Northern California
Downtown Revitalization Playbook

nado.org

REACTIVATING
DOWNTOWN
PROPERTIES AND PLACES

NADO
National Association of Development Organizations

REACTIVATING DOWNTOWN
PROPERTIES AND PLACES

Buildings and structures found in traditional downtown areas are critical to the economic success of a community. Their state of use and repair can be a tell-tale sign of the economic health of a community. Where few new structures are being built, maximizing the use of existing downtown spaces is often a central focus for local entities.

Why It Matters

Downtown revitalization is often focused on energizing rural places by repurposing underutilized buildings and creating entrepreneurial opportunities and building spaces where people can connect. When properties are allowed to deteriorate in the most central and visible locations of a community, this sends a negative message to visitors and residents alike. However, the visible effort of repair, redevelopment, and reopening of commercial spaces sends a positive message to visitors and residents.

Small town commercial district impacts from one building sitting empty for one year

SOURCE OF LOSS	AMOUNT LOSS
Advertising revenues to local media	$3,500
Business profits and owner compensation	$24,750
Employee payroll	$16,250
Fees to local attorneys and other professionals	$1,250
Household income generated elsewhere in the community	$18,900
Loan demand to local banks for the building	$51,000
Loan demand to local banks for the business	$15,000
Local deposits in local banks	$5,100
Payments to local utility companies	$5,550
Property management fees	$750
Property tax revenue to the local government	$1,500
Rents to the property owner	$15,000
Sales	$250,000
Sales tax revenue to state and local government	$12,500

Source: "Empty buildings in small towns – SaveYour.Town"

Step-by-Step Actions

Assess Vacant and Underutilized Properties – A vacant property conditions survey (or windshield survey) can help to visually evaluate exterior property conditions to assess overall condition, occupancy status, and the presence of trash or debris.

This effort organizes basic information that suggests a property may be in violation of zoning regulations and subject to enforcement action or could become a risk to public health and safety. The information assists a municipality in sharing important information with supporting departments and key stakeholders to coordinate action and facilitate collaboration. This type of survey also serves as a baseline for setting priorities and tracking progress over time. Beyond possible enforcement, this is also an opportunity to engage partners in envisioning redevelopment and getting community buy-in for a vacant property strategy.

Partners in this effort can range from municipal staff to students and volunteers.

Create a format to collect information for each property of interest on the condition of structures, land, current use, and any specific concerns. Determine staffing or recruit partners to participate in recording information. Initial review of GIS data, tax records, assessment information, and other public records might assist in this effort.

Start now and then repeat the process every 3-5 years.

This should be a low-cost effort that requires a few hours of staff time to decide how to collect and retain the information collected and to recruit partners. If municipal staff take on the full responsibility of conducting the survey, the dedicated staff time will be higher, although it could be incorporated into future compliance work.

Create Supportive Programming and Assistance – Cities can offer "carrots" that make revitalizing properties profitable for property owners and for tenants operating businesses through grants, incentives, tax credits or concessions.

These programs support local action to spur actual investment in downtown properties and businesses with support for start-up, renovation, and operating costs. They can also soften the blow of regulations necessary to mitigate property deterioration.

Municipalities may adopt these programs, sometimes in partnership with chambers of commerce, Main Street organizations, or other entities. Regional planning and economic development organizations can provide support with developing incentive programs and other support.

Common programs include rent discounts, municipal tax abatements, and Tenant Improvement Allowances (TIA) to help businesses. This programming can originate from municipal entities to include property or sales tax incentives (such as freezing property taxes for 5-10 years following a major renovation), expedited permitting processes, fee reductions, utility rate reductions, and grants or loans for façade or other improvements. Density bonuses and adaptive reuse incentives can support changes necessary to make a property economically viable.

Start now to gauge the viability of program options and the level of support from the community and leadership. Adapt models from other communities to determine next steps and create programs in 1-3 years.

Expenses vary by program, but funding for grants, loans, and improvement support might be procured through donations, in-kind contributions, and resources from community foundations or other partners. Freezing taxes for a period of time following a renovation does not directly cost the municipality any new money, and the benefits of reduced vacancy may outweigh the potential difference in tax receipts after an updated assessment.

Bolster Enforcement and Compliance Processes – Municipalities are empowered by law to utilize administrative and legal penalties as "sticks" to ensure compliance with ordinances

Enforcement actions are necessary to ensure that existing rules and regulations apply to all areas, including critical downtown areas. When paired with "carrots" such as incentive programs, the challenges of enforcement are reduced.

Municipal leadership makes the decision to adopt any changes to existing regulations or penalties. The work is typically carried out by municipal staff. Outside partners can help to set the tone around compliance by sharing the word about any incentives that match enforcement and by encouraging other activities that enhance community pride. Regional development organizations can provide support with developing an approach to compliance.

