

ORDINANCE NO. _____

AN ORDINANCE TO REQUIRE FOR MOTHBALLING VACANT STRUCTURES ; TO PRVOIDE MOTHBALLING PROCEDURES; TO PROVIDE FOR ENFOREMENT; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, IT IS THE INTENT OF THE AUGUSTA-RICHMOND COUNTY COMMISSION TO PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE; TO PROTECT AND ENHANCE THE QUALITY OF ITS ENVIRONMENT; TO PROTECT THE PUBLIC FROM HEALTH NUISANCES AND SAFETY HAZARDS BY PROVIDING REGULATIONS TO ADDRESS VACANT STRUCTURES UNFIT FOR HUMAN HABITATION.

NOW, THEREFORE BE IT ORDAINED BY THE AUGUSTA-RICHMOND COUNTY COMMISSION, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAME AS FOLLOWS:

Section 1. The Augusta-Richmond County Code, Title 7, Chapter 1, Article 2 is hereby amended by adding new section to be numbered as 7-1-19, to read as follows:

“§ 7-1-19 MOTHBALLING VACANT STRUCTURES

(a) In lieu of enforcement under other provision of this Code, *the* owner(s) of a vacant structure may elect to close or ‘mothball’ the structure if the structure is vacant and unfit for human habitation and occupancy, and it is not dilapidated, unsafe, unsanitary, or in danger of structural collapse. Mothballing is defined as a method used to protect a vacant structure from weather damage and vandals while preserving the structure for future use. The goal of mothballing is to temporarily protect the property to allow the owner to plan the property's future, or acquire funds for preservation, rehabilitation or restoration. In historic districts, the owner, prior to mothballing must obtain a Certificate of Appropriateness pursuant to *Augusta-Richmond County Code, Title 7, Chapter 4, Article 4: Application To Preservation Commission For Certificate Of Appropriateness.*

(b) Prior to mothballing a structure, the property owners will be required to register the vacant property with the Augusta License and Inspection Department. The Augusta License and Inspection Department will issue a mothballing permit. Within 10 days of completion of the mothballing, the property owner must contact the Augusta License and Inspection Department to schedule an initial compliance inspection. Annually, the property will be inspected for compliance with the provisions of this Code Section.

§7-1-19.2 Registration of Vacant and Abandoned Buildings

(a) Owners of vacant buildings, who elect to mothball *in lieu of repairing or demolishing the structure,* must register their properties at the License and Inspection Department prior to beginning work. This registration shall be made through a form provided by the department and shall include a list of a contact person or persons responsible for the maintenance and repair of the property. This form shall contain the current telephone numbers and addresses of all contact persons. It is the sole responsibility of the property owner to update this information at the License and Inspection Department.

(b) *Mothballing Permit.* After registration, the owners of vacant buildings must obtain a mothballing permit from the License and Inspection Department. The cost of the mothballing permit is twenty dollars (\$20.00), that includes the compliance inspection. A separate building permit may be required for building repairs.

§ 7-1-19.3 Specific Mothballing Procedures

The three highest priorities for a mothballed building are 1) to protect the building from sudden loss, 2) to weatherize and maintain the property to stop moisture penetration, and 3) to control the humidity levels inside once the building has been secured.

§ 7-1-19.3 General Mothballing Procedures

(a) A properly mothballed building will have a watertight roof, secured doors and windows, repaired or stabilized rot problems, painted wood, repaired masonry, and well maintained grounds. All trash, debris, garbage should be removed from inside, outside and under the house.

