

City of Clio, Michigan
 505 West Vienna Street
 Clio, Michigan 48420
 (810) 686-5850

REGISTRATION OF VACANT OR ABANDONED STRUCTURE

Owners who are required to register their properties pursuant to Ordinance No. 504 shall submit a completed "Registration of Vacant or Abandoned Structure" form, as provided by the City of Clio code official, containing the following information:

- a. Name of the owner of the property.
- b. A mailing address where mail may be sent that will be acknowledged as received by the owner.
- c. The name of an individual or legal entity responsible for the care and control of the property as, well as the current address, telephone number, fax number, and e-mail address where communications may be sent that will be acknowledged as received by the individual responsible for the care and control of the property, if different than owner information.
- d. The name and address of any and all mortgage holders.
- e. The name and address of any other person(s) with a property interest in the subject property.
- f. **Required Registration fee of \$200.00 must accompany this form.**

(PLEASE PRINT CLEARLY)

ADDRESS OF VACANT OR ABANDONED PROPERTY:		
PROPERTY OWNER:		
Names(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
AGENT, If Applicable:		
<i>Notice: If submitted by Agent, Owner's written authorization is required.</i>		
Names(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
MORTGAGE HOLDER, If Applicable:		
Names(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	

LIMITED LIABILITY COMPANY (LLC), If Applicable:		
LLC Name		
Managing Member's Name(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
If no managing member, all names and contact information (provide additional sheets as necessary):		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
OTHER PERSONS WITH PROPERTY INTEREST, If Applicable:		
Names(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
EMERGENCY CONTACT:		
Names(s)		
Address		
City	State	Zip Code
Phone Number	E-mail Address	
REASON FOR VACANCY:		

Ordinance No. 504 Sec 20.426, if at any time the information in the registration form required pursuant to this article is no longer valid, the owner shall, within ten (10) days, file a new form containing valid, current information. There shall be no fee to update an existing registered owner's current information.

Signature	Printed Name	Date
For Office Use Only		
Date Received:		
<input type="checkbox"/> Cash	<input type="checkbox"/> Check # _____	\$ _____
Notes:		

CITY OF CLIO ORDINANCE NO: 504

AN ORDINANCE AMENDING AND REVISING CHAPTER 20: BUILDING REGULATIONS, ARTICLE IV: VACANT AND ABANDONED PROPERTY REGISTRATION OF THE CITY OF CLIO CODE OF ORDINANCES

THE CITY OF CLIO ORDAINS:

that the City of Clio Code of Ordinances Chapter 20: Building Regulations, Article IV: Vacant and Abandoned Property Registration be adopted to read as follows:

ARTICLE IV: VACANT OR ABANDONED STRUCTURE REGISTRATION

Section

- 20.401 Purpose
- 20.406 Definitions
- 20.411 Registration of vacant or abandoned structure
- 20.416 Mortgagee's obligation to determine vacancy or abandonment
- 20.421 Registration form
- 20.426 Requirement to keep information current
- 20.431 Inspections
- 20.436 Registration, inspection, and other fees
- 20.441 Maintenance and security requirements
- 20.446 Re-occupancy
- 20.499 Penalty

§ 20.401 PURPOSE.

The purpose of this article is to help protect the health, safety, and welfare of the public by preventing blight, protecting property values and neighborhood integrity, avoid the creation of nuisances, and ensuring the safe and sanitary maintenance of dwellings, commercial buildings, and industrial buildings. Further, it is important for the city to be able to contact owners of vacant or abandoned structures for property maintenance, fire safety, and police purposes.

§ 20.406 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING OFFICIAL. The official authorized to issue a certificate of compliance by the City's Code Official.

CODE OFFICIAL. The official who is charged with the administration and enforcement of this article, or their designee.

FORECLOSURE. The process by which a mortgage is enforced against a parcel of real property through sale or offering for sale to satisfy the debt of the trustor (borrower).

MORTGAGE. A recorded lien or interest in real property to secure payment of a loan.

MORTGAGEE. A person, firm, or corporation holding a mortgage on a property.

OWNER. An individual, co-partnership, association, corporation, company, fiduciary, or other person or legal entity having a legal or equitable title to real property, any lender under a note secured by a mortgage, or any person, firm, or corporation holding a mortgage on a residential structure that has initiated, is in the process of, or has completed foreclosure proceedings, filed a complaint for foreclosure by judicial action or is publishing a notice of foreclosure by advertisement.