Many tools exist to support municipalities' efforts:

> ***Vacant property registries*** require owners of vacant properties to register with the municipality creating a central database that speeds up enforcement and departmental coordination in the event of a problem, improves safety for first responders, and enables proactive management of potential issues. These registries often require property owners, banks, and/or servicers to provide current contact information so that when a violation occurs, a municipality can find the responsible parties.
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escalating penalties for non-compliance, these programs can operate at little to no cost, generate modest revenue, and help preserve neighborhood property values by mitigating the negative impacts of vacancies and foreclosures. When owners ignore their responsibilities, the municipality has clear legal standing to impose fines, issue liens, or pursue receivership.

Nuisance abatement liens allow costs to be billed to property owners if a municipality is forced to step in and clear debris, secure a building, or demolish dangerous structures. If unpaid, these expenses become property liens that can lead to foreclosure.

Vacancy taxes are differential property tax rates: higher taxes for vacant properties than occupied ones. ("Tools and Strategies to Address Vacant Properties") The intent is to incentivize owners to sell or reoccupy a vacant property rather than letting it remain vacant. For example, Washington, DC, taxes occupied residential property at $0.85 per $100 of value, vacant properties at $5, and blighted properties at $10, with exemptions under certain conditions.

Property acquisition and redevelopment of neglected or vacant properties can occur through tax foreclosure, eminent domain, or land banking. Regional development organizations can collaborate with local governments and other entities to facilitate redevelopment projects that align with community needs, such as parks, community centers, or affordable housing, or other community uses.

Mandatory property management/local assistance has been used by Middletown, NY, and elsewhere to require absentee landlords to either hire professional property managers or provide master keys to on-site tenants. This ensures that properties are adequately maintained and that tenants have access to necessary services.

Begin to research programs and viability along with considering advocacy for new support and incentive programs. Adopting both "carrots" and "sticks" along the same timeline can make it easier to develop buy-in for a vacant property strategy.

Beyond the current municipal budget, some additional appropriations or redeployment of resources may be required to cover needed staff time, training, limited materials, and other supporting resources that enable public employees to engage in these efforts.

Pursue Creative Methods for Property Activation - Vacant downtown building activation is the intentional use of empty commercial, office, industrial, or mixed-use properties to create activity, attract people, support local businesses, and stimulate potential investment.

1. Property activations of any type and duration reduce the negative impacts of vacancy.

These activations promote foot traffic and street vitality, improve perceptions of safety, and create opportunities for revenue generation through experimentation in partnership with interested parties.

2. A range of strategies are available. Common short-term activation efforts include:

    - Pop-up retail shops
    - Art galleries and exhibitions
    - Food halls or market spaces
    - Community events and workshops
    - Co-working spaces
    - Seasonal installations
    - Startup incubators

Permanent activations of downtown spaces often include:

- Housing or mixed-use redevelopment
- Office-to-residential conversions
- New retail or restaurant tenants
- Cultural or community facilities
- Innovation hubs or business centers

Work on short- and long-term property activations on a continual basis. Where there are willing owners who have properties that are safe (even if not in ideal condition), begin a low-cost activation as soon as possible.

Expenses vary by activation, but some temporary activations can be very low-cost. For example, partnerships with art-related organizations or schools could allow for vacant window spaces to be activated seasonally with minimal additional costs.

Who to Involve

Municipal staff, regional development organizations, chambers of commerce or other business/tourism organizations, interested residents.

Costs

Most of the costs associated with these strategies are affiliated with municipal staff time, as well as potentially some support by a lawyer. Activation strategies may have some additional but minimal costs.

Case Studies

Vacant Building Ordinance – Webster City, Iowa. While vacant building ordinances may exist in different places, often they are not used. *In Webster City, Iowa, the enforcement officer examines the unsafe building and gives notice to the owner. The owner or person in charge of the building or premises has 48 hours to begin repairs or demolish and remove the damaged portions, with 90 days from the date of the notice to complete the work.*

Lowell, Massachusetts *has a city ordinance to use in "cracking down on owners of large buildings who deliberately keep them empty and devaluing for years to get tax write-offs." Lowell requires owners to pay an annual vacant property registration fee; to avoid the fee, they can sell or the city will help find tenants, restoration grants or other resources for getting the property active again. ("The Revitalization of Lowell, Mass. - governing.com")*

Corning, California enforces specific vacant building ordinances aimed at preventing neighborhood blight, minimizing safety hazards, and covering city monitoring costs. Unoccupied commercial and residential structures are strictly monitored to ensure they do not become a burden to the surrounding community. Specific details of the ordinances:

- **Vacant Building Monitoring Fees**: The city requires building owners to pay a continuous monitoring fee if a structure remains vacant for more than 90 days or is boarded up by city officials.
- **Exemptions**: You can request a fee waiver or exemption if your property has an active building permit and is undergoing diligent renovations, is actively on the market (for sale, lease, or rent), or meets all health and safety codes.
- **Maintenance Requirements**: Owners are legally required to keep the property clean, clear of exterior debris/trash, and free of graffiti. Furthermore, owners must actively prevent unauthorized criminal activity or nuisance behavior on the premises.
- **Code Enforcement**: The city's Building Official, alongside police and fire departments, issues notices of violation and assesses penalties or liens against property owners who fail to correct unsafe conditions.

