GENERAL ORDINANCE NO 7- 2018

Neighborhood Preservation

An ordinance to establish minimum standards for all buildings in the City of Marion, Indiana, and the establishment of penalties for the failure to meet the standards.

Our mission is to provide proper enforcement of minimum housing and commercial standards with a commitment to integrity and excellence in customer service. We believe this enhances the health, safety, property values and quality of life for the citizens of Marion, Indiana. Our goals are to: 1) keep neighborhoods safe and attractive; and 2) create a positive environment for investment by ensuring commercial properties are safe and attractive.

BE IT ORDAINED by the Marion Common Council that, Article XV, Chapter 150 of the Marion City Code shall be amended in its entirety to read as follows:

Article XV Neighborhood Preservation

Chapter 150 Neighborhood Preservation Minimum Standards

150.1.1 Minimum standards for all structures. NOTE: All state statutes supersede these minimum standards.

No building, accessory building, garage, or other structure, whether for residential, commercial, industrial or other purposes, shall fail to comply with the following requirements:

(a) Every supplied facility, piece of equipment, or utility which is required under this Code Article shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition. All electrical systems, fuel connections, mechanical systems, or plumbing systems must be in proper working order and maintained in a manner that the systems will work safely.

(b) Every foundation, floor, wall, ceiling and roof shall be reasonably weather tight and rodent proof; shall be capable of affording privacy and shall be kept in good repair. All foundation systems must be capable of supporting all nominal loads and capable of resisting all load effects.

(c) Ice and water shield flashing and all roofing material shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness, mold or deterioration in the walls or interior portions of the building. Roof drains, gutters, and downspouts shall be maintained in good repair and free

from obstructions. Roof water shall not be discharged in a manner that creates a hazard on the premises or adjacent property.

(d) Every window, exterior door, and basement hatchway shall be reasonably weather tight and rodent proof and shall be kept in sound working condition and good repair. All glazing materials shall be maintained free from cracks and holes.

(e) Every inside and outside stair, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair. Other than surface rust, metal fire escapes shall be maintained in a rust-free condition.

(f) Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(g) All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches, and trim shall be maintained in good condition. All painted surfaces shall be properly coated and weather tight.

(h) All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(i) All canopies, marquees, signs, metal awnings, fire escapes, standpipes, exhaust ducts, and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(j) All concrete on the real estate shall be free of significant fractures, fissures, and exposed reinforcement that create a hazardous condition.

(k) All exterior wood shall be free of significant deterioration, damage from insects, rodents or other vermin, fire splits or shear cracks. Any wood shall be properly attached to the structure.

(l) All structural members shall be maintained so that such members safely support all live and dead loads for the purpose for which the structural members were intended.

(m) Any pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(n) All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon or within any structure located thereon.

(o) All sidewalks, walkways, driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

(p) Any portion, member or appurtenance of a building shall not be likely to fail, to become detached, dislodged or to collapse, and thereby injure persons or damage property.

(q) Any structures or fences shall not be maintained in a condition that is manifestly unsafe or hazardous to persons or property.

(r) The building or structure shall not be in such a condition that it is likely to partially or completely collapse due to:

(1) dilapidation, deterioration, or decay;

(2) faulty construction;

(3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; or

(4) the deterioration, decay or inadequacy of its foundation.

(s) Exterior walls or other vertical structural members shall not list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base. The exterior walls shall be free of holes, cracks, breaks, or loose or rotting materials. The exterior walls shall be properly anchored.

(t) The building or structure, exclusive of the foundation, shall not show thirty-three percent (33%) or more damage or deterioration of its supporting member or members or fifty percent (50%) damage or deterioration of its non-supporting members or enclosing, or outside walls or coverings.

(u) The building or structure shall not have less than sixty-six percent (66%) of the strength, fire resisting qualities or characteristics, or weather resisting qualities or characteristics required by law in the case of newly constructed building of like area, height or occupancy in the same location.

(v) The building shall not be so damaged by fire, earthquake, flood or any other cause that the structural strength and stability is materially less than it was before the catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose or location.

(w) The building or structure shall not be so damaged by fire, wind, earthquake or flood that it has become so dilapidated and deteriorated as it becomes freely accessible to persons.

(x) The building or structure shall not, because of obsolescence, dilapidated condition, deterioration, damage, lack of sufficient fire resistive construction, electrical wiring, gas connection, or heating apparatus, become a fire hazard.

(y) The anchorage of the floor or roof or walls to columns and of the walls and columns to foundations must be capable of resisting all nominal loads or load effects.

(z) Chimneys, cooling towers, smoke stacks and similar appurtenances must be structurally sound, properly anchored, support all nominal loads, and properly resist all load effects.

(aa) Every interior door shall fit reasonably well within its frame and be securely attached to the jambs, headers or tracks. Each interior door shall be capable of being opened and closed.

(bb) All siding and masonry joints, including the perimeter of all windows, doors and skylights must be in good repair and weathertight.

(cc) A portion of the building or structure shall not remain on the real estate more than three (3) months after demolition or destruction.

(dd) Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

(ee) Access to a residential swimming pool shall be restricted by one of the following means:

(1) Walls or fencing not less than four feet (4') high and completely surrounding the pool and deck area except for self-closing and latching gates and doors which are capable of being locked.

(2) Other means not less than four feet (4') high and deemed impenetrable by the City at the time of construction and completely surrounding the pool and deck areas when the pool is not in use.

(3) A combination of Subdivisions (1) and (2) that completely surrounds the pool and deck with the exception of self-closing and latching gates, and doors which are capable of being locked.

