

### **17.06.210 Vacant buildings.**

A. Findings. The city council finds that vacant commercial and industrial buildings are a major source of blight and health and safety problems in the city. This is particularly true when the owner of the vacant building fails to maintain and manage the building to ensure that it does not become a liability to the neighborhood. Buildings left unattended can become occupied by unauthorized persons. Use of vacant buildings by unauthorized occupants who use open flames for heat or cooking 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 discourage economic development and limit appreciation of property values.

Based on the likely economic and public health, welfare, and safety problems caused by vacant buildings, the city needs to monitor the status of 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 city. City departments involved in such monitoring include the police, public works and building departments, and the code enforcement division. There is a substantial cost to the city for monitoring vacant buildings, whether or not those buildings are boarded up. It is the responsibility of property owners to prevent property they own from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare, and any costs to the city for monitoring vacant buildings should be borne by those owners. The city council finds that there is an urgent need to establish procedures to monitor and maintain vacant buildings and encourage the return of these structures to productive use.

#### **B. Vacant Building Monitoring Program Registration and Monitoring Fee.**

1. The city administrator or their designee shall be responsible for administering a vacant building monitoring program for identifying and monitoring the maintenance of all vacant buildings in the city. Monitoring is required to ensure compliance with this section and to ensure that the property owner is progressing diligently with authorized repair or rehabilitation, the building is ready for occupancy and actively offered for sale, lease or rent, or the property owner is actively maintaining and monitoring the building and its associated surrounding property. Any building falling under the definition of "vacant building" for this title must register for the program after sixty days without an authorized occupant.

2. Monthly Fee Imposed. There is imposed on every property owner of a registered vacant building a monthly vacant property monitoring fee. The amount of this fee shall be established by city council resolution upon registration of the building with the vacant building monitoring program and shall not exceed the reasonable cost of monitoring the vacant building and associated surrounding property. The fee shall be due on the first day of each month and

must be received no later than the last day of the month, for every month that the building remains vacant.

3. Fire Marshal Inspection. The city fire marshal shall inspect vacant buildings at least once every six months for consistency with the California Fire Code. The cost of these inspections shall be included in the monthly fee in subsection (B)(2) of this section.

4. Fee Waiver. The vacant building program monitoring fee may be waived by a code enforcement officer if the property is duly registered and the officer, in their discretion, finds that:

- a. The property owner has obtained a land use entitlement or a building permit and is progressing diligently with authorized construction, repair, or rehabilitation to ready the building and associated surrounding property for occupancy; or
- b. The building and associated surrounding property meet all applicable codes, are not likely to become a nuisance, are the subject of regular inspections and ongoing landscape maintenance and are actively being offered for sale, lease or rent; or
- c. The property owner demonstrates to the satisfaction of the code enforcement officer that there is an ongoing contract with a local property manager to secure and maintain the property in compliance with the Angels Camp Municipal Code and the local property manager is implementing the contract in compliance with this section; or
- d. The property owner demonstrates to the satisfaction of the code enforcement officer that the owner is actively maintaining and monitoring the building and associated surrounding property in compliance with this section and every provision of the Angels Camp Municipal Code, and that the building and surrounding property are not likely to become a nuisance or blight to the neighborhood.
- e. The waiver granted in this section may be rescinded at any time if the code enforcement officer finds that the property is not in compliance with any provision of the Angels Camp Municipal Code.
- f. Any owner billed by the vacant building monitoring program may apply for a waiver by submitting a written statement of the grounds for the waiver, and the owner's daytime telephone number, to the city administrator or their designee within thirty days after the vacant building monitoring program fee billing is mailed to the owner. The city administrator or their designee shall review the written statement and may contact the owner to discuss the application for a waiver. The city administrator or their designee shall prepare

a written decision which shall be mailed to the owner. Any owner may appeal a decision by the city administrator or their designee under this section through the procedure outlined in Chapter [1.19](#).