Downtown Visioning Walks in the Commonwealth Regional Commission of Virginia

The Commonwealth Regional Commission (CRC) is currently running the Building Opportunity on Main Street Program (BOOMS) through the VA Department of Housing and Community Development (DHCD), Main Street America. CRC received funding from state funders such as the Tobacco Rural Revitalization Commission, DHCD, VA Housing, and Main Street America. Then CRC hired consultants to go to 15 of their rural towns and walk through 5-6 of the old vacant buildings in the town with the owners, town managers, and the funders. According to Christin Jackson, Executive Director of CRC, "I believe that is the key to going the next step after we get these proformas created for each town."

Later the same day the town organizes a community walk-through and anyone from the community that wants to join in gets to participate and go look at these 5-6 buildings from the outside and put sticky notes all over the windows as to what they would like to see go into those buildings. The consultants gather that information along with other research on the town as to population trends, sales trends, visits to the town, potential loss in cash going out of the town, etc. The consultants provide a great presentation on day two of the visit to get everyone excited as to what the proforma will be about. In about 60 days after the visit, they send the towns the proforma with all the gathered information and a game plan of how to get the revitalization started in these buildings and give what funding streams can be

used to fund the projects.

A Small-Town Approach to Revitalization

Centerville, South Dakota, a community of about 900 residents, adopted a vacant building ordinance to address neglected properties and support downtown revitalization. Jared Hybertson, Executive Director of the Centerville Development Corporation and the city's economic development coordinator, helped develop the ordinance by researching successful models from other communities and adapting them to local needs.

Hybertson emphasizes that a vacant building ordinance is only effective if local leaders are committed to enforcing it. Strong support from the city council, a dedicated code enforcement officer, and a city attorney willing to defend the ordinance are all essential. The city administrator manages communication with property owners, while code enforcement staff monitor property conditions. The ordinance is designed to encourage action rather than punish owners. Once a building is identified as vacant, the owner must register it and bring it into compliance. Enforcement begins with a warning and a conversation about how the city can help. If no progress is made, fees gradually increase through an established schedule.

In a small town where residents often know one another, enforcement can be sensitive. Hybertson describes the city as the "bad cop" responsible for enforcement, while economic development plays the "good cop" role, helping property owners find solutions and, in some cases, purchasing buildings for redevelopment.

Over eight years in place, the ordinance has produced results. Some owners have renovated their properties, while others have chosen to sell because of the ongoing fees. Enforcement tends to come in waves, however, depending on city leadership and council priorities. Centerville's economic development organization also owns several downtown properties and offers affordable rents to encourage new businesses. The organization continually looks for opportunities to acquire and renovate viable buildings, often taking risks that private investors are unwilling to take. Today, Centerville maintains a vibrant downtown with a grocery store, clinic, bakery, coffee shop, art gallery, sports bar and grill, boutique, salon, auto parts store, mechanic shop, and several newer businesses, including a screen-printing shop, bin store, and tattoo studio.

Funding for enforcement, acquisition, and demolition comes from multiple sources. Vacant building fees are deposited into the city's general fund to offset code enforcement costs. The nonprofit development organization funds property acquisition and redevelopment through grants, property sales, and other revenue sources. Hybertson's position is jointly funded by the city and the nonprofit, allowing him to coordinate economic development and revitalization efforts from City Hall.

To build community awareness, Centerville recently partnered with Deb Brown of Save Your Town for a downtown walk audit that highlighted vacant buildings and redevelopment opportunities. The goal was not to shame property owners but to spark conversations about business opportunities and community improvement.

Jared Hybertson's Advice

1. A vacant building ordinance is only as effective as the city council's willingness to support and enforce it.
2. Designate a code enforcement officer to monitor property conditions and address maintenance issues.
3. Establish a clear communication process, with the city administrator sending notices and working directly with property owners.
4. Use warnings and assistance first; gradually increase fees if compliance does not occur.
5. Ensure the city attorney is prepared to defend the ordinance when challenged.

Step-by-Step Actions

1 **Assess Vacant and Underutilized Properties** – A vacant property conditions survey (or windshield survey) can help to visually evaluate exterior property conditions to assess overall condition, occupancy status, and the presence of trash or debris.

This effort organizes basic information that suggests a property may be in violation of zoning regulations and subject to enforcement action or could become a risk to public health and safety. The information assists a municipality in sharing important information with supporting departments and key stakeholders to coordinate action and facilitate collaboration. This type of survey also serves as a baseline for setting priorities and tracking progress over time. Beyond possible enforcement, this is also an opportunity to engage partners in envisioning redevelopment and getting community buy-in for a vacant property strategy.