(4) A power safety pool cover that:

(A) shall provide a continuous connection between the cover and the deck, to prohibit access to the pool when the cover is completely drawn over the pool;

(B) shall be mechanically operated such that the cover cannot be drawn open or retracted without the use of a key and switch, or touch pad with a personal access code:

(C) is installed with track, rollers, rails, guides, or other accessories necessary to accomplish Clauses (A) and (B) above in accordance with the manufacturer's instructions; and

(D) shall bear an identification tag indicating the cover satisfies the requirements of ASTMF 1346 19 (Reapproved 2003), Standard Performance Specifications for Safety Covers and Labeling Requirements for all Covers for Swimming Pools, Spas, and Hot Tubs.

For the purposes of this Subsection, a residential swimming pool means any in-ground or on-ground pool capable of a water depth greater than forty-two inches (42") and all pools installed inside a residence, regardless of water depth, whether or not served by electrical circuits of any nature, and which is intended for noncommercial use as a swimming pool by not more than two owner families and their guests. This Subsection does not apply to a public swimming pool. Safety requirements for a public swimming pool shall be covered under the Indiana Swimming Pool, Spa and Water Attraction Code, as may be amended from time to time.

(ff) If a building, garage, accessory or structure is vacant, all exterior doors, exterior windows, exterior basement entrances and any other points of entry shall be locked and secured from intrusion by unauthorized persons.

(gg) A tarp or plastic covering a structure shall be limited to a maximum of thirty (30) days. Property owner must contact the building department prior to placing a tarp or plastic on a structure.

150.1.2 Minimum standards for basic equipment and facilities.

No person shall occupy as owner-occupant or rent to another for occupancy, any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(a) Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water system and sewer system if available; if no sewer is available, to a septic tank system approved by the City of Marion.

(b) Every dwelling unit, except as otherwise permitted under Subsection (d), shall contain a room which affords privacy to a person within said room, and which is equipped with a flush toilet and a bathroom sink in good working condition, properly connected to a water and sewer system, if available; if no sewer is available, to a septic system approved by the City of Marion.

(c) Every dwelling unit, except as otherwise permitted under Subsection (d) shall contain within a room which affords privacy to a person within said room, a bathtub or shower in good working condition and properly connected to a water and sewer system if available; if no sewer is available, to a septic tank system approved by the City of Marion.

(d) The occupants of a dwelling containing not more than two (2) dwelling units may share a single flush toilet, a single bathroom sink, and a single bathtub or shower if:

(1) neither of the two (2) dwelling units contains more than two (2) rooms; provided, that for the purposes of this Subdivision, a kitchenette or an efficiency kitchen with less than sixty (60) square feet floor area shall not be counted as a room; and

(2) the habitable area of each of the dwelling units shall not equal more than two hundred fifty (250) square feet of floor area; and

(3) such toilet, bathroom sink and bathtub or shower shall be in good working condition and properly connected to water and sewer systems if available; if no sewer is available, to a septic system approved by the City of Marion.

(e) Every kitchen sink, bathroom sink and bathtub or shower required under Subsections (a) through (d) shall be properly connected with both hot and cold-water lines when used for rental or lease occupancy.

(f) Every dwelling shall have supplied water-heating facilities which are properly installed, maintained in a safe and good working condition, properly connected with the hot water lines required under Subsection (e) and are capable of heating water to such temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, bathroom sink, bathtub or shower at a temperature of not less than one hundred (100) degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting the

requirements of this Subsection when the dwelling unit heating facilities required under Code Section 150.1.3(e) are not in operation.

(g) Every dwelling unit shall be supplied with residential waste receptacle and storage containers as required by Title V Section 50.

(h) Every dwelling unit shall have the correct house or apartment number displayed in numerals that are at least four (4) inches high and placed in such a manner that they are reasonably visible to the street.

(i) Every dwelling unit shall provide a sufficient space and equipment to store and prepare food in a sanitary manner.

(j) A gas-burning water heater shall not be in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

150.1.3 Minimum standards for light, ventilation, egress and heating.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(a) Every window, other than a fixed window, shall be easily operable and capable of being held in position by window hardware.

(b) Every habitable room and every bathroom and toilet room shall have at least one (1) window or skylight which can be easily opened, or such other device as will adequately ventilate the room.

(c) From May 1st through October 31st, every window opening to outdoor space used for intended ventilation, shall be supplied with screens for protection against mosquitoes, flies, and other insects, unless the dwelling unit is adequately air conditioned.

(d) Every dwelling unit shall have at least one (l) safe, unobstructed means of egress leading to a safe and open space at ground level; and every bedroom shall have at least one (1) operable egress window or exterior door. The sill height of an egress window shall not be higher than forty-four inches (44") above the floor. The minimum opening area for an egress window shall be five and seven-tenths (5.7) square feet, except the minimum opening area for an egress window on the first-floor shall be

five (5) square feet. The minimum clear opening height of all egress windows shall be twenty-two inches (22").

(e) Every dwelling shall have heating facilities which are properly installed, maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and rooms in every dwelling unit located therein to a temperature of at least sixty-five (65) degrees Fahrenheit, whenever the outside winter conditions are at least zero (0) degrees Fahrenheit. Unvented fuel burning space heaters shall not be used to provide primary heating.

(f) Every public hall and stairway in every dwelling containing three (3) or more dwelling units shall be adequately lighted. Every public hall and stairway in structures with one (1) or more dwelling units shall be supplied with conveniently located light switches controlling an adequate lighting system.

(g) Duct systems shall be maintained free of obstruction and shall properly function.

150.1.4 Safe and sanitary maintenance.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(a) The exterior doors, including any exterior basement entrance, and every exterior window shall have a lock or latch which is sufficient to keep the exterior doors and exterior windows from being opened from the outside. The owner must supply locks and the owner and occupant shall have the right to the keys for entry to the leased space.

(b) Every toilet room floor and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(c) No owner, operator, or occupant shall cause any service, facility, equipment or utility which is required under this Code Article to be· removed from, shut off from, or discontinued from any occupied dwelling let or occupied by him or her, except for such temporary interruption as may be necessary when actual repairs or alterations are in process, or during temporary emergencies when discontinuance

of service is approved by the Inspection Officer. Provided, however, that this Subsection is not intended to require an owner to continue to serve utilities or heat to a premise occupied by a tenant who has not paid his or her rent or utilities.