(b) To ensure compliance with this Code Section, the property owner, at a minimum, should take the following actions:

1. The building's roof should be weather tight. Missing shingles should be replaced, holes should be repaired. Rolled roofing is acceptable as a temporary repair material; but if it is used, it must be securely installed.
2. Windows should be covered on the exterior with high grade plywood cut to fit within the window opening. Window coverings should be attached with screws to minimize damage to the window when they are removed. Window coverings should be painted a flat color – i.e. dark grey or black, or a color that matches the building.
3. The water should be turned off and the pipes drained. If the building has a functional sprinkler system, it should remain operational.
4. All electrical systems not necessary for security, fire prevention, and/or ventilation should be disconnected.
5. Exterior walls surfaces shall be free of breaks, holes, loose or missing materials to prevent deterioration. All exterior surfaces shall be repaired and protected from the elements including but not limited to porches, decks, balconies and fences All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion. Gutters should be cleaned and inspected to verify that they discharge away from the building. Corrective measures should be taken as necessary.
6. Potential points for water intrusion, like crawlspace openings and basement windows, should be blocked and the water diverted away from the building; however, basement and crawlspace ventilation shall be maintained.

7. Loose architectural elements like brackets that should be documented, removed, and stored on site. Securely attached material should not be removed.
8. Chimneys should be securely blocked with heavy duty wire mesh to prevent animal intrusion.
9. The building should be adequately ventilated. Small openings covered with heavy duty wire mesh at the top of window coverings may be adequate. In humid climates, forced air ventilation may be necessary.
10. Vegetation around the building should be pruned back from the walls a minimum of 12 inches to allow good airflow. Overhanging dead tree limbs and branches should be removed. The property grounds shall be maintained at all times (including bushes, beds, and other vegetation), the grass shall not exceed 6 inches in height and the property shall be kept free of trash and debris at all times.
11. The owner shall establish a monitoring and maintenance schedule for the building. The schedule, at a minimum, should require that a drive-by inspection be done on a monthly basis, that a walk around be done every three months, and that the building be entered and inspected annually.

§ 7-1-19.4 Mothballing - Boarding Specifications

The property owner must comply with the following minimum requirements regarding windows, exterior doors and other openings in exterior walls of vacant structures.

(a) *Minimum cleaning and Safety Requirements:*

1. Remove to legal dumpsite all trash debris, garbage from inside, outside and under house before boarding. (keep on file copy of all receipts from landfill or their disposal facility for review)
2. Correct health and structural hazards inside, outside and under house before boarding.

(b) *Minimum Window Board-up Requirements*

1. Remove windowpanes if broken. If window panes not broken, lower or raise window sash to permit installation of carriage bolts described below.
2. Neatly cut a single piece of ½" high grade exterior plywood that is sized to fit snugly inside the window opening against the windows stop. Consider installing 2"X4" blocking within opening for back of plywood to rest against snugly.
3. Cut an opening centered and 6" below the top of the plywood and install a metal soffit vent that covers the opening but allows light to enter the structure once the plywood has been installed. Use screws to attach the vent to the plywood.

4. Cut at least two 2"X4" wood support members that are 16" wider than the window opening.
5. The support members are to be mounted horizontally and flush against the interior window casing with 8" extending left and right of the window opening. The top support should be located within $\frac{1}{4}$ and $\frac{1}{3}$ of the window opening height from the top of the opening. The bottom support should be located within $\frac{1}{2}$ to $\frac{1}{3}$ of the window opening height from the bottom of the opening.
6. Drill at least two holes in each of the 2"X4" support members then drill holes in the plywood that line up with the holes drilled in the support members.
7. Insert a washer over the end of a $\frac{3}{8}$ " diameter round, smooth head, carriage bolt.
8. Line up each hole in the 2"X4" support member and the plywood.
9. At each hole, insert a $\frac{3}{8}$ " diameter carriage bolt – from exterior to interior – through the plywood, through the window opening and through the 2"X4" and plywood toward each other until there is no play.
10. Prime the exterior surface of the plywood.
11. On the exterior, caulk the perimeter edges of the plywood.
12. Paint the exterior surface of the plywood a flat color – i.e. dark grey or black, or a color that matches the building.