Partners in this effort can range from municipal staff to students and volunteers.

Create a format to collect information for each property of interest on the condition of structures, land, current use, and any specific concerns. Determine staffing or recruit partners to participate in recording information. Initial review of GIS data, tax records, assessment information, and other public records might assist in this effort.

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Property acquisition and redevelopment of neglected or vacant properties can occur through tax foreclosure, eminent domain, or land banking. Regional development organizations can collaborate with local governments and other entities to facilitate redevelopment projects that align with community needs, such as parks, community centers, or affordable housing, or other community uses. A land bank is a public entity that helps transform vacant, abandoned, and distressed properties into productive community assets. Through powers granted by state law, land banks can acquire and manage tax-foreclosed properties, address title and lien issues, and transfer properties to responsible owners in ways that advance local redevelopment and community goals. For more resources about land banks, see The Land Bank Role, Case Study: Land Banking on Neighborhood Revitalization, and How to Build a Regional Housing Land Bank.

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Yreka and Dunsmuir, California

The experiences of Yreka and Dunsmuir, California, demonstrate how code enforcement can serve as a powerful tool for downtown revitalization when paired with collaboration, incentives, and a focus on voluntary compliance. Rather than relying primarily on penalties, both communities begin with communication and education, resolving most violations through courtesy notices and cooperative engagement.

When enforcement is necessary, administrative citations provide a streamlined process that maintains local control and due process. The cities also complement enforcement with façade improvement grants, community partnerships, and assistance programs that help property owners, particularly vulnerable residents, address violations and improve their properties.

A key lesson from these communities is that successful code enforcement requires a long-term commitment, strong documentation, updated ordinances, and dedicated staffing. Dunsmuir's vacant property registration program and proactive zoning regulations help prevent future issues, while escalating tools such as liens, abatement orders, and demolition authority address chronic problem properties.

Together, these strategies have created a balanced approach that improves property conditions, supports public safety, encourages private investment, and advances broader community revitalization goals. The case study highlights that effective code enforcement is most successful when it is viewed not as a punitive function, but as a strategic community development tool that combines accountability, assistance, and long-range planning.

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ongoing fees. Enforcement tends to come in waves, however, depending on city leadership and council priorities. Centerville's economic development organization also owns several downtown properties and offers affordable rents to encourage new businesses. The organization continually looks for opportunities to acquire and renovate viable buildings, often taking risks that private investors are unwilling to take. Today, Centerville maintains a vibrant downtown with a grocery store, clinic, bakery, coffee shop, art gallery, sports bar and grill, boutique, salon, auto parts store, mechanic shop, and several newer businesses, including a screen-printing shop, bin store, and tattoo studio.

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Appendix A: Vacant Building Registration Form

CITY OF CENTERVILLE VACANT BUILDING REGISTRATION

Purpose of this ordinance and registration:

The purpose of this ordinance is to protect public health, safety and welfare and the overall wellbeing of our community by establishing this program for identification and registration of vacant buildings, determining the responsibilities of owners of vacant buildings and structures, and providing for administration, enforcement and penalties.

The ordinance establishes a registration system where the owner(s) of each vacant building must establish a plan for the continued care and upkeep of these buildings, a timetable for returning the building to commercial use, and/or to set a reasonable sale price or rental price for the building. This does not require that the current owner sell or rent their building, but places an emphasis on putting it back to viable commercial use for the sake of the community.

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETED

1) New Registration ____ or Renewal _____

(PLEASE PRINT)

2) Property Address: _____

Property Description: _____

_____

Date when building became vacant of commercial business happening in the space: _____

Current Property Conditions: _____
_____ _____
_____
_____
_____

3) CURRENT PROPERTY OWNER INFORMATION

Full Name of Owner: _____

Current or Former Business Name: _____

Address: _____State: _____ Zip: _____

Phone Numbers: Daytime _____
Evening_____ Cell _____

Owner Mailing Address If Different from above: _____

Email: _____

4) LIST ALL KNOWN LENDERS OR LIEN HOLDERS TIED TO PROPERTY

Lien Holder/Lender Name: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Numbers: Business _____

Evening _____ Cell _____ _____

5) PROPERTY MANAGER OR LOCAL CONTACT FOR ACCESS TO BUILDING

Name: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Numbers: Business _____

Evening _____ Cell _____ _____

*The property manager should be a local contact which we can reach regarding building and property maintenance as well as the progress of returning the property to its originally zoned use and occupancy.

Is this property in foreclosure status? YES____ NO____

If yes, date when the mortgage holder acquired the property: _____

If yes, name of previous occupant/owner:_____

Is this property being maintained and secured? (i.e., weekly yard maintenance, no boarded doors/windows, locked and secured, no padlocks, regular snow removal etc. Appears as a normally occupied property.)

