



# City of Lorain

## Stay of Demolition Application

APPLICATION MUST BE FILLED OUT COMPLETELY & LEGIBLY

Payment Date: \_\_\_\_\_  
 Cash  Card  Check# \_\_\_\_\_  
Total Fee: \$250.00  
Demo Board Case #: \_\_\_\_\_

APPLICATION IS HEREBY MADE TO THE DEMOLITION BOARD OF APPEALS OF THE CITY OF LORAIN, STATE OF OHIO, FOR A STAY OF DEMOLITION.

### GENERAL INFORMATION

Applicant:  Owner  Owner's Agent

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Owner's Full Address \_\_\_\_\_

Applicant's Name \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Applicant's Full address \_\_\_\_\_

### DESCRIPTION OF PROPERTY

Property Type:  Residential  Commercial

Property Address \_\_\_\_\_ Permanent Parcel #: \_\_\_\_\_

Estimated Cost of Repairs \_\_\_\_\_ Completion Date \_\_\_\_\_

### REQUIREMENTS:

All information and documents required pursuant to Lorain City Ordinance Section 1523.15 (d) is required to be submitted with this application. Use the following pages of the application as coversheets for the required documentation. **Incomplete applications that do not include Exhibits A, B, & C will be rejected by the City of Lorain Building Division and will not be considered by the Demolition Board of Appeals.** Exhibit D and supporting documentation may be required by the Demolition Board of Appeals.

- EXHIBIT A: Scope of Work; A detailed synopsis of the work needed to be completed in order to bring the building up to the City of Lorain requirements for an occupancy permit.
- EXHIBIT B: Cost Estimates; A detailed estimate of the cost and expenses that will be incurred to have all of the required repairs and improvements completed.
- EXHIBIT C: Construction Schedule; A detailed schedule setting forth when the work will commence, when various portions of the required work will be completed, and when all of the required repairs will be completed.
- EXHIBIT D: Financial Statements; Verification that the applicant has sufficient funds available to complete the required repairs.

### ACKNOWLEDGEMENTS

In signing this application, the applicant hereby authorizes the City, for the City, and for other governmental bodies and agencies as are deemed necessary by the City, to inspect the property, including the exterior and interior of all structures located upon the property, at such times as the City deems appropriate.

The owner and the applicant acknowledge that the Board's approval of a stay of the demolition order does not bind the City to the accuracy of the applicant's statement of the work required to be performed or the estimate of costs that will be incurred to perform the

work necessary to make the necessary repairs and improvements to the property. The owner and applicant also acknowledge that the issuance of a stay of the demolition order does not provide the applicant who is attempting to repair the structure with any guarantee that performing the repairs and improvements set forth in the application will be sufficient to meet the City of Lorain's property maintenance guideline standards or be sufficient, when completed, to obtain an occupancy permit.

The owner, or the owner's authorized agent or contractor, shall, within 15 days after the Board grants a stay of the demolition order, apply for the permits required to commence construction in accordance with the approved schedule for the work required to perform the necessary repairs. (The owner or other person applying for the permit shall be required to acknowledge in writing that even though a permit will indicate that they have six months to complete the work, that the work must be completed in accordance with the approved timeline for the stay of the demolition order to remain in effect.)

The applicant, shall, in accordance with a timeline set by the Board in the order granting the stay, submit written reports to the Demolition Board of Appeals declaring the status of repair work and the adherence to the initial schedule of repair. The applicant, or the applicant's authorized representative shall appear before the Demolition Board monthly to publicly address the status of the repair work on and answer any questions from the Board. **All written reports must be submitted to the Building Division one week prior to each Demolition Board of Appeals meeting. Materials submitted after the deadline will not be forwarded to the Board for their review.**

In signing this application, the applicant hereby attests to the truth and accuracy of all information supplied and submitted on and with this application and acknowledge receipt of a copy of Chapter 1523.15 Request to Stay the Order of the Demolition Board to Make Repairs.

Applicant Signature\_\_\_\_\_

Date \_\_\_\_\_

Chief Building Official\_\_\_\_\_

Date \_\_\_\_\_

**EXHIBIT A**  
**SCOPE OF WORK**

*A detailed synopsis of the work needed to be completed in order to bring the building up to the City of Lorain requirements for an occupancy permit.*

**EXHIBIT B**  
**COST ESTIMATES**

*A detailed estimate of the cost and expenses that will be incurred to have all of the required repairs and improvements completed.*

*The cost estimated shall be supported by the applicant with a statement setting forth the materials that will be required to complete the required repairs and the estimated costs of those materials; and/or*

*When all or any portion of the required repairs are to be performed by a person or entity other than the applicant, the contractors must be licensed by the City of Lorain to perform the designated work and must be accompanied by the written proposal from the licensed contractor(s) for the portion of the required repairs and/or work the contractor will be performing.*

*When the work is to be performed by the applicant, the applicant will provide a detailed list setting forth the materials that will be required to make the necessary repairs and the cost of those materials.*

**EXHIBIT C**  
**CONSTRUCTION SCHEDULE**

*A detailed schedule setting forth when the work will commence, when various portions of the required work will be completed, and when all of the required repairs will be completed.*

**EXHIBIT D**  
**FINANCIAL STATEMENTS**

*Verification that the applicant has sufficient funds available to complete the required repairs.*

### **1523.15 REQUEST TO STAY THE ORDER OF THE DEMOLITION BOARD TO MAKE REPAIRS.**

(a) The owner of a parcel of real property, or a person or entity that has entered into an agreement with the owner for the applicant's purchase of property, may file an application with the Demolition Board of Appeals (hereinafter sometimes referred to as the "Board") requesting a stay of an order of demolition that has been issued by either the Chief Building Official or the Demolition Board of Appeals to provide the applicant with a designated time period to repair the property. The agreement between the owner of the property and the applicant must be a binding written agreement. The agreement may, but is not required to be contingent upon Demolition Board's grant of stay pending the repairs.