(c) *Minimum Exterior Door Board-up Requirements*

1. Remove door
2. Neatly cut a single piece of $\frac{1}{2}$ " high grade exterior plywood that is sized to fit snugly inside the door opening against the doorstop. Consider installing 2"X4" blocking within opening for back of plywood to rest against snugly.
3. Cut an opening centered and 6" below the top of the plywood and install a metal soffit vent that covers the opening but allow light to enter the structure once the plywood has been installed. Use screws to attach the vent to the plywood.
4. Cut a least two 2"X4" wood support members that are 16" wider than the door opening.
5. The support members are to be mounted horizontally and flush against the interior door casing with 8" extending left and right of the door opening. The top support should be located within $\frac{1}{4}$ and $\frac{1}{3}$ of the door opening height from the top of the opening. The bottom support should be located within $\frac{1}{4}$ to $\frac{1}{3}$ of the door opening height from the bottom of the opening.
6. Drill at least two holes in each of the 2"X4" support member and the plywood. At each hole, insert a $\frac{3}{8}$ " diameter carriage bolt—from exterior to interior—through the plywood, through the door opening and through the 2"X4".
7. Insert a washer over the end of a $\frac{3}{8}$ " diameter round, smooth head, carriage

8. Line up each hole in the 2"X4" support member and the plywood. At each hole, insert a 3/8" diameter carriage bolt—from exterior to interior—through the door opening and through the 2"X4".
9. Slip a 3/8" diameter nut and washer over the end of the carriage bolt inside the structure and securely tighten the nut—pulling the 2"X4" and plywood toward each other until there is no play.
10. Prime the exterior surface of the plywood.
11. On the exterior, caulk the perimeter edges of the plywood.
12. Paint the exterior surface of the plywood a flat color – i.e. dark grey or black, or a color that matches the building.

(d) Crawlspace/basement door, Gable Vent or Other Opening

1. Remove door or vent and install when necessary 2"X4" blocking in the opening.
2. Cut a single piece of ½" high grade exterior plywood that will fit snugly against the outside edge of the blocking.
3. Screw plywood snugly to blocking using at least 1" Screws.
4. Prime the exterior surface of the plywood and caulk the perimeter edges.
5. Paint the exterior surface of the plywood a flat color – i.e. dark grey or black, or a color that matches the building. “

§ 7-1-19.6 Completion Period

(a) *Period of Completion.* Owners of vacant structures shall have 90 days from date of issuance of the mothballing a permit to complete mothball the building, in compliance with these provisions.

(b) *Extension.* The Director, License and Inspection Department may extend the completion period up to 90 days based on unusual circumstances and financial hardships.

§ 7-1-19.7 Initial Compliance Inspection

(a) *Initial compliance inspection.* The License and Inspection Department will conduct an initial mothballing compliance inspection of the building, and shall issue an acceptance certificate if the property owner has substantially complied with the requirements as set forth in.

(b) *Non-acceptance.* If the owner has not substantially complied with the requirement of this ordinance, the Department shall issue a note of non-acceptance during the initial compliance inspection, the Department shall provide the owner with a copy of the noted deficit area(s). The building owner will have thirty (30) days from the date of the inspection within which to take corrective action(s) and request another compliance inspection. The owner may be subject to other enforcement proceedings under this Code if the Department notes the structure as non-acceptance during a follow-up compliance inspection.

§ 7-1-19.8 Annual Compliance Inspections

To ensure compliance, the License and Inspection Department will conduct annual inspections of all structure registered under this code Section.

§ 7-1-19.9 Enforcement

The License & Inspection Department will be responsible for enforcing compliance with the mothballing ordinance.

Section 2. All laws or ordinances or parts of laws or ordinances in conflict with this Ordinance are hereby repealed.

Section 3. If any section, provision, or clause of any part of this Ordinance be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

Section 4. This Ordinance shall become effective upon adoption.

Duly adopted this _____ day of _____, 2006.

BY: _____
David S. Copenhaver, Mayor

ATTEST: _____
Lena Bonner (Clerk)

First Reading: _____

Second Reading: _____