(d) Each dwelling unit shall have its own metering system for natural gas, water, electricity or any other utility provided in the dwelling. If this requirement is not met, the owner of the dwelling must have the utilities that are not metered separately in his or her own name.

(e) Plumbing systems shall be adequately vented, installed and free from significant deterioration or damage. The plumbing system shall not permit improper cross connections and shall prohibit back siphonage.

(f) The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices, and appliances in sufficient volume and pressure to enable the fixtures to function properly and safely.

(g) All electrical equipment, wiring and appliances shall be properly and safely installed in accordance with the provisions of any applicable Building, Plumbing or Electric Code adopted by the City of Marion or the State of Indiana and thereafter properly maintained.

150.1.5 Minimum space, use and location requirements.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not 'comply with the following requirements:

(a) Every dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof, and at least one hundred (100) additional square feet of floor space to be calculated on the basis of total habitable room area.

(b) A habitable room, other than a kitchen, shall not be less than seven (7) feet in any plan dimension. Kitchens shall have a clear passageway of not less than three (3) feet between counter fronts and appliances or counter fronts and walls.

(c) At least one-half of the floor area of every habitable room shall have a ceiling height of at least seventy-eight (78) inches; and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

(d) Every room occupied for sleeping purposes shall contain at least seventy (70) square feet A sleeping room must have at least fifty (50) square feet for each person who uses the room for sleeping purposes.

(e) No dwelling or dwelling unit containing two (2) or more sleeping rooms shall have such room arrangements that access to a sleeping room can be had only by going through another sleeping room or a bathroom or toilet room, if said arrangements are deemed to be unsafe.

(f) No basement space shall be used as a habitable room or dwelling unit unless the floor and walls are impervious to leakage of underground and surface run-off water, the space is insulated against dampness, and the space is supplied with a window or some other device affording ventilation.

(g) Every habitable space in a dwelling shall contain at least one (1) receptacle outlet. Every laundry area shall contain at least one (1) grounded-type receptacle or a receptacle with a ground fault circuit interrupter protection. All receptacle outlets shall have an appropriate face plate. All remodeled and new construction shall meet the codes in place in 2014 or as subsequently amended.

(h) Extension or flexible cords shall not be used for permanent wiring. Extension or flexible cords shall not run through doors, under carpets, or concealed within walls, floors or ceilings.

150.1.6 Responsibilities of owners and occupants.

(a) Every owner of a dwelling containing two (2) or more dwelling units:

(1) Shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof. (2) Be responsible for the extermination of any insects, rodents, or other pests therein or on the premises.

(3) It shall be the responsibility and the duty of the owner of any building containing one (1) or more dwelling units supply the required residential waste receptacles for each rental dwelling as provided by the Waste Department Ordinance chapter 50.

(b) Every occupant of a dwelling or dwelling unit shall:

(1) Keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he or she occupies and controls.

(2) Keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

(3) Be responsible for hanging all screens and double doors, storm doors, and windows whenever the same are required under the provisions of this Code Article, except where the owner has agreed to supply such service.

(4) Dispose of all his or her solid waste, appliances, furniture and bulky items in a sanitary manner as provided in Title V Section 50. This provision does not relieve the owner of the responsibility to maintain his or her property in a clean and sanitary condition. The owner shall provide a residential waste receptacle for each rental dwelling per each structure.

(5) Dispose of all his or her solid waste which might provide food for rodents in a clean and sanitary manner by placing it in solid waste disposal facilities or residential waste receptacle as required by Title V Section 50. It shall be the responsibility and duty of the owner of any building containing one (1) or more dwelling unit to supply the required residential waste receptacle for each rental dwelling as provided by the Waste Disposal Ordinance, Chapter 50 et. seq.

150.1.7 Hotels and rooming houses.

No person shall operate a hotel or rooming house or shall occupy or let to another for occupancy any rooming unit in any hotel or rooming house, except in compliance with the provisions of this Code Article, except the provisions of Code Sections 150.1.2 and 150.1.6. In addition to the provisions set forth in this Code Article for all rental properties, the following requirements must be met:

(a) At least one flush toilet, bathroom sink, and bathtub or shower properly connected to the water and sewer systems of the City and in good working condition shall be supplied for every eight (8) persons, or fractions thereof, residing within a hotel or rooming house, including members of the operator's family whenever they share the use of such facilities; provided, that in a hotel or rooming house where rooms are let to males, flush urinals may be substituted for not more than one-half the required number of toilets. All other facilities shall be so located within the building as to be reasonably accessible from the common hall or

passageway to all persons sharing such facilities. Every bathroom sink, and bathtub or shower shall be supplied with running hot and cold water at all times.

(b) The operator of every hotel or rooming house shall change supplied bed linens and towels therein at least every three (3) days, and prior to the letting of any room to any occupant, the operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

(c) Every room occupied for sleeping purposes by one (1) person shall contain at least seventy (70) square feet of floor space and every room occupied for sleeping purposes by more than one (1) person shall contain at least fifty (50) square feet of floor space for each occupant thereof.

(d) Every rooming unit shall have a safe, unobstructed means of egress leading to a safe and open space at ground level as required by the laws of the State of Indiana and the Code of the City.

(e) The operator of every hotel or rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and the maintenance and sanitary condition of every other part of the hotel or rooming house, including where the entire structure or building is leased or occupied by the operator.

150.1.8 Smoke and carbon monoxide detectors.

(a) All rental units shall be equipped with approved and properly installed smoke and carbon monoxide detectors.

(b) Smoke detectors shall be located in each room used for sleeping purposes and in the common living area on each floor, including the basement.