VACANT OR ABANDONED STRUCTURE. An improved lot or parcel of real property with at least one building or structure that is not currently used and lawfully occupied and has not been used and lawfully occupied for a period of at least one hundred and eighty (180) consecutive days and meets one or more of the following conditions:

- (A) Is open to casual entry or trespass;
- (B) Has been boarded or partially boarded restricting ingress and egress through windows and/or doors for at least thirty (30) consecutive days;
- (C) Has windows covered with paper or cardboard or similar material or painted for at least thirty (30) consecutive days;
- (D) Has either water, sewer, electric, or gas, or any of the foregoing disconnected or not in use for a period of at least thirty (30) consecutive days;
- (E) The meter for water or sewer fails to record a read for a period of at least one hundred and eighty (180) consecutive days;

- (F) Demonstrates a lack of property maintenance and upkeep as evidenced by one or more current violations of the City's property maintenance code;
- (G) Has had its wiring, plumbing, or other fixtures essential for occupancy removed;
- (H) A commercial building or an industrial building where normal weekly operating hours of at least five (5) hours have not been maintained for a period of at least thirty (30) days;
- (I) Has real estate taxes in arrears for a period of time exceeding three hundred and sixty-five (365) days; or
- (J) The owner has no intent to return to or maintain the property.

§ 20.411 REGISTRATION OF VACANT OR ABANDONED STRUCTURE.

An owner of a vacant or abandoned structure in the city shall register that property with the Code Official by filing a completed registration of vacant or abandoned structure form containing all the information required by this article on forms provided by the Code Official, and by paying any registration and inspection fees required by this article within one hundred and eighty (180) days of its vacancy or abandonment.

§ 20.416 MORTGAGEE'S OBLIGATION TO DETERMINE VACANCY OR ABANDONMENT.

A mortgagee who becomes an owner, as defined herein, as a result of the initiation of foreclosure proceedings, shall at all times exercise reasonable care to determine if the property is vacant or abandoned. If the mortgagee determines the property is vacant or abandoned, or if through the exercise of reasonable care should have determined the property is vacant or abandoned, the mortgagee shall comply with the registration requirements of this article.

§ 20.421 REGISTRATION FORM.

Owners who are required to register their properties pursuant to this article shall do so by submitting a completed registration of vacant or abandoned structure form containing the information specified in this section. The form may be provided by an agent for an owner provided the agent's written authorization from the owner is provided with the form. The form shall include all of the following information:

- (A) The address of the property and the name and address of all owners of the property. If the property owner is a limited liability company, the name and address of the managing member. If there are no managing members, the name and address of all members. If any of the members or managing members required to be disclosed under this section are limited liability companies, the process must be repeated until names and addresses of individuals are identified;
- (B) A mailing address where mail may be sent that will be acknowledged as received by the owner;
- (C) The name of an individual or legal entity responsible for the care and control of the property as well as the current address, telephone number, facsimile number, and email address where communications may be sent that will be acknowledged as received by the individual responsible for the care and control of the property;
- (D) The name and address of any agent submitting the form on behalf of the owner;
- (E) An explanation as to the reason for the vacancy of the property;
- (F) The name and address of any and all mortgage holders; and
- (G) The name and address of any other persons with a property interest in the subject property.

§ 20.426 REQUIREMENT TO KEEP INFORMATION CURRENT.

If at any time the information contained in the registration form required pursuant to this article is no longer valid, the owner shall, within ten days, file a new form containing valid, current information.

There shall be no fee to update an existing registered owner's current information.

§ 20.431 INSPECTIONS.

- (A) Vacant or abandoned structures, including the surrounding real property, required to be registered in accordance with this article, shall be subject to an initial inspection by the Code Official, upon registration, and annually thereafter to ensure the safety, security, and maintenance the property until lawfully occupied in accordance with § 20.410. The owner shall pay the inspection fee pursuant to § 20.408 hereunder.

- (B) Following the initial inspection, in order to ensure that vacant or abandoned structures are safe, secured, and well-maintained, all vacant or abandoned structures, including the surrounding real property, shall be subject to additional inspections on one or more of the following basis:
- (1) By area, such as an entire block, neighborhood, or historic district, such that all vacant or abandoned properties in a predetermined geographical area will be inspected simultaneously, or within a short period of time;
 - (2) By complaint, such that complaints of property maintenance violations or violations of the requirements of this article shall be inspected within a reasonable time;
 - (3) By recurrent violations, such that any property which is found to have a high incidence of recurrent or uncorrected violations may be inspected more frequently;
 - (4) Whenever reasonable cause exists to believe that there is a violation of the property maintenance code or this article on any vacant or abandoned structure or other conditions which makes the structure or premises unsafe, dangerous, or hazardous; or
 - (5) For the purpose of re-inspection to ensure the correction of any violations in existence at a previous inspection.
- (C) Any violations of the City Code or this article which are detected upon any of the inspections by the Code Official shall be fully repaired and remedied within 30 days of notice to the owner, or within such additional time as permitted by the Code Official.

§ 20.436 REGISTRATION, INSPECTION, AND OTHER FEES.

