

**VILLAGE OF FAIRGROVE**  
**TUSCOLA COUNTY, MICHIGAN**

**RESOLUTION APPROVING AND ISSUING REPAIR ORDER REGARDING**  
**DANGEROUS BUILDING**

**RESOLUTION NO 2020-001**

**DATED: 07/06/2020**

At a regular meeting of the Village of Fairgrove Village Council, Tuscola County, Michigan, held at the Fairgrove Village Hall located at 5005 W. Center St., Fairgrove, MI 48733 on the 6<sup>th</sup> day of July 2020, at 6:30 p.m. the following Resolution was introduced and adopted:

PRESENT: Young/ Stevens/ Phelps/ Childs  
ABSENT: McIntosh

WHEREAS, the Tuscola County Building Inspector inspected the property located at 2044 N. Main St., in the Village (bearing Tax Parcel ID #: 036-016-000-2500-00) (hereinafter “subject property”), and said building inspector authored a report (which is attached hereto as **Exhibit A**) wherein he determined that the structure located on the Subject Property constitutes a dangerous building pursuant to the Village of Fairgrove’s Dangerous Building Ordinance (Ordinance No. 55) and the Housing Law of Michigan (Act 167 of 1917).

WHEREAS, the aforesaid report was filed by the Tuscola County Building Inspector with the Village Clerk.

WHEREAS, on March 4, 2020, the Village Clerk mailed to the record property owner of the Subject Property notice of a dangerous building public hearing set for March 14, 2020, as well as a copy of the aforesaid report of the Tuscola County Building Inspector and a copy of the Village’s Dangerous Building Ordinance.

WHEREAS, on or about March 14, 2020, the Village Council held a public hearing wherein the Council considered all relevant information relating to the subject property, including the report of the Tuscola County Building Inspector. Following said hearing, the Council determined that the structure located on the Subject Property constitutes a dangerous building that must be repaired.

WHEREAS the Village now Orders the record property owner of the subject property to effectuate the necessary repairs in order to remedy the dangerous conditions afflicting the subject property and causing the structure thereon to constitute a dangerous building.

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. The record owner of the Subject Property, Kimberly Vance, is hereby ORDERED to effectuate all necessary repairs to the structure located on the subject property in order to remedy any and all conditions afflicting said structure causing same to constitute a dangerous building.
2. Specifically, said record owner shall, among other things:

- a. Remedy the exit doors and stairway system so as to allow same to conform as a means of egress.
- b. Repair and remedy the structural strength and stability of the building/structure so as to render it suitable for the purpose for which it was built and designed and so as to render the structural strength and stability of the building appreciably the same as it was prior to the fire to structure, which occurred on or about 11/26/2019.
- c. Repair and remedy the building/structure so that it is no longer in a dilapidated and deteriorated condition, so that it is no longer an attractive nuisance to children, so that it no longer may become a harbor for vagrants, and so that it no longer may be used to enable persons to engage in unlawful activity creating a liability for the Village of Fairgrove and its residents.
- d. Repair and remedy the building/structure so that it is fit for human habitation and so that it is not likely to injure the health, safety and general welfare of person(s) living therein.
- e. Repair and remedy the building/structure so that it is not vacant and open to the elements.

3. All repairs described herein, and all other necessary repairs needed to remedy the building/structure's dangerous condition, shall be entirely completed and effectuated no later than **JULY 20, 2020**.

4. The record owner is further hereby put on notice that a failure to effectuate and complete all necessary repairs described herein to the building/structure by July 20, 2020, shall result in the Township effectuating and completing all necessary repairs described herein. Moreover, the cost incurred by the Township in effectuating and completing all necessary repairs described herein shall be invoiced to the record owner of the Subject Property and shall also be placed as a lien against the Subject Property. Said lien shall run with the land and shall remain until paid.

5. The Village President is hereby empowered to take all necessary and appropriate action to effectuate and complete all necessary repairs to the Subject Property if the record owner fails to complete the aforesaid repairs described herein by July 20, 2020.

6. The Village President and Village Clerk are then further directed to take all necessary and appropriate action to ensure that a lien against the Subject Property is placed by the Village for the total amount of all expenses incurred by the Village for this dangerous building proceeding and for cost incurred by the Village of the effectuation and completion of any repairs that are made to the subject property.

7. The Village Clerk is hereby directed to serve a copy of this Resolution/Order, along with all attachments hereto, on the record owner of the Subject Property, Kimberly Vance, via regular mail or other similar means.

8. All resolutions in conflict herewith are hereby repealed; and

9. This resolution is effective immediately upon adoption and shall remain in full force and effect until repealed by majority vote of the full Village Council of the Village of Fairgrove.

This RESOLUTION was offered by Council member Young, supported by Council member Stevens at a meeting on July 6, 2020. The members of the Village Council voted as follows:

Yea: Young/ Stevens/ Phelps/ Childs

Nay: None

Abstained: None

The foregoing Resolution was duly adopted at a regular meeting of the Village of Fairgrove Village Council held on the 6<sup>th</sup> day of July 2020.

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Carl Childs  
President of the Village of Fairgrove

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Cristi Smith  
Clerk of the Village of Fairgrove

***\*\*\*The Village Clerk's Certification is contained on the following page\*\*\****  
***\*\*\*The balance of this page is intentionally left blank\*\*\****

### **CERTIFICATION**

I, Cristi Smith, Clerk of the Village of Fairgrove, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted at a regular meeting of the Village of Fairgrove Village Council held on the 6<sup>th</sup> day of July 2020 ; that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan's Open Meetings Act; that a quorum of the Council was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act.

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Cristi Smith, Clerk  
Village of Fairgrove  
Tuscola County, Michigan