(c) Smoke detectors shall be installed on the ceiling, not less than ·six (6) inches from any wall, or on a wall, located from six (6) to twelve (12) inches from the ceiling.

(d) Every owner, manager, or agent of any rental unit shall install not less than one (1) approved smoke detector on the uppermost ceiling, not less than six (6) inches from any wall, or on a wall, located from six (6) to twelve (12) inches from the uppermost ceiling of all interior stairwells.

(e) All approved smoke detectors required in this Code Section shall be an ionization or photoelectric type, either battery powered or 110volt AC with battery back-up, and shall comply with all the requirements of the National Fire Protection Association (NFPA) Chapter 72. Smoke detectors shall bear the label of nationally recognized standards testing laboratory that indicates that the smoke detectors

have been tested and listed under the requirements of NFPA 72. All new construction and remodeled dwellings shall be hard wired with battery back-up.

(f) The provisions of this Code Section shall not be required in buildings which contain an approved automatic sprinkler system throughout.

(g) At every change of tenant in a rental unit, it shall be the responsibility of the owner, manager or agent to test and ascertain that the approved smoke and carbon monoxide detectors are in operable condition. It is the tenants' responsibility to replace batteries, as needed, while they occupy the unit, and report to the owner, manager, or agent any repairs needed to the smoke or carbon monoxide detectors. .

(h) No person shall, except in the case of fire or for the purpose of repair or maintenance, remove or tamper with fire extinguishers, fire escapes, fire hoses, nozzles, or other fire control or fire extinguishing equipment, including smoke detector systems, in or about any building or other premises in the City of Marion.

(i) All carbon monoxide detectors shall be centrally located outside of each separate sleeping area in the immediate vicinity of the bedrooms and each detector shall be located on the wall, ceiling, or other location as specified in the installation instructions that accompany the unit.

(j) All Structures that have or use fuel-fired appliances must have the smoke and carbon monoxide detectors in place pursuant to NFPA 720 Sections 5.1.1.1 and 5.1.1.2

150.1.9 Minimum standards for commercial and industrial properties.

No person having a substantial property interest in any building that is used for commercial or industrial purposes shall allow the building to fail to comply with the following requirements:

(a) Any door, aisle, passageway or other means of exit must be a sufficient width or size to provide a safe and adequate means of exit in the case of fire or panic.

(b) The walking surface of any aisle, passageway, stairway or other means of exit shall not be so warped, worn, loose, torn or otherwise unsafe to prevent a safe and adequate means of exit in the case of fire or panic.

(c) The stress in any materials, or member, or any portion thereof, shall not be more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose or location.

150.1.10 Application for registration receipt.

(a) No owner of real estate within the City of Marion shall permit the real estate to be leased for any purpose that includes any person using the premises as their living quarters until a registration receipt covering each rental unit in the building has been obtained. If any property is being sold on contract and or quick claim deed, owner shall provide a copy of the recorded contract and or quick claim deed to the Building Department to avoid responsibility for registration.

(b) A registration receipt shall be obtained by applying for the receipt at the Marion City Building Department and by paying an annual registration fee for a parcel of real estate upon which a rental unit(s) is located or an annual registration fee for each hotel or rooming house. The initial registration fee shall be submitted at the time application is made. At the time application is made, the owner of the real estate shall supply the Building Department with the name of the owner, physical address of the owner, street address of the property being registered, the nature of the rental building and number of units, the use to which the purpose of this Code Article, and the name and physical address of any property manager. . The owner of a property whose physical address is not within the State of Indiana must appoint an agent or property manager residing within thirty (30) miles of the property. The failure to appoint an agent or property manager is a separate violation. An agent or property manager must be twenty one (21) years of age. The agent or property manager must be available to government officials by telephone twenty four (24) hours a day. The owner's failure to make certain that such an agent or property manager is available and maintains the property is a five hundred dollar ($500.00) civil penalty for each parcel in violation. Post office box numbers are not acceptable.

If any dwelling I which the owner does not reside, the name, address and telephone number of the owner or his agent or responsible person, if any, shall be: 1)supplied in writing to the occupants of the dwelling; and 2) posted in a public or prominent place on the premises visible from outside the structure or, in the alternative, provided to the Marion City Building Department. The information shall be legible, accurate, and kept up to date. Post office box numbers are not acceptable.

(c) An Inspection Officer may conduct an inspection of each rental unit if the Building Department (1) has reason to believe or (2) receives a complaint that the rental unit does not comply

to all requirements of this Code Article, any other applicable ordinance, and all applicable laws of the State of Indiana The inspection will not be made if the rental unit meets the exception provided in I.C. 36-1-20-4.1(c). The owner or the owner's representative shall be entitled to seventy-two (72) hours written notice from the Inspection Officer prior to conducting the inspection. In the event that the owner, or the tenant if occupied, refuses to allow the Inspection Officer to conduct the inspection, the Inspection Officer shall apply for a warrant to make the inspection pursuant to the following terms:

(1) If the owners or those in possession of a building refuse inspection, an inspection officer of the Building Department may obtain an inspection warrant from any court of record in the county in which the building is located in order to determine if the building is an unsafe building. The court shall issue the warrant subject to the following conditions.

(a) The person seeking the warrant must establish that the building to be searched or inspected as part of a legally authorized program of inspection that naturally includes the building, or that there is cause for believing that a condition, object, activity, or circumstance legally justifies a search or inspection of that building.

(b) An affidavit establishing one (1) of the grounds described in subdivision (2) must be signed under oath or affirmation by the affiant.

(c) The court must examine the affiant under oath or affirmation to verify the accuracy of the affidavit.

