

**TITLE 9**  
**BUILDINGS AND CONSTRUCTION**

## TITLE 9

### BUILDINGS AND CONSTRUCTION

#### Chapters:

- 9.04 Fire Zone
- 9.08 Unsafe buildings

## Chapter 9.04

### FIRE ZONE

#### Sections:

- 9.04.010 Repeal of former Ordinances
- 9.04.020 Boundary of fire zone
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**9.04.010 Repeal of former Ordinances.** The Board of Trustees of the Town of French Lick, Indiana, deem it necessary to enlarge the present fire zone boundary in the Town of French Lick and they hereby repeal any Ordinances now in force in said Town. (Ord. #5, S1, Nov. 2, 1931)

**9.04.020 Boundary of fire zone.** It is therefore ordained by the Board of Trustees of the Town of French Lick, Indiana, that it is deemed necessary to establish the following fire zone within the corporate limits of the Town of French Lick, Indiana, to-wit:

Beginning at the southwest corner of lot no. 83 in the H.E. Wells addition to the Town of French Lick, Indiana, and run thence east 339 feet, more or less, to Indiana Avenue; thence northeasterly 60 feet, more or less, to the north side of College Street to the east side of Indiana Avenue; thence northeasterly along the east side of Indiana Avenue to the south side of Main Street, extended; thence northeasterly diagonally across said Main Street to a point which is 50 feet south of a point which is 52.44 rods west of a point which is 30.04 rods north of the southeast corner of the northwest quarter of section 3, tp. 1 N, range 2 west; thence north 50 feet; thence n29° E 118.9 feet; thence east 139.3 feet; thence south 6 feet; thence east 270 feet, more or less, to the northeast corner of a lot of land conveyed by Albert H. Brown to Mary M. Burton on Feb. 5<sup>th</sup>, 1912, as shown by deed record 65, page 530 of the deed records of Orange County, Indiana; thence south 200 feet, more or less, to the south side of aforesaid Main Street; thence along the south side of said Main Street to the northeast corner of lot no. 21 in the French Lick Springs Co. addition to the Town of French Lick, Indiana; thence south along the east side of said lot 21 a distance of 25 feet, more or less, to a point which is due west of the northwest corner of lot no. 5 in the J.M. Andrew addition to the Town of French Lick, Indiana; thence east 200 feet, more or less, to the northwest corner of said lot no. 5; thence south to College Avenue at the southeast corner of lot no. 1 in the J.M. Andrew addition; thence west along the north side of College Avenue 475 feet, more or less, to a point which is due north of the west side of Summit Street in Ryans Summit Street addition to the Town of French Lick, Indiana; thence south 120 feet more or less, to the north side of Poplar Street in Ryans College Street addition to the Town of French Lick, Indiana; thence west along the north side of said Poplar Street 286 feet more or less, to the west side of Walnut Street in said College Street addition; thence south along west side of said Walnut Street 198 feet, more or less, to the north side of an unnamed and unplatted alley; thence west along the north side of said unnamed alley 317 feet, more or less, to the west side of Maple Street; thence north

113 feet, more or less, to the north side of an unplatted and unnamed alley in lots 28 and 29, 36 and 37, and 58 and 59, 66 and 67 in W.A. Boles Town of French Lick; thence west along the north side of said unnamed alley 270 feet, more or less, to the west side of Indiana Avenue in the H.E. Wells addition to the Town of French Lick, Indiana; thence south along the west side of said Indiana Avenue 173 feet more or less, to the southeast corner of lot no. 92 in said H.E. Wells addition; thence west along the south side of said lot no. 92 for 180 feet more or less, to the west side of Cottage Grove Ave. at a point which is 8 feet more or less, north of the southeast corner of lot no. 1 in said H.E. Wells addition; thence S4 '35" E 280 feet, more or less, to the southeast corner of lot no. 6 in the Purkhiser & Elledge addition to the Town of French Lick, Indiana; thence west 109.9 feet to the southwest corner of said lot no. 6; thence N4'W215 feet more or less, to the southwest corner of the aforesaid lot no. 1 in H.E. Wells addition; thence N41'W 118 feet, more or less, to the northwest corner of lot no. 1; thence north along the east side of Monroe Street in said H.E. Wells addition 322.4 feet, more or less, to the place of beginning.

Embracing as far as possible the business part of said Town and creating therein a fire zone.

