

DEMOLITION BOND

WHEREAS, _____ ("Applicant"), of _____ (address) and _____ ("Surety") of _____ (address) are held firmly bound unto the City of Jacksonville, Alabama, a municipal corporation in the sum of _____ DOLLARS (\$ _____) to be paid to the City, its legal representative and successors, for which payment shall bind all heirs executors, administrators, successors and assigns, jointly and severally.

WHEREAS, Applicant wishes to demolish a building located at: _____, Jacksonville, Alabama.

NOW THEREFORE, Applicant or Applicant's authorized agent shall promptly remove or demolish the building and remove any remaining foundation walls, fill in any holes left on the property, level the property and remove all debris within thirty (30) days following the removal or tearing down of the building as prescribed by Ordinance # _____ including the immediate correction of any damage to the rights-of-way, the disconnecting and protecting all of the utilities as required by each utility as well as compliance with all applicable laws.

Once Applicant or Applicant's employees or agents complete the work in a manner conforming to the rules, regulations, requirements and procedures prescribed by the said Ordinance and fully comply with all other laws of the State of Alabama and the United States, this undertaking shall be **VOID**, otherwise this undertaking shall remain in full force and effect.

Additionally, Applicant shall indemnify and hold the City of Jacksonville harmless from all suits and actions for damages including costs, expenses and attorneys fees consequent to this undertaking including but not limited to all suits and actions for damages resulting from want of skill, carelessness or negligence of the Applicant or Applicant's employees or agents in carrying-out any of the above described work.

In the event Surety should cancel this undertaking, Surety must provide to the City thirty (30) days written notice prior to such cancellation. Notice must be mailed certified mail to the City Clerk's Office, 320 Church Av. SE, Jacksonville, AL 36265.

The duly executed **original** of this bond shall be filed with the Jacksonville City Clerk.

This obligation shall be effective beginning _____, 20____, and shall terminate _____, 20____. **NO CONTINUATION CERTIFICATES WILL BE ACCEPTED FOR BOND RENEWAL PURPOSES.**

IN WITNESS WHEREOF, this _____ day of _____, 20____,

Countersigned by Surety

Resident Agent

Applicant

Approved as to form:

City Attorney

CITY OF JACKSONVILLE

PERMIT # _____

DEMOLITION PERMIT APPLICATION

BUILDING ADDRESS _____

LEGAL DESCRIPTION: LOT NO. _____ BLK. _____ SUBDIV. _____

OWNER _____

ADDRESS _____ PHONE _____

CONTRACTOR _____

ADDRESS _____ PHONE _____

TYPE OF CONTRACTOR _____ LICENSE# _____ BOND # _____

TYPE OF STRUCTURE _____

DEMOLITION PLAN _____

COMPLETION DATE _____ LOC. OF DISPOSAL SITES _____

ROUTE TO DISPOSAL SITE _____

VALUATION OF WORK \$ _____ PERMIT FEE \$ _____

CITY SEWER LINES MUST BE PLUGGED AT PROPERTY LINE AND INSPECTED. FOOTING AND FOUNDATION MUST BE REMOVED AND INSPECTED. SEPTIC TANKS PER HEALTH DEPT. ASBESTOS AND OTHER HAZ. MATERIALS PER STATE DEPT. OF HEALTH.

The above structure will be demolished. All utilities must be disconnected and turned off. Sign below only when service is terminated.

(Approved By: (Authorized Signatures Only))

ALABAMA POWER _____ DATE _____

CITY/COUNTY WATER _____ DATE _____

CITY SEWER _____ DATE _____

TELEPHONE _____ DATE _____

Owner or Owner's Agent's Signature: _____ Date _____

State of Alabama

Calhoun County

On this _____ day of _____, 20____, before me, the undersigned, a Public

Notary in and for said State, personally appeared _____

known to me to be the person whose name is subscribed to the within instrument, and acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily.

SEAL

Notary Public

Building Inspector's Signature: _____

Date Issued _____

ORDINANCE NO. 465

**ESTABLISHING PERMIT PROCEDURE, REQUIREMENTS, AND FEES
FOR THE DEMOLITION OR REMOVAL OF STRUCTURES**

BE IT ORDAINED by the City Council of the City of Jacksonville, Alabama, as follows:

SECTION I: DEMOLITION PERMIT REQUIRED.

No person shall demolish or remove any building within the city without first obtaining a demolition permit as provided in this division.

SECTION II. APPLICATION.

Application for a demolition permit shall be made to the building official on a form furnished by the city. The application shall be signed and verified by the owner of the structure or the owner's agent and shall include, but not be limited to, the following:

- (1) Name and address of the owner of the structure and the location of the building to be demolished or removed;
- (2) A plan for the demolition, or removal, including a description of the work to be done, and a schedule of time to complete the demolition project;
- (3) Location of sites to be used for disposal of debris and proposed routes for transportation of debris to the sites;
- (4) If the demolition or removal is to be done by anyone other than the owner, the following shall be provided:
 - a. The notarized signature of the owner or the owner's agent authorizing the applicant to obtain a permit for the demolition or removal of the structure;
 - b. Name and address of the applicant;

- (5) The bond required by Section III hereof;
- (6) Written verification from all affected utilities that the applicant has accomplished the disconnection and/or construction of protective devices required by that agency.

