

Ypsilanti Courier

Vacant buildings rule still needs to be 'user friendly'

Thoughts At Large

A small group of property owners are riled about the proposed vacant buildings ordinance that passed first reading at last week's City Council meeting. They tried, two years ago, to make the ordinance go away and are plenty upset to learn that they failed.

The idea behind the ordinance is a responsible one. Council wants to be able to keep an eye on vacant buildings to ensure they don't become dangerous eyesores; the type of building that becomes a magnet for vagrants, criminals and vermin of the four-legged variety.

The argument of these property owners is that Council is not "hearing" them. Frankly, I think Council is "hearing" them just fine. It's the fact that Council isn't agreeing with them that really gets their goat.

The ordinance has a good intent. But, I'm not sure an ordinance is going to get certain property owners to do anything about the property in question. I'm quite sure it's going to be unenforceable in certain situations and enforced unevenly in the best of circumstances.

Take, for example, the former Smith Furniture store on Washington St., owned by James Pate. It has been vacant a long time. But, I am told Mrs. Pate has an office there, so the building is not, technically, vacant. The ordinance does nothing to ease this frustrating situation.

The ordinance requires property owners to register their buildings as vacant if the place is going to be empty of occupancy for more than 30 days. Then, in order not to penalize the "snow birds" who go to warmer climes in the winter or professors on sabbatical, the building isn't officially declared vacant until 12 months later.

If you register your home as a vacant building and it is in great shape, with everything looking as if someone is living there and it complies with all other laws, you still have to pay \$50 a month escrow fee after the first 12 months. Under some circumstances, that fee can be increased.

So, what happens if someone doesn't register his home as vacant? Well, in the ordinance, it says the building will be discovered to be vacant and the owner will have to pay for an immediate inspection and start paying the monthly

escrow fees.

The reality is that if the house is well-maintained and appears to be lived in no one will know whether or not it's registered as vacant. Technically, the owner is breaking the law. But, who's to know?

Suppose, however, that this house is broken into and the police are called. Then, the house is immediately inspected and the owner is charged an inspection fee and has to start paying the escrow fee, too.

I have trouble with all of this. I can think of several scenarios where one is not going to consider registering one's home as vacant. Like the ordinance that says every dog in town needs to get a city license, this ordinance isn't going to be followed. Not because our town is full of scofflaws, but because it isn't a sensible law that people will even think about.

There are vacant buildings, and then there are Vacant Buildings. When a friend's former home sat vacant for several months while he tried to find a buyer for it, it wasn't a problem for any of the neighbors. But, when two homes on River St. have been burned out and boarded up, they're a different kettle of fish.

It seems to me this ordinance could be broken up into smaller sections. One could be an ordinance for vacant, dangerous and blighted buildings, such as the ones on River St., and require stringent enforcement.

Another could be one for vacant, but well-maintained buildings where occupancy is expected to resume. This might require notifying the city of the situation periodically, but wouldn't cost anyone anything.

Yet a third section could take in well-maintained but long-term vacant buildings with no expected resumption of occupancy. This might require not only escrow fees, but for the owner to inform the city of a plan to put the building back into full use.

I believe we need a vacant buildings ordinance, but I have read through this one and I don't find it to be user-friendly. I urge Council to try again.

Click here to return to story:

http://ypsilanticourier.com/stories/021005/opi_20050210010.shtml