

CITY COMMISSION POLICY

Policy 33
February 4, 1992

**Subject: Condemnation Policy to Unsafe and Dangerous
 Properties Subject to Condemnation Actions**

The purpose of this Policy is to establish a procedure for consideration of appeal requests for continuances to repair/renovate properties which have been condemned as dangerous and unsafe.

1. Continuances will be considered only after completion of the following prior to the City Council hearings: 1. All taxes paid to date; 2. Property secured; and 3. Property cleaned and premises maintained (including, but not limited to, mowing grass and weeds, removal brush and overgrowth, removal of brush and overgrowth, removal of all bulky waste, abandoned vehicles/appliances, etc.).

All owners and interested parties will be notified by letter of the hearing before the Board of Code Standards and Appeals (BCSA). The Notice will be mailed approximately four (4) weeks prior to the BCSA hearing date.

To accommodate any change of ownership which might occur between the notification date of the BCSA hearing and the council hearing, the City will (at the time the notice of BCSA hearing is mailed) record the Notice of Demolition Action with the Register of Deeds, thereby placing all potential buyers on legal notice of the necessity for corrective action. The filing fee will be assessed to the property. As a matter of policy, Council will grant up to 14 days (from the Council hearing) for a new owner to meet all conditions of this Policy, providing, however, that no threat to life, health or property exists by this extension.

2. Subject to compliance with the preceding requirements, the Council may consider a continuance if the current property owner (s) have agreed, in writing, that during the renovation process; a. The property will be properly secured at all times; b. the premises will be cleaned and maintained; c. all administrative fees associated with the demolition process will be paid within 14 days of the Council hearing; d. a cash deposit equal to one-half the estimated cost of demolition will be deposited with the City within 14 days of the Council hearing; and e. exterior and structural repairs will be completed within the time frame stipulated by City Council.

The provisions of paragraph 2 above relating to the administrative fees and deposits shall be waived upon the granting of a first extension by the City Council. A second extension of time not to exceed sixty (60) days may be granted by the City Council. If a sixty-day extension is granted and the property owner fails to comply with the recommendations of the City Council as specified in the first extension, the administrative fee of \$500 and the cash deposit become due and payable by the property owner as provided in paragraph 2 above.

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3. Continuance granted for required exterior and structural repairs will generally not exceed 60 days (maximum of 120 days) from the date of Council hearing, subject to consideration of the following:
 - a. the history of the case file with the current owner(s);
 - b. the extent of exterior and structural repairs to be completed;
 - c. the season of the year (shorter time frames granted during the construction season);
 - d. recommendations of the BCSA and Staff; and
 - e. neighborhood comment (properties within 200 feet of the condemned property will be invited to comment).
4. The deadline for repairs set by Council may be extended up to 30 days if at least 80% of the required repairs have been completed by the original deadline and all other conditions have been met.
5. No City funds, Community Development Block Grant (CDBG) funds, HUD Rental Rehabilitation nor HUD Section 312 funds will be used to renovate/repair the properties in question.
6. Exceptions to these policy guidelines may be considered in cases of severe hardship, foreclosure action, bankruptcy proceedings or other similar circumstances. However, changes in ownerships to circumvent the intent and spirit of this Policy will not be considered a hardship.