



Legislation Details (With Text)

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**Title:** \*\*\*BILL NO. B-1 (Intro. 1/11/2018) (For adoption) - Amending Section 10-617 of the Fresno Municipal Code relating to Blighted Vacant Buildings (Subject to Mayor's veto)

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Blighted Vacant Building Ordinance.pdf

Date	Ver.	Action By	Action	Result
1/25/2018	1	City Council	adopted	Pass

**REPORT TO THE CITY COUNCIL**

**January 25, 2018**

**FROM:** JENNIFER CLARK, Director  
Development and Resource Management Department

**THROUGH:** KELLI FURTADO, Assistant Director  
Development and Resource Management Department

**BY:** TIM BURNS, Code Enforcement Manager  
Development and Resource Management Department

**SUBJECT**

\*\*\*BILL NO. B-1 (Intro. 1/11/2018) (For adoption) - Amending Section 10-617 of the Fresno Municipal Code relating to Blighted Vacant Buildings (Subject to Mayor's veto)

**RECOMMENDATION**

Staff recommends the Council approve the amendment of Section 10-617 of the Fresno Municipal Code related to revisions of the Blighted Vacant Building Ordinance.

**EXECUTIVE SUMMARY**

The proposed amendments to the Blighted Vacant Building Ordinance (Ordinance) will simplify the citation process with the goal of improved efficiencies and increased compliance by responsible property owners. The proposed amendment removes the \$250 citation per day, per violation and includes a cap on citation amounts.

**BACKGROUND**

Vacant, blighted buildings are an attractive nuisance (a dangerous or negligent condition likely to attract children). These nuisances disturb the peaceful enjoyment of surrounding properties by reducing market values and by creating a dangerous environment due to physical hazards and unauthorized activities occurring on the property. Additionally, there is a higher cost to provide law enforcement, fire-fighting and prevention, and code enforcement activities in neighborhoods heavily impacted by vacant and blighted homes.

The City’s Ordinance has been effective since June 20, 2015. At that time there were 1,136 properties identified as blighted and vacant. In April 2016, Fresno Municipal Code section 1-409 was amended to address the authority of the City’s Hearing Officer.

As of December 15, 2017 there are 629 active blighted and vacant residential building cases in various stages of inspection by the Vacant Building Team, a specialty unit within Code Enforcement.

An example of the difference between the existing, and the proposed amendment citation structure is outlined below. For the purpose of the example, it is assumed that there are five violations in each situation, that each citation is for a 30 day period (totaling a four month period), and that the property owner corrects the violations after the fourth citation is issued.

Current (5 Citation Example)	Proposed (5 Citation Example)
Citation #1: \$37,500	Citation #1: \$2,500
Citation #2: \$37,500	Citation #2: \$5,000
Citation #3: \$37,500	Citation #3: \$10,000 At 3 <sup>rd</sup> Citation: Referred to CAO for E Potential Receivership
Citation #4: \$37,500	Citation #4: \$10,000
<b>\$150,000 Citation</b>	<b>\$27,500 Citation</b>

The proposed amendments to Section 10-617 will enhance the City’s enforcement abilities with the goal of compliance and preservation of existing housing stock.

**ENVIRONMENTAL FINDINGS**

This is not a “project” for the purposes of CEQA pursuant to CEQA Guidelines, section 15378(b)(5),

as it is an administrative activity that will not result in direct or indirect physical changes to the environment.

### **LOCAL PREFERENCE**

Local Preference is not applicable to this proposed ordinance change.

### **FISCAL IMPACT**

There is no direct fiscal impact from the passing of this ordinance. However, there are fines and penalties assigned in the ordinance which will impact revenues depending upon the number and severity of cases identified.

Attachment 1 - Vacant Blighted Building Ordinance