YES____ NO____

6) EXPECTED TIME PERIOD FOR VACANCY TO LAST_____

7) PLAN FOR OCCUPANCY / COMPLIANCE / DEMOLITION

Proposed Action Type: Re-Occupancy of Business_____ Compliance_____ Demolition_____

Do you plan to demolish this building? ___ Yes ___ No

If yes, please indicate the date by which demolition will occur: _____
If no, please indicate the timetable and plan for returning the property to appropriate occupancy or use:_____
_____

Estimated Timeline For Necessary Actions & Corrections:

_____
_____

Describe Any Conditions That Need Correction: _____
_____
_____
_____

Brief Description of Proposed Plan to Correct: _____
_____
_____
_____
_____

8) REGISTRATION FEES

For registration fees and fines for vacant properties in the City of Centerville please refer to the separate vacant building fees and fines sheet attached.

The current fee or fine assessed to this property by the City of Centerville is: _____ Based on:

9) EXEMPTION FROM FINES: This property is exempt from vacant building fines for the following reason: (check all that apply)

____ Actively marketed "for rent" at fair market value (must show proof)

____ Property is actively marketed as "for sale" at fair market value (must show proof)

____ A valid compliance plan or redevelopment agreement has been established with City of Centerville

____ Registration fee for current calendar year paid by previous owner

You are being asked for this information pursuant to Centerville Ordinance _____, for the purposes of complying with the Vacant Property registration requirements of Section _____. If you own "Vacant Property," as that term is defined under Centerville Ordinance _____, then you are required to provide registration information and failure to do so is a misdemeanor, may result in a request for injunctive relief, and may result in increased fines under Centerville Ordinance 455.13. The City intends to maintain this information for security purposes, and will attempt to limit its dissemination. However, the City will comply with all mandatory data practices or litigation requests.

Applicant Oath/Signature: I hereby attest to the truth and accuracy of the information contained in this application.

Signature of Owner / Agent _____ Date: _____

Print Name:_____

Please fill out form completely and mail to or drop off at:

Centerville City Hall
741 Main St.
PO Box "C"
Centerville, SD 57014

For City Use Only
Application checked by: _____ Date Approved _____

Appendix B: Vacant Building Ordinance and Fines – Centerville, SD

Registration Fee & Fines

Initial registration & filing fee if building is registered within 30 days of the City declaring a building vacant

- $50 + inspection fee (inspection fee is waived if no violations are found)
- Inspection fees may vary
- If violations are found the building owner must present a plan to timely address said violations
- If violations are fixed or otherwise remedied to the satisfaction of the inspector within 60 days after issuance of his/her inspection report, all inspection fees are waived
- If the inspector is unavailable or otherwise unable to re-inspect the property, through no fault of the property owner, during the 60 day time period after issuance of the initial inspection report, this time period is tolled until such time a follow-up inspection occurs
- Penalty for subsequent inspections needed if violations are not addressed, $250 + inspection fee per inspection

Registration & filing fee if building is registered between 30 and 60 days of the City declaring a building vacant

- $250 + inspection fee
- If violations are found the building owner must present a plan to timely address said violations
- Penalty for subsequent inspections needed if violations are not addressed - $250 + inspection fee per inspection

Registration & filing fee if building is registered after 60 days of the City declaring a building vacant

- $500 + inspection fee
- If violations are found the building owner must present a timely plan to address said violations
- Penalty for subsequent inspections needed if violations are not addressed - $250 + inspection fee inspection

Additional Fines

Penalty for failure to register a building after 60 days of the City declaring it vacant

- $5 per day until registered
- This fine is in addition to all registration fees, fines, and inspection fees the vacant building's owner would have accrued for not registering the property prior to the 60 day window.

Chronic Vacancy Fine

The owner of a building or property declared vacant by the City, in which the property owner is not actively marketing the property for sale or rent at fair market value will be fined. This fine will increase as the property remains chronically vacant. These fines are in addition to initial registration fees as well as any inspection fees that may incur.

First Year – up to $1,000

- Imposed in the event of continued vacancy, 365 days after initial determination of vacancy
- $19.20 per week may be fined until owner is within compliance

Second Year – up to $2,000

- Imposed in the event of continued vacancy, 730 days after initial determination of vacancy
- $38.45 per week may be fined until owner is within compliance

Third Year & Annually Thereafter – up to $3,000

- Imposed in the event of continued vacancy, 1,095 days after initial determination of vacancy
- $57.69 per week may be fined until owner is within compliance

Appeal of Fines & Fees - $75 (waived if found to be in compliance)

Appendix C: Vacant Building Ordinance – Dunsmuir, CA

ORDINANCE 565

AN ORDINANCE OF THE CITY OF DUNSMUIR CITY COUNCIL ADDING CHAPTER 9.14, ABANDONED AND DISTRESSED REAL PROPERTY, TO THE DUNSMUIR MUNICIPAL CODE

The City Council of the City of Dunsmuir does ordain as follows :

SECTION I:

Chapter 9.14, Abandoned and Distressed Real Property, is added to the Dunsmuir Municipal Code to read:

Chapter 9.14 - ABANDONED AND DISTRESSED REAL PROPERTY

9.14.010 - Purpose.

