

Code Amendments – Vacant and Abandoned Buildings

City Council Meeting
February 21, 2023



Code Compliance Overview

- At its September 6, 2022, meeting, Council approved several Greeley Municipal Code amendments to **improve consistent enforcement and compliance with the City's property management codes**, particularly related to chronic nuisance conditions.
- This family of code compliance regulations are considered non-criminal so are handled through an **Administrative Hearing** process.



- Changes included administrative sanctions (**minimum fines**), reducing the number of **unaddressed parking citations** allowed and a more **expedient violation notice standard** and adding trailers to that code area, **lowering the number of convictions or finding of liability to be considered a public nuisance violation.**
- The changes also included an update to address **vacant and abandoned buildings**, their proper means of securing and minimum property care.



Proposed Code Amendments

- While formulating an internal operating procedure among various departments that address vacant and abandoned buildings and property, it was determined that additional code language is needed to clarify certain code definitions, expectations and consequences to assure consistent and successful enforcement.
- The proposed changes occur in four areas:
 - Definitions
 - Determination of a neglected or derelict property
 - Administrative Actions
 - Posting notice on the property



Summary of Code Amendments

- **Definitions:**

- **Abatement:** clarified that closing or boarding up a building that is found to be neglected or derelict does not equate to abating a code violation (must meet all property maintenance codes)
- **Neighborhood Nuisance:** enumerated the factors that are used to determine if a property is a neighborhood nuisance; includes building and property conditions and other relevant factors as determined by the City



- **Not lawfully occupied:** describes conditions that qualifies a property as unlawfully occupied, including as occupied by trespassers, transients seeking temporary shelter
- **Vacant or Abandoned Building:** clarifies the definition to include all structures or property that has not been lawfully occupied that meets any one of four circumstances
- **Property:** defined as an area of land as well as a structure or unit within a structure
- **Unsafe:** meaning includes conditions of the property or building that create a serious hazards to the occupants or public



- **Determination of a neglected or derelict property:** enumerated
- **Administrative Actions:**
 - Allows an emergency abatement to be ordered by the Administrative Hearing Officer for cause
 - Requires the property owner to submit a remedial plan timely
- **Posting notice on the property:** allows the City to post a sign prohibiting access to the property, may require a notice of owner or agent, and may require owner to also post no trespass or other warning signs on the property



Questions?

