

ORDINANCE NO. 93-036

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 15 1993

ON DATE OF _____

**AN ORDINANCE ADDING CHAPTER 49.15 TO
TITLE 49 OF THE SACRAMENTO CITY CODE,
IMPOSING AN ANNUAL VACANT BUILDING
MONITORING FEE**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Chapter 49.15 (Sections 49.15.1501 through 49.15.1502) is hereby added to the Sacramento City Code, to read as follows:

49.15.1501. Findings -- Vacant Buildings.

The City Council finds as follows:

Vacant buildings are a major cause and source of blight in residential and non-residential neighborhoods, especially when the owner of the building fails to maintain and manage the building to ensure that it does not become a liability to the neighborhood. Vacant buildings often attract transients and criminals, including drug users. Use of vacant buildings by transients and criminals, who may employ primitive cooking or heating methods, creates a risk of fire for the vacant building and adjacent properties. Vacant properties are often used as dumping grounds for junk and debris and are often overgrown with weeds and grass. Vacant buildings which are boarded up to prevent entry by transients and other long-term vacancies discourage economic development and retard appreciation of property values.

Because of the potential economic and public health, welfare and safety problems caused by vacant buildings, the City needs to monitor vacant buildings, so that they do not become attractive nuisances, are not used by trespassers, are properly maintained both inside and out, and do not become a blighting influence in the neighborhood. City departments involved in such monitoring include the

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Police Department, the Fire Department, Code Enforcement, and Housing and Dangerous Buildings. There is a substantial cost to the City for monitoring vacant buildings (whether or not those buildings are boarded up) which should be borne by the owners of the vacant buildings.

49.15.1502. Vacant Building Monitoring Fee.

- (a) **Fee imposed.** There is hereby imposed upon every owner of a vacant building an annual vacant building monitoring fee in an amount to be set by resolution of the City Council. The fee shall not exceed the estimated reasonable cost of monitoring the vacant building. The fee shall be payable as to any building, residential or non-residential, which:
1. Is boarded up by voluntary action of the owner or as the result of enforcement activities by the City, or
 2. Is vacant for more than 90 days for any reason.
- (b) **Fee waiver.** The vacant building monitoring fee shall be waived upon a showing by the owner that:
1. The owner has obtained a building permit and is progressing diligently to repair the premises for occupancy, or
 2. The building meets all applicable codes and is actively being offered for sale, lease or rent, or
 3. Imposition of the fee would impose a substantial economic hardship on the owner or would hinder the rehabilitation of the building.
- (c) **Procedure.** The vacant building monitoring fee shall be billed to the owner of the property and mailed to the owner's address as set forth on the last equalized assessment roll of the County Assessor.

Any owner billed may apply for a waiver on the grounds set forth in subsection (b) of this section by submitting a written statement of the grounds for the waiver, and the owner's daytime telephone number, to the Building Inspections Manager within 30 days after the billing is mailed to the owner. The Manager shall review the written statement and may contact the owner to discuss the application for waiver. The Manager shall prepare a written decision which shall be mailed to the owner.

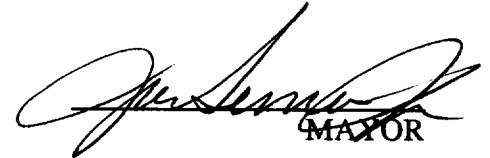
Any owner aggrieved by the decision of the Manager relating to an application for waiver may appeal the Manager's decision to the Housing Code Advisory and Appeals

Board by submitting a written notice of appeal to the Building Inspections Manager. The procedure on appeal shall be that set forth in Chapter 50.06 of Title 50 of the City Code, except that the decision of the Housing Code Advisory and Appeals Board shall be final and there shall be no appeal to the City Council.

If the fee is not paid within 60 days after billing, or within 60 days after the decision of the Building Inspections Manager or the Housing Code Advisory and Appeals Board becomes final, the City Council may thereupon order that the fee be specially assessed against the property involved. If the City Council orders that the fee be specially assessed against the property, it shall confirm the assessment and thereafter said assessment may be collected at the same time and in the same manner as ordinary real property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary real property taxes. All laws applicable to the levy, collection, and enforcement of real property taxes are applicable to the special assessment.

The City Council may also cause a notice of lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of the property, set forth the last known address of the record owner or possessor, a description of the real property subject to the lien, and the amount of the fee.

DATE PASSED FOR PUBLICATION: June 8, 1993
DATE ENACTED: June 15, 1993
DATE EFFECTIVE: July 15, 1993


MAYOR

ATTEST:


CITY CLERK