(b) The Applicant shall pay an application fee of \$250.00 upon submission of application.

(c) The application for a stay of an Order of Demolition shall be submitted to the Demolition Board of Appeals upon a form application that has been approved by the Demolition Board of Appeals.

(d) The applicant shall submit the following information and supporting documentation with the Application:

- (1) A detailed synopsis of the work needed to be completed in order to bring the building up to the City of Lorain requirements for an occupancy permit.
- (2) A detailed estimate of the cost and expenses that will be incurred to have all of the required repairs and improvements completed.
  - A. The cost estimated shall be supported by the applicant with a statement setting forth the materials that will be required to complete the required repairs and the estimated costs of those materials; and/or
  - B. When all or any portion of the required repairs are to be performed by a person or entity other than the applicant, the contractors must be licensed by the City of Lorain to perform the designated work and must be accompanied by the written proposal from the licensed contractor(s) for the portion of the required repairs and/or work the contractor will be performing.
- C. When the work is to be performed by the applicant, the applicant will provide a detailed list setting forth the materials that will be required to make the necessary repairs and the cost of those materials.
- (3) A detailed time line setting forth when the work will commence, when various portions of the required work will be completed, and when all of the required repairs will be completed.

(4) Verification that the applicant has sufficient funds available to complete the required repairs.

(5) The owner of the property shall provide written authorization to the City for the City, and for other governmental bodies and agencies as are deemed necessary by the City, to inspect the property, including the exterior and interior of all structures located upon the property, at such times as the City deems appropriate.

(6) The Chief Building Official shall review the application to be prepared, upon a request of the Board, to provide an oral statement to the Board concerning whether the applicant's proposed plan, when completed, will likely result in the repair and/or abatement of the conditions that resulted in the property having been declared a public nuisance and the order of demolition to have been issued.

(7) The owner and the applicant shall acknowledge, in writing, that the Board's approval of a stay of the demolition order does not bind the City to the accuracy of the applicant's statement of the work required to be performed or the estimate of costs that will be incurred to perform the work necessary to make the necessary repairs and improvements to the property. The owner and applicant shall also acknowledge that the issuance of a stay of the demolition order does not provide the applicant who is attempting to repair the structure with any guarantee that performing the repairs and improvements set forth in the application will be sufficient to meet the City of Lorain's property maintenance guideline standards or be sufficient, when completed, to obtain an occupancy permit.

(8) The Board, in conjunction with the issuance of any order staying an existing demolition order for any property or structure may impose such conditions as the Board deems appropriate and reasonable, including, but not limited to any of the following items:

- A. A requirement that the applicant provide proof that the Applicant has sufficient funds on deposit or otherwise available to complete the repairs in accordance with the time line set forth in the application or as approved by the Board.
- B. The repairs and improvements are to be completed pursuant to a schedule approved by the Board.
- C. All of the repairs are completed by a date set by the Board.
- D. The property and structures will be subject to inspection by the City of Lorain Building inspectors, and such other departments and officials, including, but not limited to the fire department and the health department, as may be recommended by the Chief Building Official, at such times as the Chief Building Official deems appropriate.

(9) The owner, or the owner's authorized agent or contractor, shall, within 15 days after the Board grants a stay of the demolition order, apply for the permits required to commence construction in accordance with the approved schedule for the work required to perform the necessary repairs. ( The owner or other person applying for the permit shall be required to acknowledge in writing that even though a permit will indicate that they have six months to complete the work, that the work must be completed in accordance with the approved time line for the stay of the demolition order to remain in effect.)

(10) The applicant, shall, in accordance with a timeline set by the Board in the order granting the stay, submit written reports to the Demolition Board of Appeals declaring the status of repair work and the adherence to the initial schedule of repair. The applicant, or the applicant's authorized representative shall appear before the Demolition Board on a monthly basis to publicly address the status of the repair work on and answer any questions from the Board.

(11) The Board may terminate the stay in the event any one of the following events or conditions occur:

- A. The Applicant, or the Applicant's authorized representative, fails to apply for the required permits on a timely basis
- B. The Applicant, or the Applicant's authorized representative fails to submit the required written reports or fails to appear before the Board on monthly basis to report on the status of the repair work;
- C. The repairs are not being completed in accordance with schedule approved by the Board;
- D. The repairs have not been completed with the time period set by the Board; or
- E. The Owner or the Applicant fails to allow the City or other governmental bodies or agencies full access to the property and the interior and exterior of the structures to conduct all requested inspections.

(12) The Board, upon being presented with evidence that the applicant has completed the required repairs and that the property is no longer unsafe or a public nuisance, may then consider a motion to rescind the demolition order for the structures located upon the property. The decision to rescind the demolition order for any property or structure shall require the affirmative vote of two thirds of the members of the Board.

(13) Any sale or transfer of the Property must comply with the City's point of sale ordinance.

(Ord. 83-18. Passed 6-18-18.)