(2) The warrant is valid only if it:

(a) is signed by the judge of the court and bears the date and hour of its issuance above that signature, with a notation that the warrant is valid for only forty-eight (48) hours after its issuance;

(b) describes (either directly or by reference to the affidavit) the building where the search or inspection is to occur so that the executor of the warrant and owner or the possessor of the building can reasonably determine what properly the warrant authorizes an inspection of;

(c) indicates the conditions, objects, activities, or circumstances that the inspection is intended to check or reveal; and

(d) is attached to the affidavit required to be made in order to obtain the warrant.

(3) A warrant issued under this section is valid for only forty-eight (48) hours after its issuance, must be personally served upon the owner or possessor of the building, and must be returned within seventy-two (72) hours.

(d) After payment of the required fee, the Building Department shall issue to the owner of every registered rental unit a registration receipt and an inspection certificate when applicable.

(e) If a rental unit which has been vacant for at least twelve (12) months is inspected and does not meet all of the requirements of this Code Article, the Building Department may issue a rental registration receipt if the violations do not make the unit unsafe and a cash bond is posted with the Building Department in the amount of Five Hundred Dollars ($500.00) or the reasonably estimated cost of the required repairs if greater than Five Hundred Dollars ($500.00).

The cash bond will be forfeited to the City if the repairs are not made within One Hundred Eighty (180) days of posting the cash bond. The forfeiture of the cash bond does not relieve the owner from the obligation to make the required repairs nor does the forfeiture create any obligation on the City to make the required repairs.

If the repairs are made within the One Hundred Eighty (180) days, the Building Department will return the cash bond to the party posting the bond and will issue an inspection certificate.

(f) Each registration receipt shall be valid for a period of one year and must be renewed annually. Each registration receipt shall be renewed by its expiration date by submitting the registration fee to the Building Department. In the event that the registration fee is not paid within thirty (30) days after its expiration date, a late fee will be assessed, and the renewal will be backdated to its prior expiration date. Any registration receipt issued shall be valid for the annual period, commencing on the anniversary date of the original expiration date and not as of the date of payment. Payment of the registration fee shall not be considered a defense to any action filed by the City of Marion to enforce the provisions of this Code Article if such action was filed prior to payment of the registration fee.

(g) The registration receipt applies to the rental unit and not to the owner of the property. However, within thirty (30) days of the sale of the equitable or legal title to any property registered under this Code Section, any person acquiring equitable or legal title shall notify the Building Department of their name

and address. No new registration fee shall be due until the expiration date of the current registration receipt.

(h) Each owner of a rental unit warrants at each change of tenant that the rental unit meets the registration set forth in this Code Article. This warrant is implied in the very act of renting the unit and liability for it may not be removed by any act or agreement, either written or verbal, of either the owner or the prospective tenant.

150.1.11 Inspection

(a) The Inspection Officers are authorized and directed to make inspections if cause exists pursuant to Section 150.1.10(c). to determine the condition of dwellings, dwelling units, rooming units, any other building or structure, and premises located within the City of Marion in order that they may perform their duties of safeguarding the health and safety of the occupants and the general public.

(1) The Inspection Officers are authorized to enter, examine and survey, at all reasonable times, all rental units subject to Section 150.1.10 (c) and the inspection warrant provisions of Indiana Code § 36-7-9-16. The owner or the owner's representative, and/or occupant of every rental unit shall give the Inspection Officer free access to such rental unit and its premises at all reasonable times for the purpose of such inspection, examination and survey, provided, however, that such Inspection Officer has, prior to entry thereof, positively identified himself or herself as a person authorized pursuant to this Code Section to enter upon said premises. At the time of each inspection, all pets must be controlled so that the Inspection Officer can move about the dwelling and surrounding property without interruption.

(2) The owner or the owner's representative shall be entitled to seventy-two (72) hours written notice from the Inspection Officer prior to conducting the inspection, examination or survey. The owner or the owner's representative shall be responsible for notifying the occupant of the rental unit of the inspection when he or she receives notice of the intent to inspect from the Inspection Officer.

(3) Upon completion of the initial inspection, City shall leave the occupant a written notice that the inspection was conducted.

(4) This provision shall not be construed to limit or restrain the right of the Inspection Officer to inspect any other building or premises.

(b) Every occupant of a rental unit shall give the owner thereof or the owner's representative access to any part of such dwelling or rental unit or its premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this Code Article.

(c) The Building Department shall issue to the owner of every registered and inspected rental unit, if applicable, an inspection certificate as proof that the unit passed inspection. (d) At each change of tenancy, every owner or the owner's representative shall provide the occupant with a copy of the inspection certificate, if applicable. The copy shall become part of warranty of habitability of the premises provided for in Code Section 150.1.10 (g). In the case of hotel or rooming house, the inspection certificate shall be posted in a conspicuous place within the facility.

(e) If an Inspection Officer finds that a dwelling, dwelling unit, rooming house, rooming unit, or any other building or structure fails to comply with any standard set forth in this Code Article, any other ordinance of the City of Marion or any statute of the State of Indiana, he or she shall give notice of the alleged violation to the owner of the dwelling, dwelling unit, rooming house, rooming unit, or any other building or structure. The notice shall be in writing and shall reasonably describe the violation found. The notice shall further specify the date by which the violation must be corrected. The notice shall be served upon the owner or the owner's representative, and the occupant of the dwelling, dwelling unit, rooming house, rooming unit, or any other building or structure.

(f) A building that the Inspection Officer finds to be unsafe shall be repaired so that it meets acceptable standards within fifteen (15) days of the notice described in Subsection (f). Any other violations shall be repaired within thirty (30) days of the notice of a violation described in Subsection (f). If the violations cited are not corrected, a reinspection fee shall be levied against the person (either owner or occupant) responsible for correcting the violation cited. Reinspection may continue until the violations are corrected. The reinspection fee may be waived if the Inspection Officer finds that substantial progress has been made with regards to each separate violation noted or that the failure to correct the violation is not within the control of the person responsible for correcting the violation cited.

