

CHA DEMOLITION POLICY

I. Purpose

- A. Good maintenance and rehabilitation of existing buildings, the preservation of safe and sanitary housing and the careful consideration and planning of changes in the community are required to serve the interest of health, prosperity, and welfare of the people of the Lac du Flambeau community.
- B. This Policy applies to all Chippewa Housing Authority (CHA) dwellings and buildings. This Policy does not apply to any demolition subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 *et seq.*),
- C. The purpose of this policy is:
 - 1. To provide minimum standards for a demolition determination, consistent with applicable federal law, and to ensure safety to persons and property in the event of a demolition;
 - 2. To foster and encourage the preservation of existing buildings, which are structurally sound, economically productive and suitable for rehabilitation or repair;
 - 3. To aid in the preservation of residential neighborhoods.

II. Demolition Criteria

- A. The CHA Board of Commissioners ("Board") shall approve the demolition of any building subject to this policy.
- B. The Board shall not approve any demolition unless it determines that at least one of the following circumstances is present:
 - 1. A financial analysis demonstrates that it is more cost-effective or housing program-effective to demolish or dispose of the unit than to continue to operate or own it; or
 - 2. The housing unit has been condemned by the tribal government; or
 - 3. The housing unit is an imminent threat to the health and safety of housing residents; or
 - 4. Continued habitation of a housing unit is inadvisable due to cultural or historical considerations.

- C. In the event that the building scheduled to be demolished is an occupied residence, the CHA shall make a good faith effort to help tenants obtain alternate housing by providing relocation counseling.

III. Pre-Demolition Process

- A. The CHA shall comply with all applicable provisions of tribal law, including, but not limited to, Tribal Code chapter 66, "Protection and Management of Archaeological, Historical, and Cultural Properties and Cultural Resources."
- B. The CHA, or any demolition contractor, shall assure that all utilities have been disconnected prior to demolition.
- C. The CHA shall provide notice to area residents in the immediate vicinity of any site in which a demolition permit has been issued. The notice shall
 - 1. Be provided to residents at least 48 hours prior to the demolition;
 - 2. Advise residents of the location and time of the demolition;
 - 3. Include warnings regarding noise, environmental and health concerns when applicable;
 - 4. Advise residents to keep pets and children inside during the demolition due to environmental and health concerns when applicable.
- D. The CHA, or any demolition contractor, shall perform an assessment of any building to be demolished and prepare a site-specific plan addressing all health and safety issues, including, but not limited to containment of dust and airborne contaminants, disposal of hazardous materials, and decontamination. Demolition shall be carried out in conformance with the plan. Copies of the health and safety plan shall be provided to the CHA (if prepared by a contractor), the Department of Natural Resources, site employees and subcontractors. The CHA shall take into consideration any modifications to the plan recommended by the Department of Natural Resources.
- E. The CHA, or any demolition contractor, shall provide necessary containment and disposal equipment, health and safety equipment to all site workers, and provide medical monitoring for site workers when performing specialized demolitions involving hazardous substances; and
- F. The CHA, or any demolition contractor, shall comply with all tribal, state and federal laws and regulations and any demolition contractor shall furnish the CHA with a copy of

all environmental documentation required to comply with such laws, including, but not limited to, documentation relating to the decontamination and hazardous waste management.

IV. Contractor Qualifications

- A. Only qualified contractors will be retained.
- B. In awarding contracts for demolition and related demolition activities, the CHA shall consider all relevant factors, including, but not limited to, the following:
 - 1. Demonstrated experience relevant to the job whether that includes containing lead, asbestos removal, PCB's cleanup, heavy metals decontamination, hydrocarbons, or special and hazardous contamination. Contractors must be fully capable of demolition or dismantle, and decontamination of the sites;
 - 2. Indian hiring preference shall be applicable when candidates are equally qualified,
 - 3. Total Cost;
 - 4. Ability to furnish any required heavy operating equipment as well as fully certified heavy equipment operators if the job so requires;
 - 5. Ability to perform an initial assessment of the buildings and site conditions to identify hazardous substances that must be managed from a health and safety standpoint or that could otherwise interfere with the demolition of property; and
 - 6. Contractors' certification of ability to provide health and safety training and specialty training, as required to perform the scope of work.