SECTION III: DEMOLITION OR REMOVAL OF BUILDING; BOND REQUIRED.

The city shall not issue a demolition permit until the applicant has furnished to the city a bond, with surety, in the amount of one thousand dollars (\$1,000.00) for each ²/_{1,000} square feet, or any part thereof, of floor space contained in the structure to be demolished. No surety shall be required on any bond in the amount of less than \$²/_{3,000}.00. Continuation certificates to renew the surety bond will not be accepted.

Such bond shall be filed with the city clerk and shall be conditioned upon the following requirements:

- (1) That such person or business entity owning the property from which the building is to be removed or torn down, or an authorized agent, shall promptly remove or demolish the building and shall remove any remaining foundation walls, fill in any existing holes left on the property, level the property and remove all debris and junk from the property, within the time period designated by the Building Inspector. The Building Inspector may permit the owner to retain the foundation if it is safe to do so and the owner or the owner's agent either removes the foundation to a depth of twelve (12) inches below grade or leaves an existing hard surfaced slab covering the foundation. In either case, the owner shall prepare and sign an affidavit in a form acceptable to the city attorney or his designee acknowledging the existence of the subsurface foundation walls. The owner or the owner's agent shall file the affidavit with the Probate Office of Calhoun County, Alabama, so that it runs with the land. Prior to release of the surety bond, the owner or owner's agent must provide the City Clerk or his/her designee with satisfactory proof that the affidavit was recorded;
- (2) That any damage to rights-of-way be immediately corrected;
- (3) That all utilities be disconnected or protected as required by each utility; and
- (4) That all applicable local, state, and federal laws are complied with.

SECTION IV: PERMIT FEES.

The applicant for a demolition permit shall pay to the city for the issuance of the permit at the time of the issuance thereof a fee in the same amount as prescribed for building permit fees.

SECTION V: ISSUANCE OF DEMOLITION PERMIT

If the applicant for a demolition permit complies with the requirements in this division and, in the judgment of the Building Inspector, the structure can be demolished as proposed, then the city shall issue a permit for the removal or demolition of the building, subject to any reasonable restrictions or conditions. The permit shall state the name of the person authorized to remove or demolish the building, the location of the building to be removed or demolished, and the time period in which all demolition, removal, and clean up is to be completed.

SECTION VI: DUTIES OF PERMITTEES

It shall be the duty of the permittee to promptly begin the removal or demolition work authorized by the demolition permit and to work continuously at the normal rate of progress in keeping with good demolition practices until the project is completed.

SECTION VII: ABATEMENT BY CITY.

If the applicant or owner fails to remove or demolish a building within the designated time period or fails or refuses to restore the property from which the building is removed or torn down in the manner described in this division, within thirty (30) days after such removal or tearing down, and after ten (10) days' written notice having been given to

such applicant or owner, then the city may proceed to demolish the building or have the necessary work completed on the property, and may recover the expense of such work from the bond required to be posted.

SECTION VIII: SEVERABILITY.

The provisions of this ordinance are severable. If any provision, section, paragraph, sentence, or part thereof, or the application thereof to any person or thing shall be held unconstitutional or invalid, such holding shall not affect or impair the remainder of this ordinance of the remaining persons or things to which it applies, it being the legislative intent to enact each provision, section, sentence, paragraph, and part thereof, and the application thereof, separately and verbally from each other.

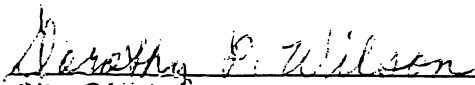
SECTION IX: EFFECTIVE DATE

This ordinance shall become effective upon its publication as required by law.

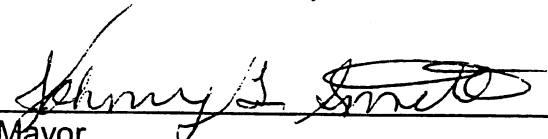
PASSED AND ADOPTED, the 7th of March, 2006.

CITY COUNCIL OF THE CITY OF JACKSONVILLE, ALABAMA

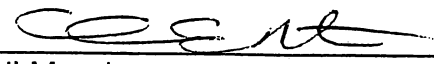
ATTEST:



City Clerk



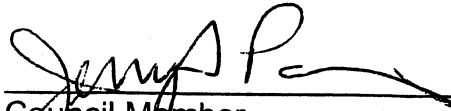
Mayor



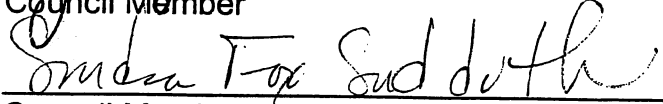
Council Member



Council Member



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Council Member

Council Member