(g) If a dwelling, dwelling unit, rooming house, rooming unit, or any other building or structure is cited for violations of this Code Article, no new violations shall be cited at the time of the reinspection for the original violation unless such new violations make the property unsafe.

(h) Nothing in the preceding Subsection should be construed to require an investigation by the Building Department or any City employee prior to the City filing a complaint against the owner of real estate who fails to obtain a required registration receipt.

(i) Inspection Officer's attire shall contain the official city logo and the Inspection Officer shall prominently display and present a city issued identification. If an occupant is present, the Inspection Officer shall identify themselves and the purpose of the inspection. The Inspection Officer shall enter the premises only if permitted to do so.

150.1.12 Enforcement.

(a) If a cited violation is not corrected within the designated time, and the Building Commissioner finds that the building is unsafe within the meaning of the ordinance, the Building Commissioner may issue an order requiring any of the following:

(1) Vacating of an unsafe building.

(2) Sealing an unsafe building against intrusion by unauthorized persons.

(3) Extermination of vermin in and about the unsafe premises.

(4) Removal of trash, debris or fire hazardous material, or a public health hazard in and about the unsafe premises.

(5) Repair or rehabilitation of an unsafe building to bring it into compliance with standards for building condition or maintenance required for human habitation, occupancy, or use prescribed by a statute or this Code Article.

(6) Demolition and removal of part of an unsafe building.

(7) Demolition and removal of an unsafe building if:

(a) the general condition of the building warrants removal; or

(b) the building continues to require reinspection and additional abatement action after an initial abatement action was taken ·pursuant to notice and an order.

(8) Requiring, for an unsafe building that will be sealed for a period of more than ninety (90) days:

(a) sealing against intrusion by unauthorized persons and the effects of weather;

(b) exterior improvements to make the building compatible in appearance with other buildings in the area; and

(c) continuing maintenance and upkeep of the building and premises.

(b) The order supersedes any permit relating to the building or land use, whether that permit is obtained before or after the order is issued.

(c) The order issued pursuant to Subsection (a) shall contain the following:

(1) The name of the person to whom the order is issued;

(2) The legal description or address of the unsafe premises that are the subject of the order;

(3) The action that the order requires;

(4) The period in which the action is required to be accomplished, measured from the time when the notice of the order is given;

(5) If a hearing is required, a statement indicating the exact time and place of the hearing, and stating that the person to whom the order was issued is entitled to appear at that hearing with or without counsel, present evidence, cross-examine opposing witnesses, and present arguments;

(6) If a hearing is not required, a statement that an order under Subsections (a)(2), (a)(3), (a)(4) or (a)(5) becomes final ten (10) days after notice is given, unless a hearing is requested in writing by a person holding a fee interest, a life estate interest or an equitable interest of a contract purchase in an unsafe premise, and the request is delivered to the Building Department before the end of the ten (10) day period;

(7) A statement briefly indicating what action can be taken by the Building Commissioner if the order is not complied with;

(8) A statement indicating the obligation created by the Ordinance relating to the notification of subsequent interest holders and the Building Commissioner; and

(9) The name, address and telephone number of the Building Commissioner.

(d) The order must allow a sufficient time, of at least ten (10) days from the time when the notice of the order is given, to accomplish the required action. If the order allows more than thirty (30) days to accomplish

the action, the order may require that a substantial beginning be made in accomplishing the action within thirty (30) days.

(e) A hearing before the Marion Board of Public Works and Safety must be held relative to each order of the Building Department, except for an order issued under Subsections (a)(2), (a)(3), (a)(4) or (a)(5). A hearing shall be conducted before the Marion Board of Public Works and Safety for all other orders of the Building Commissioner under this Code Section.

(f) The hearing shall be held on a business day no earlier than ten (10) days after notice of the order is given. The Marion Board of Public Works and Safety shall grant a continuance of the scheduled hearing if requested in writing by a person holding a substantial property interest in the affected real estate if such request is received not later than five (5) days after the notice is given. Such continuance shall be for a period of not more than fourteen (14) days past the original date of the hearing.

If, at a hearing, a person to whom an order has been issued requests an additional period to accomplish action required by the order and shows good cause for this request to be granted, the Marion Board of Public Works and Safety may grant the request. However, as a condition for allowing the additional period, the Marion Board of Public Works and Safety may require that the person post a performance bond to be forfeited if the action required by the order is not completed within the additional period.

(g) Notice to the owner and all other holders of a substantial property interest shall be deemed sufficient if the notice is given as follows:

(1) Notice of orders, notice of continued hearings without a specified date, notice of a statement that public bids are to be let, and notice of claims for payment must be given by:

(a) sending a copy of the order or statement by registered or certified mail to the residence or place of business or employment of the person to be notified, with return receipt requested; or

(b) delivering a copy of the order or statement personally to the person to be notified; or

(c) leaving a copy of the order or statement at the dwelling or usual place of abode of the person to be notified and sending by first class mail a copy of the order or statement to the last known address of the person to be notified; or

(d) sending a copy of the order or statement by first class mail to the last known address of the person to be notified.

If a notice described in subdivision (2) is returned undelivered, a copy of the order or statement must be given in accordance with subdivision (b) or (c) or (d).

(2) If service is not obtained by a means described in subsection (1), and the hearing authority concludes that a reasonable effort has been made to obtain service, service may be made by publishing a notice of the order or statement in accordance with IC 5-3-1 in the county where the unsafe premises are located. However, publication may be made on consecutive days. If service of an order is made by publication, the publication must include the information required in subdivision 150.1.12(c) of this chapter and must also include a statement indicating generally what action is required by the order and that the exact terms of the order may be obtained from the enforcement authority. The hearing authority may make a determination about whether a reasonable effort has been made to obtain service by the means described in subsection 150.1.12(g)(1) on the basis of information provided by the department. The hearing authority is not required to make the determination at a hearing. The hearing authority must make the determination in writing.