C. Vacant Building Plan. In addition to the monitoring fee, buildings required to register for the vacant building monitoring program must submit a vacant building plan to the code enforcement division. The vacant building plan shall include the following information and shall be submitted within thirty days of registration with the vacant building monitoring program:

1. Name and address of person submitting the vacant building plan;
2. Name and address of all property owners of the subject property;
3. The name and address of a local agent, if the property owner(s) is/are not local, that code enforcement officers may contact related to enforcement of this section;
4. A plan to make any buildings ready for occupancy that could not be legally occupied under state and local law at the time of submission of the plan;
5. A plan for actively monitoring, maintaining, and securing the building and associated surrounding property and otherwise complying with this section; and
6. A letter of written consent, signed by all property owners, to the city administrator allowing city code enforcement officers to enter the property for inspections sufficient to enforce the provisions of this section.
7. Exception. If the vacant building will be occupied within sixty days of registration for the vacant building plan monitoring program, the owner may notify the code compliance officer in writing of this fact and the owner may be excused from submitting a vacant building plan.
8. Updated Plan Order. Following a regular inspection of a registered vacant building, a code enforcement officer may issue an order to submit an updated vacant building plan to the property owner. An updated plan order may be appealed as provided by Chapter [1.19](#).

D. Maintenance. Vacant buildings and all the associated surrounding property shall be maintained, actively monitored, and secured in accordance with the following standards:

1. Yard Maintenance. Maintain all yards in compliance with any applicable development permits, site plans, and landscape plans. If there are no applicable development permits, site plans, or landscape plans, maintain all interior yards (those that are not visible to the general

public) in a safe condition, including keeping all plant materials controlled to avoid overgrowth; maintain all exterior yards (those that are visible to the general public), including park strips, with acceptable landscaping, installed and maintained in a trimmed, live and healthy condition. Any remaining associated surrounding property shall be maintained in compliance with city codes.

2. **Building Exterior.** Maintain the exterior of the building, including, but not limited to, paint and finishes, in good condition.

3. **Building Maintenance (interior and exterior).** Maintain all buildings without substandard conditions as described in California Health and Safety Code Section [17920.3](#).

4. **Broken Windows.** Board up broken windows within twenty-four hours and replace broken windows within seventy-two hours.

5. **Trash and Debris.** Remove all trash and debris within seventy-two hours of placement or abandonment of the trash and debris on the property.

6. **Compliance With Laws.** Maintain the building in continuing compliance with all applicable state and local codes and regulations and any applicable city-issued permits.

7. **Secure Property.** Secure the property, both vacant structure(s) and associated surrounding property, against trespassers, including maintaining all windows and doors with locks, replacing all broken doors or windows, and securing any other openings into the structure which are readily accessible to trespassers by means as shall be accepted by code enforcement officers. For purposes of securing vacant buildings and associated surrounding property, boarding up windows and doors and fully fencing the property is discouraged and shall only be used for short duration when it is determined by a city code enforcement officer that no other reasonable alternative exists.

8. **Graffiti.** Remove all graffiti on the property within forty-eight hours of placement on the property.

9. **Emergency Communications From City.** If there is an emergency at the property, the owner, a responsible party, or a property management company shall physically respond to the property within one hour from the time a city official contacts them, if the city official determines it to be necessary.

E. **Vacant Building On-Site Notice.** All vacant buildings shall post a sign no smaller than eighteen by twenty-four inches on the front of the exterior building or structure, so it is legible from the public-right-

of-way, with the following information:

1. Name and twenty-four-hour working contact telephone number and address of the owner, responsible party, or property management company; and
2. The statement that "THIS PROPERTY IS MANAGED BY" with the appropriate name inserted and "TO REPORT PROBLEMS OR CONCERNS OR IF YOU ARE INTERESTED IN THIS PROPERTY CALL" with the twenty-four-hour telephone number listed.

The sign shall be constructed and printed with weather resistant materials and replaced if it should become faded or unreadable.

F. Abatement/Public Nuisance. A violation of any provision of this section shall be a public nuisance subject to the remedies and procedures provided in Chapters [1.16](#), [1.17](#), and [1.18](#). Appeals may be sought under the process provided for by Chapter [1.19](#).

G. Compatibility With Section [1.17.200](#). Nothing in this section shall be read to repeal or replace Section [1.17.200](#), "Public nuisance--Abandoned and/or vacant buildings or structures." Registration with the vacant building monitoring program exempts an owner from the Section [1.17.200](#)(B) requirements to board the windows of a vacant building. (Ord. 538, Att. A §2, 2023)