LEGISLATIVE # 110259F

Implementation and Enforcement of Minimum Maintenance Requirements

Phase 1 - Identification

District or neighborhood inspected, and property initially identified as failing to meet minimum maintenance requirements Information referred to the Historic Preservation Board, and inspection, — If Board determines no inspection is needed, the issue is closed and no further action is needed. if needed, is authorized Notice of inspection given to property owner and any registered lien holder on the property Inspection occurs and findings reported at next Board meeting If inspector finds no failure to meet minimum maintenance requirements, the issue is closed. If the inspector determines property doesn't meet the minimum requirements, the Board or staff meets with the owner to discuss If resolution is reached, the issue is closed. ways to improve the condition of the property If no resolution is reached at the meeting, the citation process may If Board does not vote to initiate the citation be initiated by a vote of the Board process, the issue is closed. Board or staff prepares an application for a C.O.A. detailing the work required and a schedule for completion

Phase 2 - Citation Process

Board initiates citation process by sending a letter to the property owner and any registered lien holder stating that demolition by neglect is occurring and that a citation may be issued

If owner does acknowledge receipt of the notice after two attempts, the building inspector or other appropriate Board designee will post a notice on the property

After receiving notification of the determination of demolition by neglect, the owner may initiate corrective action before the citation hearing is held.

Phase 3 - Citation Hearing

Hearing conducted.

If owner has not completed the corrective work, the Board will restate the determination of demolition by neglect and the failure to meet minimum maintenance requirements at the hearing

Owner then may address the concerns of the Board, provide evidence, and show cause why a citation should not be issued

Notice must be given a minimum of 30 days in advance of the date of the citation hearing

However, the owner must first secure final Board or staff approval of the C.O.A. and obtain any necessary building permits

If owner completes corrective action before the date of the hearing, the issue is closed. Upon conclusion of the hearing, the Board may consider a motion to find the property not in compliance with the minimum maintenance requirements.

Upon a finding of non-compliance by majority vote of the Board, the Board will issue a citation to the owner.

Phase 4 - Rehearings and Appeals

Property owner may petition for a rehearing within 15 days of the issuance of the citation or file an appeal to the Board of Adjustment within 30 days.

Property owner may appeal the decision of the B.O.A. in the appropriate state court within 30 days.

If Board finds property in compliance, the issue is closed.

Penalties: Any person failing to comply shall be subject to civil sanctions

A stop work order will be issued by code enforcement if the owner has begun work or preparation for work requiring a C.O.A. without having first obtained the C.O.A.