(3) When service is made by any of the means described in this section, except by mailing or by publication, the person making service must make an affidavit stating that the person has made the service, the manner in which service was made, to whom the order or statement was issued, the nature of the order or statement, and the date of service. The affidavit must be placed on file with the enforcement authority.

(4) The date when notice of the order or statement is considered given is as follows:

(a) If the order or statement is delivered personally or left at the dwelling or usual place of abode, notice is considered given on the day when the order or statement is delivered to the person or left at the person's dwelling or usual place of abode.

(b) If the order or statement is mailed, notice is considered given on the date shown on the return receipt, or, if no date is shown, on the date when the return receipt is received by the enforcement authority.

(c) Notice by publication is considered given on the date of the second day that publication was made.

(5) A person with a property interest in an unsafe premise who does not.

(a) record an instrument reflecting the interest in the recorder's office of the county where the unsafe premises are located; or

(b) if an instrument reflecting the interest is not recorded, provide to the department (or, in the case or a consolidated city, the enforcement authority) in writing the person's name and address and the location of the unsafe premises.

is considered to consent to reasonable action taken under this chapter for which notice would be required and relinquish a claim to a notice under this chapter.

(6) The department may, for the sake of administrative convenience, publish notice under subsection (2) of this at the same time notice is attempted under subsection (1) of this section. If published notice is given as described in subsection (2), the hearing authority shall subsequently make a determination about whether a reasonable effort has been made to obtain service by the means described in subsection (1).

(h) The Marion Board of Public Works and Safety, after having given notice of the time and place of a public hearing by publication in accordance with Indiana Code § 5-3-1, shall adopt a schedule setting forth the maximum amount of performance bonds applicable to the various types of ordered action. The Marion Board of Public Works and Safety shall use this schedule to fix the amount of the performance bond required under Subsection (f) of this section.

(i) At the conclusion of any hearing before the Marion Board of Public Works and Safety, the hearing authority may make findings and take action to affirm the Building Commissioner's order, rescind the Building Commissioner's order, or modify the Building Commissioner's order. However, unless the person to whom the order was issued or counsel for the person to whom the order was issued is present at the hearing, the Marion Board of Public Works and Safety may not modify the order so that it is more stringent than the Building Commissioner's original order.

(j) The findings made, and action taken by the Marion Board of Public Works and Safety shall be in writing and shall be available to the public upon request. However, neither the Building Commissioner nor the

Marion Board of Public Works and Safety is required to give any person notice of the findings and action other than those persons having a substantial property interest.

(k) If the Building Commissioner finds it necessary to take emergency action concerning an unsafe premise in order to protect life, public safety or property, he or she may take that action without issuing an order or giving notice to any person having a substantial property interest. However, this emergency action must be limited to removing any immediate danger. Such action shall be taken only when it is not feasible to give notice and hold hearings as provided by Subsection (c) of this section. Any person to whom such emergency action is directed shall comply therewith but shall be afforded a hearing before the Marion Board of Public Works and Safety as soon as possible.

(l) The Marion Board of Public Works and Safety may recover the costs incurred by taking emergency action, by filing a civil action in the Circuit or Superior Court of Grant County against persons who held a fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises at the time the Building Commissioner found it necessary to take the emergency action.

(m) Any person required to vacate an unsafe premise under the emergency action of this Code Section may challenge the emergency action to vacate in the Circuit or Superior Courts of Grant County by challenging the Building Commissioner's determination that there is an immediate danger to life or safety of any person. The Building Commissioner shall have the burden of proving that an emergency action is necessary to prevent immediate danger to the life and safety of any person occupying or using nearby property.

(n) If a cited violation is not corrected within the designated time period and the Building Commissioner finds that the building is unsafe pursuant to this Ordinance, the City of Marion may file a complaint with the Grant County Superior Courts or Grant County Circuit Court to assess any fine provided by this Ordinance, to seek an injunction as provided by Indiana Code, or any sanction allowed by this Ordinance or Indiana Code.

(o) If a cited violation is not corrected within the designated time period and the Building Commissioner does not find that the building is unsafe within the meaning of this Ordinance, the City of Marion may file a

complaint with Grant County Superior Courts or the Grant County Circuit Court to assess any fine provided by this Code Article.

(p) Any rental unit for which the Building Department has issued an order finding the building or premises to be unsafe shall be so designated and placarded by the Inspection Officer.

(q) No rental unit which is placarded as unsafe shall again be used for human habitation until the written approval is secured from the Building Department, Marion Board of Public Works and Safety, or a court of law. The Inspection Officer shall remove the placard whenever the defect or defects upon which the finding that the building is unsafe have been eliminated.

(r) No person shall deface or remove any notification of the Inspection Officer that any rental unit has been declared unsafe for human habitation.

(s) The order of the Marion Board of Public Works and Safety expires two (2) years after the notice of the order is given unless one or more of the following events occur within that two (2) year period:

(1) A complaint requesting judicial review is filed by any party having a substantial property interest.

(2) A contract for action required by the order is let at public bid.

(3) A civil action concerning the property is filed either by the City or any person having a substantial property interest.

150.1.13 Penalties.

(a) Any person who commits any of the following acts is subject to a fine not to exceed Five Hundred Dollars ($500.00). Each day that a violation of this order continues shall constitute a separate offense.

(1) A person who fails to obtain a registration receipt as required by this Code Article;

(2) A person who fails to correct a violation cited in accordance with this Code Article, whether such violation makes the premises an unsafe premise, or whether the violation is a violation of this Code Article, any ordinance of the City of Marion or a statue of the State of Indiana;

(3) A person who removes or defaces the notification of the Inspection Officer that a rental unit has been determined to be unsafe.

(b) Any building or premises which is unsafe within the meaning of the Ordinance shall be subject to any other sanction provided by law including but not limited to injunctive relief or obtaining a performance bond to insure the correction of any unsafe conditions.

