



CITY OF PONTIAC
OFFICE OF THE EMERGENCY MANAGER

LOUIS H. SCHIMMEL

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Dated: February 13, 2012

ORDER NO. S-152

RE: Condemned Properties

**TO: Sherikia Hawkins, City Clerk
 Charles Smith, Project Manager, Wade Trim
 Michael Wilson, Building Official**

The **Local Government and School District Fiscal Accountability Act (Public Act 4 of 2011)** in **Section 17(1)** empowers an Emergency Manager to issue the orders the Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. **Section 19(1)** provides that an Emergency Manager may take on one or more additional actions with respect to a local government in receivership: **(ff)** Remove, replace, appoint, or confirm the appointments to any office, board, commission, authority, or other entity which is within or is a component unit of the local government...; and **19(2)** ...the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the Emergency Manager.

Pursuant to Order No. S-116, effective December 5, 2011, the City of Pontiac ended the practice of entering into new rehabilitation agreements with owners of condemned properties, and effective December 30, 2011, the City of Pontiac ended the practice of extending existing or expired rehabilitation agreements.

Since this Order has been issued, several property owners have requested the ability to continue repairs to their properties for which they had a rehabilitation agreement. In some instances, the property owner has not applied for the required construction permits. In an effort to work with the owners of these condemned properties, the Department of Building Safety is authorized to issue new construction permits as identified below.

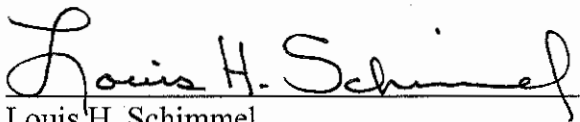
It is hereby ordered:

1. A property owner who requests construction permits to repair a structure for which a rehabilitation agreement has expired may obtain the necessary permits, if the property owner deposits a cash bond in the amount of the estimated cost of demolition as determined by the Department of Building Safety, based upon the square footage of the structure.
2. A property owner or contractor who has not scheduled an inspection within the first six months after a construction permit has been issued will be required to obtain new construction permits as the previous permits will be considered expired.
3. The City shall not demolish any structure for which there is an active construction permit.
4. The cash bond shall be refunded to the property owner when a final inspection results in a certificate of occupancy. The issuance of a certificate of occupancy shall result in the removal of the structure from the demolition list.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (**Public Act 442 of 1976, MCL 15.231, et. seq.**).

This Order is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in the **Local Government and School District Fiscal Accountability Act (Public Act 4 of 2011)** and the contract between the State of Michigan and the Emergency Manager.



Louis H. Schimmel
City of Pontiac
Emergency Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council