

Chapter 116. Housing Standards

§ 116-23. Vacant structures and land.

[Amended 5-22-2019 by Ord. No. 2019-02]

All vacant structures and premises thereon or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided by this chapter so as to not cause blight or adversely affect the public health or safety of the community.

- A. Vacancy criteria. A building or dwelling or any other structure shall be deemed vacant if no person actually or currently conducts a lawfully licensed business or lawfully resides in any part of the building as the legal or equitable owner or tenant on a permanent, nontransient basis. Rental buildings or dwellings which are actively seeking a tenant shall not be subject to this chapter for a period of 180 days from the time the building(s) become vacant, as described in this section.
- B. Applicability. The requirements of this section shall be applicable to each owner of any building or property containing one or more buildings that shall have been vacant for more than 120 consecutive days.
- C. Registration of vacant buildings required. A vacant building registration statement shall be required for all buildings which meet the vacancy criteria, whether vacant and secure, vacant and open, or vacant and boarded, and shall be required whenever any building has remained vacant for 120 consecutive days or more. Once a building has met the vacancy criteria, a registration statement shall be filed, on a form supplied by the Town, and the appropriate registration fee shall be paid no later than 30 days thereafter. One registration statement may be filed to include all vacant buildings belonging to a single owner; however, separate registration fee(s), as required by Subsection **D** of this section, must be paid for each vacant property.
- D. Registration fee required. The vacant building registration fee shall be set at \$500 for the first calendar year in which the building is deemed vacant. The registration fee shall be set at \$750 per year for years two through five that a building remains vacant. All buildings or dwellings that remain vacant for more than five years shall pay an annual registration fee of \$1,000 for each calendar year thereafter. Vacant building registration fees shall be nonrefundable. Should any owner of a vacant building fail to pay the amount due, said amount(s) shall constitute a debt due and owing to the Town, and the Town may commence a civil action, or any other available legal remedy, to collect such unpaid debt.
- E. Permit. Upon proper registration and payment of the prescribed fee, a vacant building permit, signed by the Town Manager or his/her designee, shall be issued to each vacant building. The permit shall be mailed to the owner of record. Each permit shall be effective for the calendar year (January through December) in which it is issued.

F. Violations and penalties.

- (1) In no instance shall the registration of a vacant building and the payment of a registration fee be construed to excuse the owner, agent or responsible party from responsibility for compliance with any other law, ordinance, building code, housing code or property maintenance requirement.
- (2) Any person who violates or permits the violation of any provision of this section, upon conviction thereof, shall pay such fines as set out in Chapter 1, General Provisions, Article III, General Penalty.