



## Request for City Council Committee Action from the Department of Regulatory Services

**Date:** June 21, 2010

**To:** Council Member Elizabeth Glidden, Chair – Regulatory, Energy, and Environment Committee

**Subject:** Amendment to Title 12, Chapter 249 of the Minneapolis Code of Ordinances related to Housing: Vacant Dwelling or Building, Nuisance Condition

**Recommendation:** Amend Section 249.80 of the Minneapolis Code of Ordinances by adding language that will include stalled residential and commercial projects in the definition of vacant

**Previous Directives:** None

### Department Information

Prepared by: Kellie Jones (673-3506)

Approved by:

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Rocco Forté, Director of Regulatory Services & Emergency Preparedness

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Henry Reimer, Director of Inspections

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Grant Wilson, Manager, Problem Properties Unit

Presenters in Committee: Henry Reimer, Grant Wilson

### Financial Impact

- Action is within the Business Plan

### Community Impact

- Consistent with City Goals

## Supporting Information

This ordinance change would expand the language in Chapter 249.80 to include stalled commercial and residential construction projects in the criteria used to define vacant structures.

The Vacant Building Registration program was initially adopted in 2001 to address the growing number of residential vacant buildings in the City and to provide us with a tool to manage and track these properties.

Over the past several years the city has witnessed an increase in the number of vacant commercial properties. These vacant commercial structures fall into two primary categories:

1. previously occupied structures that have been abandoned physically and financially (obvious through deferred maintenance and neglect), and;
2. construction projects that have stalled and been abandoned, often posing dangerous and hazardous conditions for neighbors and community members.

The language in Chapter 249 is limited to previously occupied residential and commercial structures and as such does not allow us to include stalled construction projects in the definition of a vacant structure.

We propose adding a sixth condition to Chapter 249.80 that specifically identifies incomplete commercial or residential projects where the permits have expired or there has been a demonstrated work stoppage for 180 days or more as determined by the building official. The authority to determine work stoppage is embedded in the Minnesota State Building Code Chapter 1300.

The current Vacant Building Registration fee is \$6550 and is adjusted annually through the Directors Fee Schedule (Chapter 91.70).

Owners of commercial properties who receive a Vacant Building Registration notice have the option of appealing the order and working with staff and the Nuisance Condition Process Review Panel to resolve the issues.

If a resolution is not possible, owners also have the right to appeal the assessment and present arguments in front of a hearing officer.

We believe that including stalled commercial or residential projects in the Vacant Building Registration Program will go a long way in helping track these properties and provide an added incentive for owners to correct the situation.