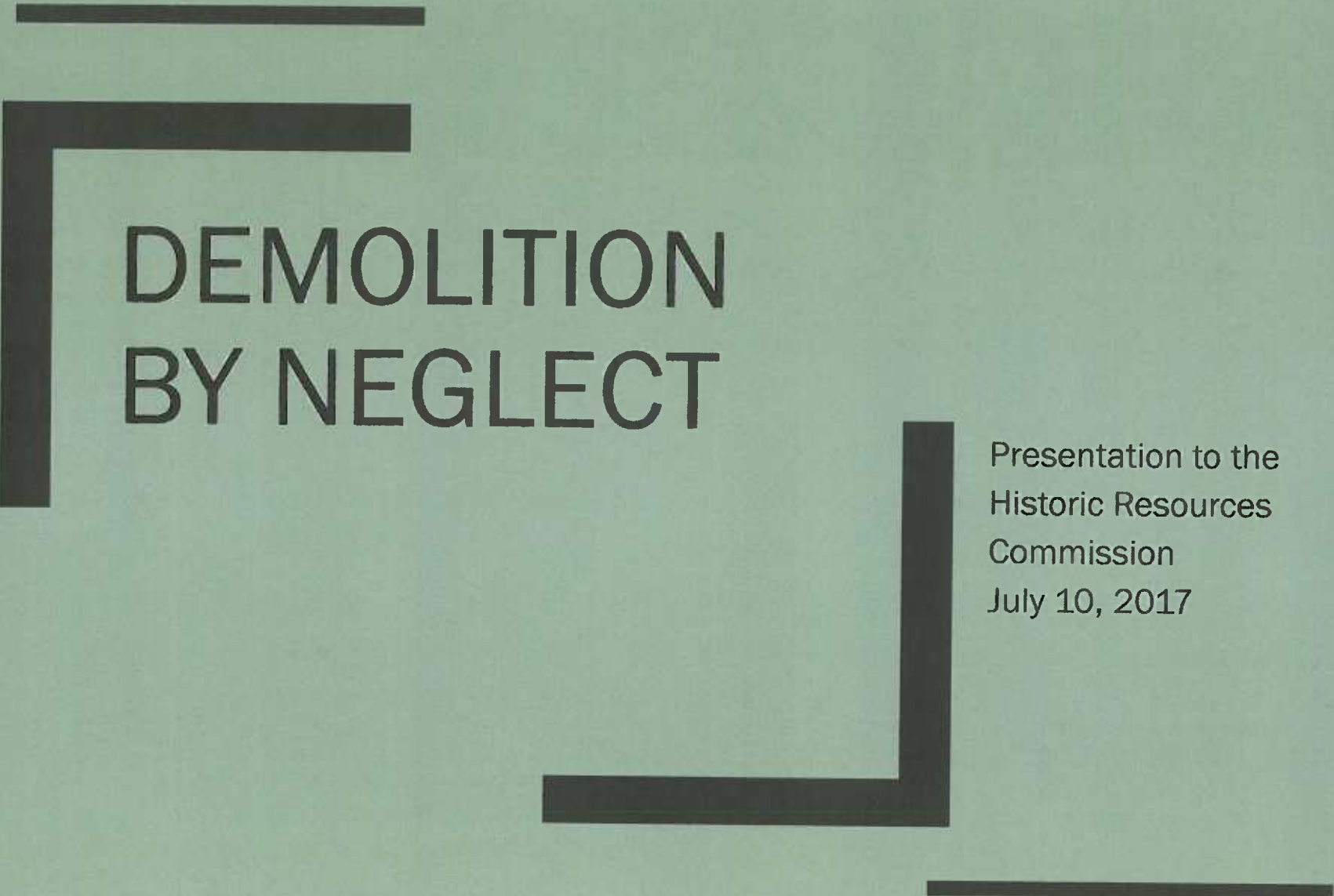




DEMOLITION BY NEGLECT

Presentation to the
Historic Resources
Commission
July 10, 2017

Definition



- property owner intentionally allows a historic property to suffer severe deterioration, potentially beyond the point of repair.
- Property owners may use this kind of long-term neglect to circumvent the historic preservation regulations



Why Consider a Demolition by Neglect Ordinance?

- Helps ensure preservation of historic structures
- Removes blight from the community
- Increases property values

Types of Regulations

- Specific affirmative maintenance regulations drafted for historic buildings only
- Regulations that fold building/property maintenance into the definition of a nuisance
- State of California gives local jurisdiction authority to abate nuisances and lien properties to recover costs



Affirmative Maintenance Ordinance

City and County of San
Francisco

Intent of code:

To preserve from deliberate or
inadvertent neglect
Exterior feature of buildings
designated significant or
contributory



San Francisco

- Facades which may fall and injure members of the public or property.
- Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports.
- Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or Buckle due to defective material or deterioration.
- Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
- Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering.
- Any fault or defect in the building which renders it not properly watertight or structurally unsafe.

Property Maintenance/ Nuisance Regulations

City of Watsonville

- Nuisance ordinance: defines a nuisance and sets procedures to abate nuisances
- Property maintenance ordinance: outlines what types of property issues constitute a nuisance.





Watsonville

Prevent and address visual blight

Abandoned, deteriorated, and infested buildings, accumulation of overgrown, rank, and noxious vegetation visible to the public

Broken down personal property, debris, garbage cans in yard

County of Santa Cruz

- Already has a nuisance abatement ordinance: Chapter 1.14
- Enforcement of zoning regulations: 19.01
- Nuisance is defined as a dangerous building
- Historic Preservation Ordinance, Violations, 16-42.120:
 - (A) Criminal Enforcement. Any person who violates any provision of this chapter is guilty of a misdemeanor, the penalty for which is set forth in SCCC 1.12.030 and [Chapter 19.01](#) SCCC. (Fines only)
 - (B) Civil Enforcement. Any person who violates any provision of this chapter is in violation of the land use regulations of the County, the penalty for which is set forth in [Chapter 19.01](#) SCCC. [Ord. 4922 § 1, 2008]. (Declare a nuisance)

Options

- Enforce existing regulations
- Provide definition of nuisance that includes maintenance of structures
- Pursue property maintenance ordinance that includes historic structures
- Pursue separate demolition by neglect ordinance for historic structures