Vacant properties are potentially a major source of blight in residential, nonresidential, and mixed-use neighborhoods, particularly when property owners fail to actively manage and maintain them. Abandoned and distressed real properties discourage economic development, retard appreciation of property values, pose potential fire hazards, and can jeopardize neighboring property owners' ability to secure and maintain affordable fire insurance. The purpose of this chapter is to establish uniform and reasonable regulations to prevent the immediate risks and detrimental effects associated with abandoned and distressed real properties.

9.14.020 - Definitions.

As used herein:

"Abandoned" means real property that has been vacant for a period of six consecutive months or longer.

"Accessible" means a building or structure not secured to prevent unauthorized access.

"Distressed" means real property that is abandoned, or if occupied, a property in which at least forty percent of the gross floor area of the principal building or structure is vacant.

"Evidence of vacancy" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the building or structure

is vacant. Such conditions include, but are not limited to, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, past due utility notices and/or disconnected utilities, accumulation of trash, junk and/or debris, the absence of window coverings, such as curtains, blinds and/or shutters, the absence of furnishings and/or personal items consistent with habitation, and statements by neighbors, passersby, delivery agents, government employees, etc. that the property is vacant.

"Occupied" means only occupancy by a person, persons, or other legal entity(ies) with a legal right to occupy the building or structure. The use of all or a portion of a building or structure for storage is not considered occupied unless that storage is itself a legally established use or is accessory to an on-going legally established use conducted within the building or structure.

"Owner" means any person, partnership, association, corporation, fiduciary or other legal entity having a legal or equitable title or any interest in real property.

"Owner of record" means the legal entity holding recorded title to the real property in question at any point in time when official records are produced by the Siskiyou County recorder's office.

"Real property" means any improved or unimproved land or portion thereof, situated in the city, including all buildings, structures, and other improvements located on it.

"Vacant" means improved real property in a residential or commercial zoning district, regardless of use, where the principal building or structure is not legally occupied. Vacant does not include a residential property listed for sale or a legally established dwelling that is intermittently occupied provided such residential properties are actively managed and maintained so as to not appear vacant when viewed from neighboring properties and public rights-of-way.

9.14.030 - General requirements.

A. The owner of any abandoned or distressed building, structure, or other real property as defined herein shall within sixty (60) days after the building, structure, or other real property becomes abandoned or distressed or within thirty (30) days after assuming ownership of such abandoned or distressed property, whichever is later, file a registration statement for each such property with the city clerk on forms provided by the city clerk for such purpose. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually as long as the building, structure, or other real property remains abandoned or distressed and shall pay a registration or renewal fee as prescribed in this chapter for each abandoned or distressed property registered.

B. The owner shall notify the city clerk within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the city clerk for such purposes.

C. The registration statement shall be deemed prima facie proof of the statements therein in any administrative enforcement proceeding or court proceeding instituted by the city against the owner(s) of the building.

9.14.040 - Registration statement requirements.

A. The registration statement shall include the name, street address, and telephone number of a natural person eighteen years of age or older, designated by the owner(s) as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner(s) in connection with the enforcement of any applicable code or of this chapter. This person must maintain an office in the state of California or reside within the state of California.

B. The registration statement shall also include the name of the person responsible for maintaining and securing the property so that it is not accessible, if different from the person identified in subsection (A) above.

C. The registration statement shall also include the name, address, and telephone number of the agent authorized to rent the property or the name, address, and telephone number of the listing real estate agent who is authorized to list the property.

D. An owner who is a natural person and who meets the requirements of this section as to location of residence or office may designate him or herself as agent in subsection (A), the person responsible for maintaining and securing the property in subsection (B), and the agent authorized to rent the property in subsection (C).

E. By designating an authorized agent under the provisions of subsection (A) of this section the owner consents to receive any and all notices of Dunsmuir Municipal Code violations concerning the registered abandoned or distressed real property and all process in any court proceeding or administrative enforcement proceeding brought to enforce such code provisions concerning the registered property by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the

provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the city clerk of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from responsibility or liability under any requirement of this chapter.

9.14.050 - Property inspection.

After filing a registration statement or renewal of a registration statement, and following reasonable notice by the city, the owner of any abandoned or distressed property shall provide access to the city to conduct an exterior and interior inspection of the building or structure to determine compliance with the municipal code.

9.14.060 - Requirements for owners.

The owner of any building, structure, or other real property that has become abandoned or distressed, and any individual(s) maintaining, operating, or collecting rent for any such building or structure that has become abandoned or distressed, shall within thirty (30) days:

A. Secure the building or structure against unauthorized access.

B. Keep the property free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, discarded personal items, and the accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), and any other items that give the appearance the property is abandoned.

