

An Ordinance No. 25-79

Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by amending certain provisions of Chapter 1380 entitled *Administration of Vacant Property Registration Program*.

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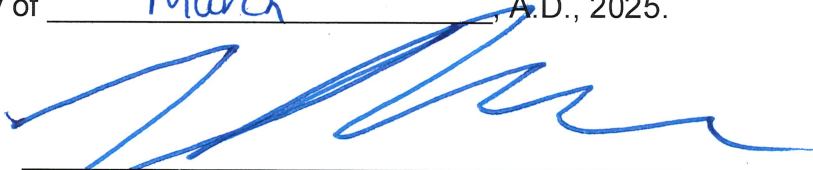
BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. That Chapter 1380 entitled *Administration of Vacant Property Registration Program* of Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby repealed.

Section 2. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the replacement of Chapter 1380 entitled *Administration of Vacant Property Registration Program* as specified in Exhibit A attached.

Section 3. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this 11th day of March, A.D., 2025.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION

Published: *Springfield News-Sun*

_____, 2025

I do hereby certify that the foregoing Ordinance No. _____ was duly published in the *Springfield News-Sun* on _____, 2025.

CLERK OF THE CITY COMMISSION

CHAPTER 1380
Administration of Vacant Property Registration Program

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- 1380.02 **Applicability.**
- 1380.03 **Definitions.**
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- 1380.13 **Savings Clause.**
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- 1380.15 **Effective Date.**

CROSS REFERENCES

- Appeals - see Board of Building Appeals Section 1323.07
- Penalties - see Class A Civil Offenses Section 1324.02
- Penalties - see Class B Civil Offenses Section 1324.03
- Fines - see Civil Fines Section 1324.99
- County Land Reutilization Corporations - see Ohio Revised Code Chapter 1724.
- Liens - see Ohio Revised Code Chapter 715.261

1380.01 ADOPTION; PURPOSE.

(a) The purpose of this chapter is to establish a vacant property registration program and to regulate the maintenance of properties which are in the foreclosure process, abandoned or vacant. This chapter is intended to reduce and prevent neighborhood blight, to avoid the creation and maintenance of public nuisances, to ameliorate conditions that threaten the public health, safety and welfare, to promote neighborhood stability and occupancy by preserving the condition and appearance of residential properties and the worth and activity of commercial and industrial properties, and to maintain property values and assessments.

(b) Furthermore, the City recognizes and acknowledges the research of the Clark County Combined Health District (the "Health District"). Specifically, the Health District's research documents the deleterious effects of vacant properties in our neighborhoods including chronic illness, environmental stressors, lead poisoning, poor air quality, physical hazards to children and adult residents and increase in fire fighter injuries. Additional deleterious effects, includes but are not limited to, increased violence and crimes such as: narcotics use, sale, and manufacture, juvenile delinquency, stolen property, juvenile runaways, sex offenders, trespassing, vandalism, dumping, burglary and prostitution. The blight caused by vacancies also has a chilling economic affect in lowering home values and slowing economic growth which has an indirect but measurable effect on the overall health of the residents in the neighborhoods.

(c) There is hereby adopted, then, for the aforementioned purposes and for the purpose of providing a means of identifying the owner and/or responsible entities of vacant and/or abandoned properties within the corporate limits of the City, having complete contact information on record for these properties and responsible parties, a registration and maintenance requirement for vacant and/or abandoned properties.

(d) Nothing in this chapter shall be construed to waive, relieve or otherwise excuse an owner of property from compliance with all applicable codes, ordinances, statutes or laws and the owner shall at all times remain responsible and liable therefore. Nothing in this chapter shall be construed to prevent the enforcement of other provisions of the Codified Ordinances of the City of Springfield; Springfield Property Maintenance, Building, or Fire Code; or the Ohio Revised Code, and nothing in this chapter shall be construed to relieve an owner or interested party from duties imposed pursuant to any regulatory code, ordinance, statute, or law of the City or State of Ohio.

