

INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDMENT

112 Maintenance of Vacant and Boarded Structures

112.1 Vacant Structures

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

112.2 Definitions

The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

A. "Building" means any structure including but not limited to any residential commercial industrial or assembly structure approved for occupancy

B. "Vacant Building" means any structure or building that: 1) is unoccupied or occupied by unauthorized persons; and 2) is unsecured or boarded.

112.3 Enforcement and Remedies for Violation

A building that is boarded or vacant in violation of this section is a public nuisance. In addition to the provisions in this section the City is authorized to use the remedies set forth in Section 106 of this code, state law and the City of Greenville Code of Ordinances. The remedies procedures and penalties provided by this section are cumulative to each other and to any others available under state law or other city ordinances.

112.4 Owner Responsibilities

No person shall allow a building designed for human use or occupancy to stand vacant for more than thirty 30 days unless the owner establishes by substantial evidence to the reasonable satisfaction of the code official one of the following applies.

112.4.1 Permits. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.

112.4.2 Sale or Lease. The building meets all applicable codes, does not contribute to blight is ready for occupancy and is actively being offered for sale lease or rent.

112.4.3 Maintained. The building does not contribute to and is not likely to contribute to blight because the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:

1. Maintenance of landscaping and plant material in good condition

2. Maintenance of the exterior of the building including but not limited to paint and finishes in good condition.
3. Prompt and regular removal of all exterior trash debris and graffiti.
4. Maintenance of the building in continuing compliance with all applicable codes and regulations.
5. Prevention of criminal activity on the premises including but not limited to use and sale of controlled substances, prostitution, criminal street gang activity, loitering, or trespassing.

112.4.4 Natural Disasters. If the building is vacant due to fire, flood, earthquake, or other form of natural disaster and the owner is actively pursuing assistance for demolition, rehabilitation, or restoration of the building and or premises from local state or federal assistance programs or from insurance agencies.

112.5 Rehabilitation. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall cause the boarded building to be rehabilitated for occupancy within six (6) months after the building is boarded and shall comply with Section 112.4.

112.6 Boarded-Up Structures. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall ensure that the building is boarded to Board-Up Standards provided in Section 112.7. In no case shall a structure remain boarded for a period more than six (6) months.

Exception: Commercial structures when the City determines that it is in the public interest and the owner provides substantial evidence to the reasonable satisfaction of the code official that the building complies with Section 112.4.

112.7 Standards for Boarding a Vacant Building. The boarding of a vacant building shall be according to the specifications approved by the code official.

112.7.1 Buildings Abated by City. If the City boards the vacant building, the building may be boarded in a manner which is determined to adequately prevent unauthorized entry or vandalism. All costs of boarding shall be recovered pursuant to the procedures in Section 108.2.

112.8 Notice Procedures for Vacant, Unsecured, or Boarded Buildings. Whenever the code official determines that a vacant, unsecured, or boarded building exists, a notice shall be sent to the owner or responsible party in accordance with Section 107.

112.8.1 Trespass Notice. The code official may also require the owner of the property to post “No Trespassing” signs on the property and sign a letter with the City of Greenville Police Department authorizing the department to enforce no trespassing on the premises.

112.9 Continuing Nuisance. When the owner of a boarded or vacant building fails to maintain the property in accordance with this section or when repeated violations of this section occur for

the same property, the code official may seek other remedies as provided by this code, local ordinances or state law including but not limited to demolition of the structure.

112.10. Emergency Hazard Abatement. When any open building or structure constitutes such an imminent threat to life limb or property such that it must be secured closed or barricaded and compliance with other provisions of this Code becomes infeasible as determined by the code official, the code official may summarily secure, close, or barricade the building without prior notice to the property owner. All costs of boarding shall be recovered pursuant to the procedures in Section 108.2.