C. Provide that yards are maintained to the neighborhood standard. As used herein, "neighborhood standard" means the condition of real property that prevails in and through the neighborhood where an abandoned or distressed property is located. When determining the neighborhood standard, no abandoned or distressed property shall be considered.

D. When located in a commercial zoning district, provide that all windows are fully covered with plain paper or display artwork, merchandise offered for sale by another business within the community, or materials provided by a Dunsmuir community non-profit organization.

E. Remove the signage for any previous tenant as required by the Dunsmuir Municipal Code.

F. Repair or rehabilitate the property so it meets all applicable codes adopted by the city for occupancy, or otherwise obtain a permit to demolish the building.

9.14.070 - Fee schedule.

The initial registration fee for each abandoned or distressed property shall be five hundred (500) dollars, but may be reduced to one hundred (100) dollars if the city clerk receives acceptable evidence that the property has been listed for sale or rent at a reasonable price with a licensed real estate agent authorized to sell or lease the property. The fee for the first and every subsequent renewal is five hundred (500) dollars. The city clerk may waive the

fee entirely with acceptable evidence that (1) the property is being utilized for a community benefit, or (2) a building permit has been issued for improvements/repairs that exceed 50 percent of the property value and said improvements/repairs are actively being pursued to the satisfaction of the building official.

9.14.080 - Administration.

The city manager may issue rules and regulations for the administration of the provisions of this chapter.

9.14.090 - Violations and penalties.

A. Violation of this chapter is a strict liability offense. A violation occurs regardless of a violator's intent or knowledge of the violation.

B. Any owner who is not in full compliance with this chapter or of any rules or regulations authorized and issued hereunder shall be subject to penalty as provided for herein and elsewhere in city code.

C. The remedies in this section are cumulative to, and not in place of, other rights and remedies available to the city pursuant to the municipal code. The city attorney or designee may pursue other rights or remedies, including, but not limited to, commencement of a civil or administrative action to abate the condition as a public nuisance.

D. If the city takes administrative action to abate the condition of a property subject to the registration requirement, in addition to, or in lieu of the remedies in this chapter, the following administrative penalties shall apply:

1. Upon being found to be violation of this chapter, each party subject to an abatement order shall pay an administrative penalty of up to one thousand (1,000) dollars.

2. If a violation of this chapter addressed by abatement order has not been abated, cured, remedied or eliminated to the reasonable satisfaction of the city manager by the thirtieth day after the deadline imposed by the city manager, each party subject to said abatement order shall pay a supplemental administrative penalty of up to five thousand (5,000) dollars.

3. If a violation of this chapter addressed by abatement order has not been abated, cured, remedied, or eliminated to the reasonable satisfaction of the city manager by the sixtieth day after the deadline imposed by the city manager, each party subject to said abatement order shall pay a supplemental administrative penalty of up to twenty-five thousand (25,000) dollars. ·

4. In each instance when a party becomes subject to an administrative penalty specified in this section, the city manager or his/her designee shall issue an order providing written notice of that party's obligation to make payment of said administrative penalty. Each such order shall constitute a debt of the record owner and a special assessment against the subject property, having the same legal status as an order determining cost of abatement of a public nuisance.

5. If a party becomes subject to an administrative penalty when that party is the property's owner of record, or is otherwise responsible as provided under this chapter, that party is not relieved of its obligation to pay the penalty based upon the subsequent sale of the property in question to another.

9.14.100 - Appeal.

Any monetary penalty or other punitive action by the city authorized under this chapter may be appealed by the party against whom it is imposed to the city council, the decision of which shall be final. A request for such an appeal shall be in writing and must be submitted to the city within sixty (60) days after the city manager or his/her designee issues written notice of the imposition of the penalty or other punitive action. Pending the results of the appeal, the appellant shall deposit any monetary penalty with the city clerk, unless the appellant does not have the financial ability to do so.

SECTION II: FINDINGS

A. Because there is not substantial evidence, in light of the whole record before the City that the ordinance would have a significant effect on the environment, the City Council adopts exemptions from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Sections 15301, 15306, and 15061 (b)(3).

B. The ordinance is in conformance with all applicable elements and policies of the City of Dunsmuir General Plan and Zoning Ordinance.

SECTION Ill: CONSTITUTIONALITY: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION IV: This ordinance shall become effective thirty (30) days after its passage and shall, within fifteen (15) days after its adoption, be published in the Dunsmuir News, printed and published in Siskiyou County.

