriorated structures in urban areas also apply to small towns and rural areas;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF MILLHOUSEN, INDIANA THAT:

1. Indiana Code 36-7-9-1 through 36-7-9-28 is hereby adopted by references as the Town of Millhousen Unsafe Building Law. All proceedings within the Town of Millhousen for the inspection, repair, and removal of unsafe building shall be governed by that law and the provisions of this ordinance.
2. This ordinance shall supersede any previous provisions of Millhousen which deal with unsafe buildings.
3. All buildings or portions thereof within the Town of Millhousen which are determined after inspection by the Decatur County Area Plan Office to be unsafe as defined in this ordinance are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.
4. Decatur County Area Plan Office shall be authorized, or a member of the town board to administer this ordinance.
5. A building or structure, or any part of a building or structure, that is:
 - a. In an impaired structural condition that makes it unsafe to a person or property;
 - b. A fire hazard;
 - c. A hazard to public health;
 - d. A public nuisance;
 - e. Dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or
 - f. Vacant and not maintained in a manner would allow human habitation, occupancy,

building. An unsafe building and the tract of real property on which the unsafe building is located are considered unsafe premises. The Area Planing Office is authorized to adopt written polices and guidelines to use in determining whether buildings or structures are unsafe or dangerous.

6. The Superintendent of the Area Plan Office may issue an order requiring action relative to any unsafe premises. The following orders become final ten (10) days after notice is given, unless a hearing is requested before the 10 days end by a person holding a fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises:

- a. Sealing an unsafe building against intrusion by unauthorized persons, in accordance with a uniform standard established by ordinance;
- b. Extermination of vermin in and about the unsafe premises;
- c. Removal of trash, debris, or fire hazardous material in and about the unsafe premises;

The following orders require a hearing before they become final:

- d. Repair or rehabilitation of an unsafe building to bring it to compliance with standards for building condition or maintenance required for human habitation, occupancy, or use by a statute, a rule adopted under IC 4-22-2, or an ordinance;
 - e. Removal of part of an unsafe building
 - f. Removal of an unsafe building; and
 - g. Requiring, for an unsafe building that will be sealed for a period of more than ninety (90) days:
 - 1. Sealing against intrusion by unauthorized persons and the effects of weather;
 - 2. Exterior improvements to make the building compatible in appearance with other buildings in the area; and
 - 3. Continuing maintenance and upkeep of the building and premises.
- Any person having a substantial property interest in the unsafe premises may appear in person or by counsel at the hearing.

7. "Substantial property interest" means any right in real property that may be affected in a substantial way by actions authorized by this ordinance, including a fee interest a life estate interest, a future interest, a present possessory interest, or an equitable interest of a contract purchaser. The interest reflected by a deed, lease, license, mortgage, land sale contract, lien, or evidence of it is:

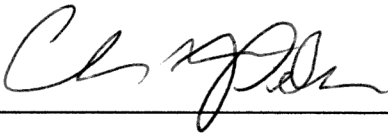
- a. Recorded in the office of the county recorded; or
- b. The subject of a written information that is received by the town clerk and includes the name and address of the holder of the interest described.

8. An unsafe building fund is hereby established in the operating budget of the Town of Millhousen in accordance with the provisions of IC 36-7-9-14.
9. Should and section, paragraph, sentence, clause or phase of this ordinance be declared unconstitutional or invalid for any reasons, the remainder of said ordinance shall not be affected thereby.

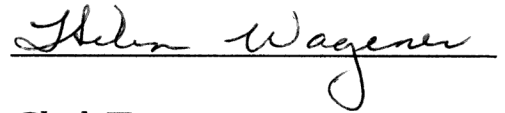
ADOPTED this 7 day of April, 2026.

Town Council of Millhousen

Attest:



Council President



Clerk/Treasurer



Council Vice President