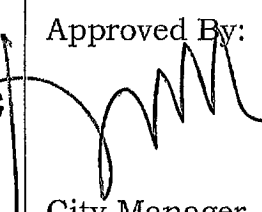
	ADMINISTRATIVE ORDER	Approved By: 	No. 15
		City Manager	Effective Date: November 1, 2005 Revised: 04/11/11
Subject: 50% Demolition Definition Criteria			

POLICY OBJECTIVE:

Administrative policy to determine when a single or multi-family structure shall be classified as a demolition for ordinance purposes. If a house is to be partially deconstructed beyond a certain point, it will be classified as a "demolition" at which point the contractor or owner will be required to (1) submit a demolition permit to be reviewed by the Historic Preservation Commission, (2) pay the \$10,000 Affordable Housing Demolition Tax, and (3) install all new utility lines from the City mains. Section 170.040(E) states that the proposed work is considered a demolition if 50% or more of the house is removed, but does not provide specific criteria for calculating the percentage of the house proposed to be removed.

The definition of "demolition" must be specific and consistent.

SOLUTION(S):

The basement, cellar, and/or crawl space walls are 15% of the house, the roof is considered 15% of the house, the interior walls are 30%, and the exterior walls are 40%. The percentage of wall being demolished will be determined by comparing the lineal feet of wall being demolished to the total lineal feet of existing walls, separately for interior and exterior walls. **Removal of the finish materials from both sides of a wall will cause that portion of the wall to be considered demolished.** Portions of the wall where new openings are cut or where existing openings are enlarged will be considered demolished. The entire width of the new opening will be included in the demolished portion of the wall. Stripping the roof sheathing and finish covering will be enough to consider that portion of the roof demolished. All submitted Construction Plans that are deemed questionable in determination of demolition status shall require that the Design Professional provide a Signed and Stamped/sealed Affidavit stating Linear feet measurements of existing and to be removed walls and roofing.

Per Section 170.040(E), if fifty percent of the house is demolished then the house is considered demolished. In addition, special consideration shall be granted in (2) two cases through Administrative Authority by the Building Code Official in regards to receiving exemption from the 50% demolition calculation.

- 1.) **Restoration.** Where restoration is indicated and discussed on construction documents in which existing material is to be replaced with like materials that are considered historic in nature i.e; removal of lappee-siding, cedar shake siding, Fort Sheridan Brick and others with same or like materials.

2.) Force Majeure. If the applicant establishes to the satisfaction of Building Code Official that structural measures must be undertaken that would typically qualify as a "demolition pursuant to Subsection 170.040(E) of this Code due to extensive damage to the building or structure caused by Force Majeure. For purposes of this Subparagraph, Force Majeure shall mean acts of God, beyond the owner's reasonable control and reasonable ability to remedy; provided, however, that for purposes of this Subparagraph Force Majeure shall not include damage caused by the owner, an agent or employee of the owner, or a third party in privity with the owner. (Ord. 47-03, J. 29, p. 161 -1 62, passed 6/28/03)