



# City of Cambridge

O-17  
IN CITY COUNCIL  
February 27, 2017

VICE MAYOR MCGOVERN  
COUNCILLOR CHEUNG  
COUNCILLOR CARLONE

ORDERED: That the following amendments to the Zoning Map and Ordinance be referred to the Planning Board and Ordinance Committee for hearing and report:

- Create a new Section 11.900 – Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements

## **11.900 MAINTENANCE AND SECURITY OF VACANT OR ABANDONED BUILDINGS**

**11.901** *Statement of Purpose.* The purpose of this section is to reduce the prevalence of abandoned or vacant buildings throughout the City of Cambridge and to issue standards by which property owners should seek to maintain a building in the instance that it is not occupied. Boarded buildings and long-term vacancies in residential and non-residential areas discourage economic development, lower property values, and can pose safety hazards to neighboring properties.

### **11.902** *Applicability of Regulations.*

**11.902.1** *Definition.* A building shall be defined as vacant or abandoned if it is (1) unoccupied and unsecured; or (2) is unoccupied and secured by boarding or similar means or; (3) is unoccupied and unsafe as defined by Section ### of this code; or (4) has been unoccupied for over 90 days.

For the purposes of this Section 11.902.1, a building shall not be considered vacant or abandoned if (1) there is a valid building permit for repair, rehabilitation, or construction of a building on a parcel and the owner completes the repair, rehabilitation, or construction within one year from the date that the initial permit was issued; or (2) the building complies with all codes, is ready for occupancy, and is actively being offered for sale, lease, or rent.

### **11.903** Requirements of Residential Properties

**11.903.1** *Registration of Residential Properties* The owner of a vacant or abandoned residential property shall, within (1) 90 days after it has become vacant or abandoned or (2) within 30 days of receiving a Notice of Registration Requirement from the City, register the residential properties with the Inspectional Services Department. The form shall describe the methods by which the owner has secured the property against unauthorized entry, provide a contact phone number for the owner or party responsible for maintenance, state whether there is fire and liability insurance

coverage, and provide such other information as the Department deems necessary. Registration shall be required on an annual basis. Upon satisfactory proof to the Department that a vacant residential space is and has been occupied for at least thirty (30) consecutive days, the space will be unregistered. Proof of occupancy is at the discretion of the Department.

### **11.903.2** *Residential Maintenance Requirements*

(A) The exteriors of building(s)/structure(s) on a vacant or abandoned property shall be painted and maintained in a way that does not exhibit any evidence of vacancy. The vacant or abandoned property shall be maintained free of graffiti, tagging, or similar markings.

(B) The yard(s) of a vacant or abandoned property shall be maintained in a way that does not provide evidence of vacancy.

(C) No person shall use plywood to secure real property that is deemed vacant or abandoned. The window(s) and door(s) shall be intact and operable and shall be maintained in a way that does not provide evidence of vacancy.

(D) Instances of rotting of building(s)/structure(s) located on a vacant or abandoned property shall be corrected so that that no rotting is visible, with the exterior painted and kept in good aesthetic condition.

### **11.903.3** *Residential Security Requirements*

A vacant or abandoned property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors, gates, and pet doors.

## **11.904** Requirements of Commercial Properties

**11.904.1** *Registration of Commercial Properties* The owner of a vacant or abandoned commercial storefront shall, within (1) 90 days after it has become vacant or abandoned or (2) within 30 days of receiving a Notice of Registration Requirement from the City, register the commercial storefront with the Inspectional Services Department. The form shall describe the methods by which the owner has secured the storefront against unauthorized entry, provide a contact phone number for the owner or party responsible for maintenance, state whether there is fire and liability insurance coverage, and provide such other information as the Department deems necessary. Registration shall be required on an annual basis. Upon satisfactory proof to the Department that a vacant commercial space is and has been occupied for at least thirty (30) consecutive days, the space will be unregistered. Proof of occupancy is at the discretion of the Department.

### **11.904.2** *Commercial Property Maintenance Requirements*

The storefront and façade of a vacant or abandoned building shall be maintained in a way that does not provide evidence of vacancy.

The interior of a storefront, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit evidence of vacancy.

No person shall use plywood to secure real property that is deemed vacant or abandoned.

The storefront shall remain free of trash, garbage, junk, debris, any accumulation of newspapers, circulars or flyers, and discarded items.

**11.905**            *Fee Structure*

A responsible party shall be designated during the registration process and shall pay the initial registration fees and an annual renewal fee by January 1<sup>st</sup> each following year that the space remains vacant. The fees are intended to recover the costs of administering this section and shall be assessed by the Department annually.

If a property remains vacant or abandoned in excess of 180 days, a monthly fine will be imposed. The monthly fee shall be 4.17 percent of the assessed value of the property.

If a responsible party fails to pay any fee imposed pursuant to this section by the due date, the City is authorized to take action to collect fees including a ten percent (10%) per month late payment penalty.

**11.906** *Inspections* The Inspectional Services Director or his or her designee are authorized to conduct inspections to enforce the provisions of this section.

**11.907** *Pervasive Vacancy* Should a property remain vacant or abandoned for a period in excess of two (2) years, the City Manager shall commence eminent domain evaluation for report to the Council.

In City Council February 27, 2017.  
Adopted by the affirmative vote of eight members.  
Attest:- Donna P. Lopez, City Clerk

A true copy;

ATTEST:-



Donna P. Lopez, City Clerk

**REFERRED TO THE ORDINANCE COMMITTEE AND PLANNING BOARD FOR HEARING AND REPORT.**