



REQUEST FOR COUNCIL ACTION

Title: Vacant Building Ordinance

Preferred Agenda: November 24, 2020 (Introduction & First Reading)
December 8, 2020 (Second Reading)

Submitted By: Blair Larsen, Community & Economic Development Director

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ____ Motion Roll Call ____ Other ____

Relevant Code/Policy:

Towards Council Goal: Vision Statement, Aspiration V: Economically Strong Environment; Goal 4.2: Lead Economic Development Efforts

Attachments: Ordinance Bill No. 13 for 2020

Purpose of this RCA:

The purpose of this RCA is to propose an ordinance regulating vacant commercial and industrial buildings.

Background/Context:

The City of Sweet Home suffers from a high number of vacant commercial and industrial buildings. While it can often be difficult to sell such properties or find a tenant, vacant buildings often fall into disrepair, become a target for vandalism or squatting, and generally bring down the appearance of the area. This condition makes it even harder to sell such properties or find good tenants.

At recent meetings, the City Council has identified the Vacant Building problem as a priority and indicated its desire to enact an ordinance that will improve the situation.

Staff has developed a draft ordinance that requires property owners to notify the City of vacant buildings, maintain their properties in watertight and secure condition, and have a local property manager assigned to the property. The ordinance also enrolls such properties into the Police Department's voluntary business watch program, and allows the City to create a database of available properties.

Staff recommends that an ordinance not punish property owners for their buildings being vacant, which can often be out of their control. However, basic information and maintenance requirements can improve the situation.

The Challenge/Problem:

How does the City address the problem of vacant commercial and industrial buildings?

Stakeholders:

- Sweet Home Commercial and Industrial Property Owners – Property owners are responsible for the maintenance and management of their own properties.
- Sweet Home Residents – Residents deserve safe and well-kept commercial and industrial areas.
- Sweet Home Businesses – Local businesses benefit from well-maintained commercial and industrial building stock for their current and future operations.
- Sweet Home City Council – The City Council is responsible for adopting ordinances and policies that accomplish the City’s purposes and goals.

Issues and Financial Impacts:

While there are a large number of vacant buildings in the City, Staff believe that current personnel and resources can enforce this draft ordinance.

Elements of a Stable Solution:

A stable solution includes the adoption of an ordinance that collects information on vacant properties and holds property owners responsible for the condition of their properties.

Options:

1. Do Nothing – The Council could choose to do nothing at this time.
2. Approve Ordinance Bill No. 13 for 2020 as presented – Ordinance pertaining to the Registration, Maintenance, Safety, and Security of Vacant Commercial and Industrial Buildings.
3. Approve Ordinance Bill No. 13 for 2020 with changes – The Council may choose to revise the ordinance or direct Staff to do so.
4. Direct Staff to Research Other Options – The Council may direct staff to research other ways to promote cooperation and information-sharing with local businesses.

Recommendation:

Staff recommends option 2: Motion to approve Ordinance Bill No. 13 for 2020 as presented.

Update for December 8, 2020:

The Ordinance has been updated as follows:

- Council included an additional requirement that roofing on vacant buildings be maintained in sound and watertight condition,
- During the discussion at the November 24th Council Meeting, Council indicated a desire for the definition of “Local” to be broadened so that Corvallis and Albany could be included, but this was neglected in the motion at that meeting. Staff has updated the ordinance to define “Local” to be within 40 miles of the building.
- During the discussion at the November 24th Council Meeting, Council indicated that inspections should only be required on a monthly basis, rather than twice monthly, but this was neglected in the motion at that meeting. Staff has updated the ordinance to require inspections only once a month.
- During consultations with the City Attorney, staff determined that a building being declared vacant after only 15 days was too strict, and changed it to 30 days.
- Various clarifications in the language were made based on consultations with the City Attorney.

Updated Recommendation:

Staff recommends that the ordinance be approved as modified, along with any other changes that Council wishes to make.