

LEGISLATIVE DIGEST

[Building Code - Definition of Vacant or Abandoned Buildings]

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Building Code Section 103A.4 requires the owner of a vacant or abandoned building to register the building with the Department of Building Inspection and pay an annual registration fee. A sign meeting certain requirements must be posted on the property, and the property is subject to specified maintenance and security requirements. A building is not considered vacant or abandoned if (1) there is a valid building permit for repair, rehabilitation, or construction of a building on the site and the work is completed within one year from issuance of the permit or (2) the building complies with all codes, does not contribute to blight, is ready for occupancy, and is actively being offered for sale, lease, or rent.

Amendments to Current Law

Section 103A.4 is amended to provide that a building is not considered vacant or abandoned if it does not contribute to blight and is included in an estate that is involved in an active and ongoing probate proceeding.

Background Information

The intent of Section 103A.4 is to prompt owners of buildings that are vacant or abandoned to improve the buildings, restore them to a code-complying state, and return them to community use. Section 103A.4 currently requires that properties in probate be registered with the Department of Building Inspection as vacant or abandoned and pay an annual registration fee. The transition in ownership through the probate process can be a difficult and lengthy process. If the property is not blighted, it should be exempt from the Building Code's registration requirements.

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