IT IS HEREBY CERTIFIED that the foregoing ordinance was duly introduced at a regular meeting of the City of Dunsmuir City Council held on the 6th day of February, 2020, and adopted by the City of Dunsmuir City Council at a regular meeting held on the 20th day of February, 2020, by the following vote:

AYES: Arth, Deutsch, Keisler, Lucchesi

NOES: None

ABSENT: Bryan

ABSTAIN: None

ATTEST: SUMMARY OF ORDINANCE CC-565

OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR

Ordinance CC-565 will add Chapter 9.14, Abandoned and Distressed Real Property, to Title 9 of the Dunsmuir Municipal Code to prevent immediate risks and detrimental effects associated with abandoned and distressed real properties in the City of Dunsmuir. The ordinance establishes a registration requirement for abandoned and distressed real properties, which the ordinance defines as properties vacant for a period of six consecutive months or longer or where at least 40 percent of the gross floor area of the principal building or structure is vacant. The ordinance provides exceptions for residential properties listed for sale and legally established dwellings that are intermittently occupied, provided such residential properties are managed and maintained to not appear vacant. The ordinance requires owners of abandoned and distressed properties to

register their abandoned and distressed properties with the City, to secure them against unauthorized entry, to properly maintain them so that they do not appear vacant, to pay an annual registration fee, and to allow the City access to their abandoned and distressed properties for inspection. The ordinance requires that abandoned and distressed properties be repaired, rehabilitated, or demolished. Exceptions are provided. The ordinance establishes penalties for violation of the ordinance, including escalating fines, and a process for appealing penalties and other punitive actions. More specific details regarding the ordinance can be obtained by review of Ordinance CC-565 on file at Dunsmuir City Hall .

I HEREBY CERTIFY that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Dunsmuir held on the 6th day of February, 2020 and was passed upon second reading at a regular meeting of the City Council held on the 20th day of February, 2020.

PASSED, APPROVED, AND ADOPTED THIS 20th day of February, 2020 by the following vote:

AYES: Arth, Deutsch, Keisler, Lucchesi

NAYS : None

ABSENT: Bryan

ABSTAIN: None

Attest:

Appendix D: Scripts For Engaging Property Owners

1. Initial Introduction & Asset Mapping
Use this script to introduce yourself, establish a point of contact, and learn about the owner's goals for their building.

Subject: Connecting to support your downtown property / [Building Address]

Email / Letter:
Hi [Owner Name],

I hope you are having a great week. I'm [Your Name], the [Your Title/Economic Development Director] for the City of [City/Town].

As part of our ongoing efforts to support our local business district, I am reaching out to the owners of our key downtown properties. Our goal at the City is to understand your vision for [Building Address], discuss any upcoming plans for the space, and see how we can best support you, whether through streamlining permitting, connecting you with local business tenants, or sharing information on available revitalization grants.

Do you have 10-15 minutes for a brief phone call next week? I would love to hear about what you envision for the property and learn about any challenges you might be facing.

Best regards,

[Your Name]
[Your Title]
[City/Town/Organization]
[Phone Number]

2. Inquiry About Vacancies or Underutilized Space
Use this script when you need to gently address building vacancies and offer the city's recruitment or upper-floor development tools.

Subject: Exploring opportunities for [Building Address]

Email:
Hi [Owner Name],

I am following up to introduce myself as the [Your Title] for the City of [City/Town]. We are currently tracking commercial real estate availability downtown and noticed that your

property at [Building Address] has some [vacant space / unused upper-story space].

We'd love to see these spaces brought to life to help drive foot traffic in our downtown core. The City currently has resources available, such as [mention a program, e.g., a downtown façade improvement grant, a mixed-use development guide, or local tenant matchmaking services].

Could we schedule a brief, casual meeting, either in person at [Coffee Shop/City Hall] or over the phone, to discuss what you might need to get this space occupied?

Best,

[Your Name]
[Your Title]

3. Quick Phone / Voicemail Script
Use this script if you are cold-calling or following up after a previous unanswered email.

Phone Script:
"Hi [Owner Name], this is [Your Name] calling from the City of [City/Town] Economic Development office.

I'm reaching out because we are working with property owners downtown to support our local commercial district and help fill up some of our vacant spaces. I wanted to see what your plans are for [Building Address] and check if there are any city resources or incentives, like our façade grants or tenant referral programs, that could be helpful to you right now.

Do you have a few minutes to chat next [Day of week], or is there a better time to reach you? My direct number is [Your Phone Number]."

4. Following Up on Development / Project Proposals
Use this script to follow up after a site visit or meeting where you discussed specific next steps.

Subject: Following up on our downtown meeting / [Building Address]

Email:
Hi [Owner Name],

Thank you so much for taking the time to speak with me on [Day of the week]. It was great learning more about your goals for [Building Address].

As we discussed, I have attached a few resources that might be helpful:

[Link/attach local Incentive Guidelines or Grant Applications]

[Link/attach Zoning or Mixed-Use Fact Sheet]

Please let me know if you have any questions about these programs or if you'd like me to connect you with [e.g., the City Planning Department, local contractors, or a commercial real estate broker]. I'm here to act as a resource to help you get this project moving.

Best,

[Your Name]
[Your Title]