

Condemnation Steps

After the enactment of the building code the statute must be followed to the letter. Below is an outline of mandated steps in the code along with exception and extenuating circumstances that will arise during the process leading to the possible demolition of a structure.

1. Planning, Engineering and Permits receives complaints from the public, 311, Community Development, Fire Department & others.
2. Inspector inspects property, and if found condemnable, formally writes-up complaint. (Inspector posts a "**Danger Do Not Enter**" sign at each entrance to the building).
3. Property ownership researched through a title company, obtaining names of parties with interest in the property.
4. **30 Day NOTICE** letter for the condemnation of structure mailed certified to all known persons having interest in the property.
(State law and city ordinance gives owner 30 days from date of letter to start repairs or demolish property. Upon receipt of 30-day letter the owner(s) can make application for a permit to repair property. Repairs must begin promptly and inspections must be called for every 30 days during the rehabilitation process at **(254-2211)**, in order to stay further condemnation action. Minimum valuation for repair permits is **\$10,000.00**). Owner's failure to do extensive/substantial repairs will result in the permit being voided. If the permit is voided, the condemnation process resumes at the stage it was in when permit was issued.
5. Formal condemnation by Birmingham City Council. (This happens 31 days after date of certified letter).
6. After the property has been formally condemned, only the City Council can stop the condemnation process. (If owner wishes to appeal the condemnation process, the owner must file a request with the City Clerk's Office, phone 254-2290, to appear before the City Council. After formal condemnation, only the City Council can approve the issuance of a repair permit).
7. The condemnation resolution for the condemned property is recorded in the Probate Office at the Jefferson County Courthouse, phone 325-5420.
8. **15 day (Courtesy)** Notice mailed certified to assessed owner and by regular mail to any other known interested party to remove personal property from structure.
9. Property is bid for demolition and advertised in a paper of local circulation. (The lowest responsible bid is accepted). City is divided in to 4 Quadrants. Condemned Property is assigned to the unit Price Demo Contractor for the Quadrant
10. Before demolition, all structures are assessed for asbestos. Any asbestos **MUST BE REMOVED**. (Asbestos removal is bid separately from demolition, and the lowest responsible bid is accepted. After asbestos removal, a notice to proceed is prepared for Jeffco Health Department with a 10-day delay before work is to start. The demolition has a 60-day completion time).
11. Demolition by the City or a private contractor.
Demolition using the **Bid Process** must be completed 60 days from start date listed on the notice to proceed.
Demolition using the **Unit Price** is allotted 60 working days from the start date to complete the demo.
Only the Director of Buildings and Inspection can stop a demolition after the issuance of the demolition permit).
12. **30 Day NOTICE** letter for the assessment cost mailed certified to all known persons having interest in the property.
13. Demolition costs are approved by City Council.
(The demolition cost includes: asbestos removal, an administrative cost plus the cost of demolition. This cost is assessed against the property's legal description).
14. Demolition costs are assessed against the property as a Tax Lien; all liens must be paid off before property can be sold with clear title. (Call 254-2204).
15. The council resolution assessing demo cost to the property is **RECORDED IN THE PROBATE OFFICE OF THE JEFFERSON COUNTY COURTHOUSE**