It is therefore ordained, by the Board of Trustees of the Town of French Lick, Indiana, that the erection of any frame or wooden buildings or any wooden or frame additions to any building upon any of the lots or parcels of land embraced within the above fire zone is hereby prohibited and declared to be unlawful. (Ord. #5, S2, Nov. 2, 1931)

**9.04.030 Construction of outer walls.** It is further ordained that it shall be and hereby is made unlawful to erect or construct any building, structure or any addition to any building upon any of the lots or parcels of lands within the territory embraced in said above described fire limits or zone unless the outer walls thereof are constructed out of brick or stone or mortar or cement or stucco or some one or both of them or some other equally as safe fire proof material and the roof thereof is covered with metal or gravel or some other equally as safe fire proof material; provided that wood may be used in the construction of the windows, window frame and casings and the door, door frames and casings used in the construction of such buildings. (Ord. #5, S3, Nov. 2, 1931)

**9.04.040 Wooden buildings defined.** That the term wooden buildings or frame buildings or wooden or frame additions to any buildings as used in this Chapter is defined to mean and include all buildings or structures or additions to any buildings where the outer walls of such buildings are constructed out of wood or other inflammable materials and shall include buildings or additions to buildings commonly called brick or stone veneered buildings wherein wooden or frame outer walls of such buildings or additions are veneered with brick or stone or of some other fire proof material on the outside thereof unless the brick or stone or other fire proof material used to incase such wooden or frame walls shall be at least twelve (12) inches in thickness. (Ord. #5, S4, Nov. 2, 1931)

**9.04.050 Moving of wooden buildings into fire zone prohibited.** It is further ordained that the moving of any wooden or frame building or any wooden or frame addition to any building already constructed within the above described fire zone from one point to another within such fire zone is hereby prohibited and made unlawful, and it shall be unlawful to remove any wooden or frame building, or addition thereto, from any point outside of said described fire zone to a point within such fire zone. (Ord. #5, S5, Nov. 2, 1931)

**9.04.060 Removal of buildings in violation.** It is further ordained that the construction or erection of any frame or wooden building or addition within said described fire zone in violation of this Chapter or the moving of any wooden or frame building from a point either without or within said fire zone to a point within the same in violation of this Chapter shall be deemed a nuisance and in case of such violation of this Chapter by the erection or removal of any wooden or frame building or addition within said fire zone in violation hereof the Board of Trustees may by an Ordinance declare such building or addition to be a nuisance and cause the same to be torn down or removed from within said fire limits and collect the cost of tearing or removing the same from the owner thereof including all expenses incurred therein. (Ord. #5, S6, Nov. 2, 1931)

## Chapter 9.08

### UNSAFE BUILDINGS

#### Sections:

- 9.08.010 Adoption of the Unsafe Building Law**
- 9.08.020 Administration**
- 9.08.030 Construction**
- 9.08.040 Penalty for Violation**
- 9.08.050 Severability**
- 9.08.060 Duration and Effective Date**
- 9.08.100 Exhibit A – Indiana Code 36-7-9-2 by reference**

**9.08.010 Adoption of the Unsafe Building Law.** The Town of French Lick hereby adopts Indiana Code Chapter 36-7-9, which establishes the Indiana Unsafe Building Law and explicitly incorporate by reference the definition of “substantial property interest” found in Indiana Code Section 36-7-9-2. (See Exhibit A IC 36-7-9). (Ord. 14-08, S1, Sept. 15, 2014)

**9.08.020 Administration.** The provisions of this Chapter shall be administered by the Department of Planning, directly or through its Zoning Administrator. The Zoning Administrator for the Department of Planning shall act as the Enforcement Authority and the Town Council shall act as the Hearing Authority, as each term is defined in IC 36-7-9-2. (Ord. 2017-02, S2, Jan. 17, 2017) (Ord. 2017-01, S2, Jan. 17, 2017) (Ord. 14-08, S2, Sept. 15, 2014)

**9.08.030 Construction.** Any reference to a state statute shall mean the statute as amended from time to time, or any similar statutory provision that may supersede it relating to the same or similar subject matter. (Ord. 14-08, S3, Sept. 15, 2014)

**9.08.040 Penalty for Violation.** Violations of this chapter shall be subject to the civil penalties set forth in IC 36-7-9. (Ord. 2017-01, S3, Jan. 17, 2017) (Ord. 14-08, S3, Sept. 15, 2014)

**9.08.050 Severability.** Should any section, paragraph, sentence, clause, or any other portion of this chapter be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this chapter. To this end the provisions of this chapter are severable. (Ord. 14-08, S5, Sept. 15, 2014)

**9.08.060 Duration and Effective Date.** This chapter shall be in full force and effect upon adoption and compliance with Indiana Code Section 36-5-2-10. Introduced and Filed on the 15<sup>th</sup> day of September, 2014. (Ord. 14-08, S3, Sept. 15, 2014)

**9.08.100 Exhibit A – Indiana Code 36-7-9-2 by reference.**  
(Ord. 14-08, S3, Sept. 15, 2014)