All fees applicable to this article shall be set from time to time by resolution of the City Commission, which fees shall include a registration fee, an inspection fee, a re-inspection fee, a certificate of compliance fee, and such other related fees established by resolution of the City Commission. The payment of all fees required under this article is secured by a lien against the property subject to enforcement in the same manner as ad valorem real property taxes. Payment of the registration and inspection fee is due upon filing of the registration. Payment of re-inspection fees are due within 30 days of mailing of the bill.

§ 20.441 MAINTENANCE AND SECURITY REQUIREMENTS.

An owner of a vacant or abandoned structure shall comply with all of the following maintenance and security requirements.

- (A) Property shall be kept free from weeds, grass more than seven inches high, dry brush, dead vegetation, trash, junk, debris, or building materials; any accumulation of newspapers, circulars, flyers, or notices, except those required by federal, state, or local law; discarded items, including, but not limited to, furniture, clothing, large and small appliances, printed material, signage, containers, equipment, construction materials or any other items that give the appearance that the property is abandoned.
- (B) Property shall be maintained free of graffiti, tagging, or similar markings.
- (C) All yards shall be landscaped and properly maintained. Landscaping includes, but is not limited to, grass, ground covers, bushes, trees, shrubs, hedges, or similar plantings. Maintenance includes, but is not limited to, cutting, pruning, and mowing of required landscaping and removal of all trimmings.
- (D) Pools, spas, and other water features shall be covered with an industry approved safety cover and shall also comply with the minimum-security fencing and barrier requirements of applicable building and existing structures/property maintenance codes and ordinances.
- (E) Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, the closure and locking of windows, doors, gates and any other opening of such size that may allow a child or other person to access the interior of the property and/or structures. Broken windows must be repaired or replaced with like glazing materials within fourteen (14) days, except as otherwise provided in the Existing Structures Code. Boarding up of open or broken windows is prohibited except as authorized by the Code Official.
- (F) All vacant or abandoned structures shall have the building properly winterized so as to prevent the bursting of water pipes.
- (G) Property shall be maintained in compliance with all other applicable code requirements.

- (H) Adjoining sidewalks shall be kept free of accumulations of snow and ice.

§ 20.446 RE-OCCUPANCY.

Vacant or abandoned structures shall not be occupied until a certificate of compliance has been issued by the code official within thirty (30) days immediately prior to occupancy, and all violations have been fully repaired and remedied. All mechanical, electrical, plumbing, and structural systems shall be certified by a licensed contractor as being in good operation and repair. In addition, a certificate of compliance shall not be issued until all outstanding costs, assessments, and/or liens owed to the city have been paid in full.

§ 20.499 PENALTY.

Any person violating any provisions of this article shall be responsible for a municipal civil infraction and subject to the penalties and sanctions provided by this code.

SEVERABILITY

The various parts, sections and clauses of the Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the ordinance shall not be affected.

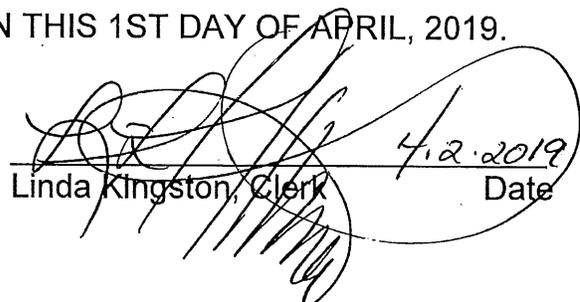
EFFECTIVE DATE

This ordinance shall become effective upon publication of a notice in a newspaper circulated in the City, stating the date of the enactment and the effective date of the ordinance, a brief notice as to the subject matter of this ordinance, and such other facts as the City Clerk shall deem pertinent and that a copy of the ordinance is available for public use and inspection at the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CLIO, GENESEE COUNTY, MICHIGAN THIS 1ST DAY OF APRIL, 2019.



Bonnie Bare, Mayor 4.5-19
Date

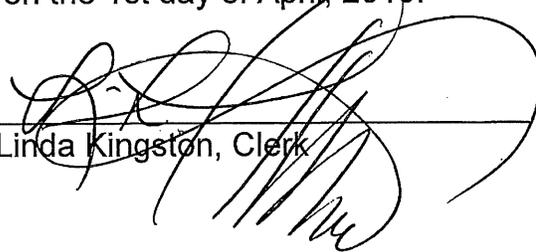


Linda Kingston, Clerk 4.2.2019
Date

Date of Adoption: 4/1/19
Date of Publication: 4/3/19

CERTIFICATE OF ADOPTION

I certify that the above is a true and complete copy of the Ordinance passed at a meeting of the City of Clio Commission held on the 1st day of April, 2019.


Linda Kingston, Clerk