

**ORDINANCE NO. 2-13 N.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND ADDING CERTAIN SUBSECTION TO SECTION 6.38. OF THE RICHMOND MUNICIPAL CODE RELATING TO MAINTENANCE AND MONITORING OF VACANT DWELLINGS OR BUILDINGS**

---

The City Council of the City of Richmond do ordain as follows:

SECTION 1: Subsection 6.38.115 of the Richmond Municipal Code is hereby added to read in its entirety as follows:

**6.38.115 Registration for Maintenance and Monitoring of Vacant Dwellings or Buildings**

(a) The legal owner of any premises containing a vacant dwelling or building, as specifically defined in subsection 6.38.030 of this Chapter, shall file a statement of registration with the City's Code Enforcement Unit within 10-days after the building has been vacant for 30 consecutive days, or no later than the 31<sup>st</sup> day after obtaining legal title to or right of possession or dominion over such vacant building through foreclosure, inheritance, purchase, transfer of deed of trust, or any other means of acquiring ownership of the premises on which such vacant building exists. This ordinance applies to residential and commercial structures equally. The terms "structure" and "building" are used interchangeably for purposes of this Chapter.

(b) For purposes of this subsection, the term "vacant building" shall include dwellings, duplexes, triplexes and multiple unit apartment and/or commercial buildings and structures if the vacant units consist of 50% or more of the total square footage of the subject building.

The following information shall be provided with a statement of registration:

(1) Street address of the vacant building and parcel number of the real property as designated by the Contra Costa County Assessor;

(2) Name, mailing address, and telephone number of the property owner and when applicable, the agent of the owner; the executor of the estate and its trustees, grantors, and beneficiaries; the partners with a financial interest exceeding ten percent of the assessed value of the building; the principals of an unincorporated association; and the agent for service of process on file with the California Secretary of State for a firm, corporation, limited liability company, or limited partnership;

(3) Other relevant information that the City may determine is necessary for the identification of a property or an owner or for the enforcement of the provisions of this chapter; and

(4) Written report in an approved format of an interior and exterior inspection of the premises by an approved local individual or firm attesting to the conditions of the property, including exterior blight, interior habitability, utility service, and secured openings, and a written plan detailing the means, methods, and times for periodic inspections and the local individual or firm who shall be responsible for assuring compliance with the provisions of this chapter.

(b) The legal owner shall immediately and prominently post on the vacant building, in a form acceptable to the City, contact information identifying the local individual or firm who shall be responsible for periodically inspecting the premises, maintaining the exterior free of blight and in compliance with all relevant sections of the Richmond Municipal Code, the State Housing Code, the Uniform Code for Abatement of Dangerous Buildings, and the California Building, Fire, Mechanical, Plumbing, Electrical and Residential Codes, securing the building against unauthorized entry, and responding immediately to contacts from emergency responders and the public. This information shall be updated within 48 hours of any material change in contact information.

(c) Fees for filing and processing a statement of registration shall be as established in the master fee schedule. Fees shall be fully paid at the time of submitting the statement of registration to the City and annually thereafter on the anniversary date of submittal, unless a subsequent ordinance of the City Council to amend the master fee schedule otherwise specifies.

(d) The property owner shall immediately advise the City's Code Enforcement Unit, in writing, of any material change in the status or condition of a vacant building, including, but not limited to, becoming blighted, unsecured, fire damaged, hazardous, or inhabitable or becoming occupied.

SECTION 2. Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinance or the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

SECTION 4: CEQA. Pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), the City Council finds that it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b) (3).

SECTION 5. Effective Date. This Ordinance becomes effective 30 days after its final passage and adoption.

---

First read at a joint meeting of the Council of the City of Richmond, California, held February 19, 2013, and finally passed and adopted at a regular meeting thereof held March 19, 2013, by the following vote:

AYES: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

GAYLE McLAUGHLIN  
Mayor

Approved as to form:

BRUCE GOODMILLER  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Ordinance No. 2-13 N.S.**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 19, 2013.