(c) A person failing to comply with an order of the Marion Board of Public Works and Safety issued pursuant to this Code Article in connection with an unsafe building or premises may be subjected to any other sanction provided by the Ordinance.

150.1.14 Miscellaneous provisions.

(a) Notice of orders, notice of statements of public bid are to be let, and notices of claims for payment must be given by:

(1) Sending a copy of the order or statement by registered or certified mail to the residence, place of business or employment of the person to be notified, with return receipt requested; or

(2) Delivering a copy of the order or statement personally to the person to be notified; or

(3) Leaving a copy of the order or statement at the dwelling or usual place of abode by the person to be notified.

(b) In the event that service is not obtained by foregoing methods, the alternate means of service described in 150.1.12(g)(2) may be used.

150.1.15 Definitions.

The following definitions shall apply in the interpretation and enforcement of this Code Article. Words in the singular shall include the plural, and words in the plural shall include the singular:

(a) DWELLING. A building which is wholly or partly used or intended to be used as a residence, but not including a tent, trailer or other structure which is designed to be transportable and is used for less than thirty (30) days.

(b) DWELLING UNIT. A room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, and cooking.

(c) EDUCATION INSTITUTION. A building used as a dormitory or lodging house for students who are attending an educational institution which provides post-secondary education.

(d) HABITABLE ROOM. A room or enclosed floor space used or intended to be used for living, sleeping, or cooking purposes, excluding bathrooms, laundries, pantries, foyers, hallways, closets, and storage spaces.

(e) HOTEL. A building or structure kept, used, maintained, advertised or held out to the public to be an inn, motel, or place where sleep or rooming accommodations are furnished for hire or are used or maintained for the accommodation of guests or lodgers.

(f) INSPECTION CERTIFICATE. A certificate issued by the Building Department which documents that a rental unit has passed. inspection and the owner is permitted to rent or lease the unit.

(g) INSPECTION OFFICERS. Shall mean the following persons, working separately or together, who shall enforce the provisions of this Code Article:

(1) Building Department, Code Compliance Officer or other designated officer.

(2) Fire Inspector, Fire Chief or other designated officer.

(3) County Health Officer.

(4) Police Officer

(h) OCCUPANT. Any person living, sleeping, cooking, or having actual possession of a dwelling unit or rooming unit; or any person having actual possession of any building or structure other than a dwelling unit or rooming unit.

(i) OWNER. Any person who, alone or jointly or severally with others:

(1) shall have legal title to any dwelling, dwelling unit, or any other building or structure, whether or not they occupy the same; or

(2) shall have charge, care or control of any dwelling, dwelling unit, or any other building or structure, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person representing the actual owner shall be bound to comply with the provisions of this Code Article, to the same extent as if he or she were the owner; or

(3) shall be the purchaser under a recorded land contract of any dwelling, dwelling unit, or any other building or structure, whether or not they occupy the same.

(j) PARCEL. Refers to a tract of land within the City of Marion, Indiana, which is identified by a key number (as defined by I.C. 6-1-.1-8.5).

(k) PERSON. Any entity, including any individual, firm, corporation, association or partnership.

(l) PLUMBING. Shall include any of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, toilets, sinks, installed dishwashers, bathtubs, showers, installed clothes-washing machines, catch basins, building drains, sewer drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.

(m) REGISTRATION FEE. The amount paid to the Building Department when registering a rental unit with the City.

(n) REGISTRATION RECEIPT. The receipt issued by the Building Department which documents that a rental unit has been registered and the owner has paid the appropriate registration fee.

(o) RENTAL UNIT. A unit of a hotel, rooming house, apartment, duplex, or single-family house which is leased or rented for a residential use.

(p) ROOMING HOUSE. A dwelling, or that part of a dwelling containing one (1) or more rooming units, in which space is let by the owner or the owner's representative to persons who are not husband, wife, son, daughter, mother, father, sister, or brother of the owner or the owner's representative.

(q) ROOMING UNIT. A room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes.

(r) SOLID WASTE. All solid and semisolid wastes, including garbage, litter, trash, refuse and rubbish.

(s) SUBSTANTIAL PROPERTY INTEREST. Any right in real estate that may be affected in a substantial way by actions authorized by this Code Article, including a fee interest, life estate interest, future interest, present possessory interest, mortgaged interest, or equitable interest of a contract purchaser.

(t) SUPPLIED. Shall mean paid for, furnished, or provided by or under the control of the owner or the owner's representative.

(u) UNSAFE BUILDING. A building or structure, or any part of a building or structure, that is:

(1) in an impaired structural condition that makes it unsafe to a person or property;

(2) a fire hazard;

(3) a hazard to the public health;

(4) a public nuisance;

(5) dangerous to a person or property because of a violation of a statute, ordinance, or any part of this Code Article concerning building condition or maintenance; or

(6) vacant and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute, an ordinance or any part of this Code.

(v) UNSAFE PREMISES. An unsafe building and the tract of real estate on which an unsafe building is located.

150.1.15 SEVERABILITY.

If any provision of this Ordinance shall, for any reason be determined by any Court or administration agency to be invalid or agency unenforceable, the remainder of this Ordinance as well as the application shall not be affected thereby but shall be enforceable to the extent permitted by law.

This ordinance shall be in full force and effective January 1, 2019.

PASSED by the Marion Common Council on the ____ day of _____, 2018.

EFFECTIVE JANUARY 1, 2019

_____
BRAD LUZADDER, President

ATTEST:

_____
KATHLEEN KILEY, City Clerk

Presented by me to the Mayor of the City of Marion, Indiana, this _____ day of _____, 2018.

_____
KATHLEEN KILEY, City Clerk

APPROVED this _____ day of _____, 2018.

_____
JESSE ALUMBAUGH, Mayor
City of Marion.

OR

VETEOED this _____ day of _____, 2018.

_____
JESSE ALUMBAUGH, Mayor
City of Marion.