

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 2/4/2019)

[Building Code - Vacant or Abandoned Commercial Storefronts]

Ordinance amending the Building Code to require vacant or abandoned commercial storefront owners to pay annual registration fees at the time of registration, require annual inspections of registered vacant or abandoned storefronts, and update the penalty for violations of the requirement to register vacant or abandoned commercial storefronts; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Building Code Section 103A.5 *et. seq.*, Vacant or Abandoned Commercial Storefronts Ordinance ("VSO"), establishes a registry for vacant or abandoned commercial storefronts, mandates that owners register storefronts within 30 days of vacancy and pay a registration fee 270 days after vacancy, and requires owners to comply with maintenance and insurance provisions for vacant buildings outlined in Building Code Section 103A.4.4 - 103A.4.6. The VSO provides that owners do not need to register vacant storefronts that are actively being offered for rent or lease.

Amendments to Current Law

The Proposed Legislation would amend the VSO to:

1. Require registration of vacant or abandoned commercial storefronts regardless of whether the storefront is actively being offered for rent or lease;
2. Require payment of the annual registration fee at the time of registration and provide a refund of up to half of the annual registration fee for storefronts that are occupied prior to expiration of their annual registration;
3. Require owners that seek to renew their annual registration to provide an annual inspection report from a licensed professional verifying the storefront remains in compliance with maintenance requirements; and
4. Set the Notice of Violation penalty for failure to register a vacant commercial storefront at four times the annual registration fee.

Background Information

The purpose of the Proposed Legislation is to make the registry of vacant storefronts more comprehensive, accurate, and effective so the City can properly assess the number and

geographic scope of vacancies, ensure vacant storefronts are monitored to maintain safety and avoid blight, and to evaluate options for assisting owners that wish to find commercial tenants. By mandating that vacant storefronts register, even if they are being offered for rent, the Proposed Legislation would better capture the full number of storefront vacancies in the City. By requiring payment of the annual registration fee at the time of registration and setting the penalty for violating the registration requirement, the Proposed Legislation would compensate the Department of Building Inspection for time and resources used to implement, enforce, and monitor the VSO. And by requiring annual reports, the Proposed Legislation would ensure that storefronts that remain vacant do not pose safety concerns.

n:\legana\as2018\1800494\01334100.docx