

Vacant Building Ordinance

On February 10, 2015 the Winnsboro City Council passed Ordinance 924-2015, which is referred to as the Vacant Building Registration Ordinance for the downtown area. Member Randy Parrish made a motion to pass the ordinance and all members; Dennis Whitehurst, Michael Jaynes, Brenda Shirley, Jim Hollowell and Randy Parrish approved it unanimously.

This ordinance requires owners of vacant buildings in the area to provide the following to the City:

- Register the building with the city.
- Provide proof of general liability and property insurance to the city in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 annual aggregate.
- Complete a comprehensive plan of action detailing a timeline for correcting violations, rehabilitation and maintenance.
- Provide a plan of action detailing a timeline for future use of the building.
- Provide a floorplan for use by first responders.
- Provide contact information for the owner or designated manager.
- Continue annual registration of the property until the property is deemed occupied and in compliance with all relevant code requirements of the city.
- Pay a \$500.00 annual registration fee.

The ordinance also established a standard of care for the property and provided for a fee waiver for one year for indignant owners. Unfortunately, this ordinance lacked a sufficient enforcement mechanism and penalty clause and was therefore never enforced. Since 2015, the number of vacant buildings in the downtown area has increased significantly, and many of the vacant buildings have deteriorated.

Over the past 6 months the Planning and Zoning Commission has been drafting Ordinance 1027 -2020. This ordinance is a revision of Ordinance 924-2015. The differences between proposed Ordinance 1027-2020 and the 2015 Ordinance; 924-2015 are as follows:

- The proposed ordinance provides a more specific definition of vacant buildings.
- The proposed ordinance provides specific exemptions (defenses) from a violation.
- The proposed ordinance provides an appeal process for owners contesting the alleged violation.
- The proposed ordinance allows the City to inspect the building for fire safety.
- The proposed ordinance provides additional specifics requiring the action plan for the property.
- The proposed ordinance provides for a specific enforcement mechanism and penalty clause.

The proposed ordinance provides greater clarity and establishes a more enforceable penalty clause. The proposed ordinance does not increase the requirements for the owners of vacant buildings – it simply provides a legal mechanism that requires the owners to comply with the registration, insurance, and care of vacant property.

Why does a city need a vacant building ordinance?

- Vacant buildings decrease property values and tax revenues.
 - Substandard properties reduce the value of adjoining properties, even if there is some distance between the two.
 - Even well- kept vacant buildings reduce local tax generation. Investors and entrepreneurs looking for locations to start businesses want traffic flow. If they see an area which has a number of vacant buildings they will choose to go elsewhere.
- Vacant buildings pose public safety risks and increase municipal costs.
 - Vacant buildings are more prone to fire, criminal activity and health risks to the public.
- The proximity of vacant buildings can increase the cost of insurance and the cost and availability of loans for other property/business owners.

Why is a registration fee necessary?

The proposed ordinance authorizes an annual registration fee of \$500 per building. The fee is used to cover the costs incurred to the City for the following:

- Building inspection by City Building Inspector
- Administrative costs to manage the registration process and plan of action
- Cost of enforcement process if necessary