



**Date:** May 6, 2008  
**To:** Honorable Mayor and City Council  
**From:** Council Member Patrick O'Donnell, Chair, Transportation and Infrastructure Committee  
**Subject:** "Maintenance of Long Term Boarded and Vacated Buildings" Ordinance  
**(LBMC Chapter 18.21)**

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The Transportation and Infrastructure Committee, at its meeting held Tuesday, April 29, 2008, considered communications relative to the above subject.

It is the recommendation of the Committee to receive and forward communications for discussion relating to proposed ordinance amendments to the full City Council for review.

Respectfully submitted,

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

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Council Member Patrick O'Donnell, Chair

Prepared by:  
Dina Lopez

dvl: TI-Recommendations/42908



**Office of the City Attorney**

**DATE:** April 29, 2008

**To:** Transportation and Infrastructure Committee

**FROM:** Michael J. Mais, Assistant City Attorney, Ext. 82230 *MM*

**SUBJECT:** Proposed Amendments to the City's Ordinance relating to the "Maintenance of Long-Term and Vacated Buildings" (LBMC Chapter 18.21)

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**Background**

Staff from the City Attorneys Office has been working with Community Development Code Enforcement staff to provide suggested amendments to the City's current Ordinance regulating boarded and vacant buildings. The City's Ordinance has been in effect since 1994. However, current real estate market conditions, and an increase in the number of foreclosed properties, necessitate a revision to the Ordinance in order to better protect neighborhoods from blight.

**Proposed Amendments**

The proposed amendments focus upon shortening the time periods by which the City may proactively impose measures to eliminate or control potential nuisance properties that have been abandoned or boarded. The amendments would also impose fees for the time spent by City staff in responding to complaints and the monitoring of vacant or boarded structures. The proposed changes further require Code Enforcement Personnel to record a "Notice of Vacant" building against abandoned structures in order to notify potential property purchasers of the property's status. Finally, the amended Ordinance would establish procedures to allow the building owner to proactively attend to his/her building or structure, thereby limiting staff involvement, but at the same time reducing the blighting effect of these structures.

The precise nature of the proposed amendments to the Ordinance are as follows:

1. A reduction in the amount of time (from 90 to 60 days) that a person would be allowed to maintain a building in a vacant or boarded state.
2. A "broader" definition of the term "vacant building" to include residential, industrial and commercial structures.
3. Provisions permitting a City inspection of buildings "suspected" of being vacant.

4. Provisions allowing Code Enforcement to take immediate action to secure both the short and long term boarding of buildings.
5. Provisions calling for mandatory signage on vacant buildings identifying the person or persons responsible for the building and a current contact number.
6. A provision requiring that Code Enforcement record a "Notice of Vacant Building" against the property, putting prospective purchasers on notice of the condition and the requirement to pay City staff costs and administrative penalties for monitoring the vacant building.
7. Provisions for an "Optional Vacant Building Plan and Timetable" which would impose certain requirements on the building owner with an eye toward gaining early compliance with all City regulations and returning the building to a lawful and productive use.
8. The imposition of a vacant building "monitoring fee" to be imposed on a monthly basis as long as the building remains vacant. Additional fees would also be imposed to the extent that extraordinary intervention is required by City staff.
9. Provisions requiring that liens be placed against vacant properties for costs incurred for City staff time and administrative penalties.

MJM:kjm

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