(e) This chapter also applies to the maintenance and regulation of commercial and industrial properties and residential properties, aiming to prevent blight and ensure neighborhood stability for all property types.

1380.02 APPLICABILITY.

~~This chapter shall be applicable to all residential structures located within the City pursuant to exemptions listed in this chapter.~~ This chapter, in addition to applying to residential structures, now also extends to all commercial structures within the City. This expansion aims to address the significant impact that vacant commercial structures can have on community aesthetics, safety, and economic vitality.

1380.03 DEFINITIONS.

As used throughout this chapter:

"Abandoned" means a structure that is unoccupied as the result of the relinquishment of possession or control by an owner or other person with the right of possession or control of the structure, a mortgagor or the mortgagor's assigns whether or not the mortgagor or mortgagor's assigns have relinquished equity and title. A structure may be deemed abandoned when there is evidence of conditions, taken separately or as a whole, that would lead a reasonable person to conclude that the property was abandoned, including, but not limited to, evidence of overgrown or dead vegetation, accumulation of newspapers, circulars, flyers, mail, past due utility notices, or other means of notice by publication, the accumulation of junk, litter, trash, or debris, absence of windows or window treatments, absence of furnishings and personal items, statements of neighbors, delivery agents or similarly situated persons that the property is abandoned.

"Codes" means the Codified Ordinances of the City of Springfield or those adopted by said Codified Ordinances.

"Director" means the Director of Community Development of the City of Springfield or such person as the Director may designate to act on behalf of the Director.

"Owner" means the registered owner of a property, any person who holds legal or equitable title to the property, is a mortgagee, a vendee-in-possession, assignee of rents, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a property. The owner of a property in default or for which a foreclosure action is pending or for which a judgment in foreclosure has been issued shall include the mortgagee, the successor in interest to the mortgagee, the lender or servicing company and any agent acting for the mortgagee, its successors, or a lender or servicing company. Under this definition, there may be more than one "owner" of a property for purposes of this chapter.

"Vacant" applies to any residential or commercial structure that is not lawfully occupied, used for its ordinary purpose, means a structure that is not lawfully occupied or that otherwise qualifies as "abandoned" under this section. A residential structure property shall be considered vacant when it has been unoccupied for ninety (90) days. Multi-family residential structures shall be considered vacant when all of the dwelling units are not lawfully occupied for sixty (60) days or that otherwise qualifies as "abandoned" under this chapter. A commercial structure shall be considered vacant when it is not lawfully occupied or used for its ordinary purpose for thirty (30) days. Multi-family residential structures shall be considered vacant when all of the dwelling units are not lawfully occupied or that otherwise qualifies as "abandoned" under this chapter. A Commercial structure shall be considered vacant when it is not lawfully occupied or used for its ordinary purpose.

1380.04 OWNER REQUIRED TO ACT; ENFORCEMENT AUTHORITY.

(a) The owner of any residential structure that has become vacant as defined in Section 1380.03 "Definitions" within thirty days after the residential structure first becomes vacant, within thirty days of receiving notice that a residential structure is vacant, or within thirty days after the effective date of this chapter, whichever is later, shall file a "Vacant Property Registration Form", as prescribed by the City Manager. The "Vacant Property Registration Form" shall be filed with the applicable fee for each such residential structure with the Director or his or her designee.

(b) The owner of any commercial structure that has become vacant as defined in Section 1380.03 "Definitions" within sixty days after the commercial structure first becomes vacant, within sixty days of receiving notice that a commercial structure is vacant, or within sixty days after the effective date of this chapter, whichever is later, shall file a "Vacant Property Registration Form", as prescribed by the City Manager. The "Vacant Property Registration Form" shall be filed with the applicable fee for each commercial structure with the Director or his or her designee. Registration must include detailed contact information for property management and must be updated annually or upon change of ownership or property status.

(c) The registration statement shall remain valid for one year from the date of registration. The registering party shall be required to annually renew the registration as long as the residential structure remains vacant and shall pay an annual registration fee of one hundred twenty-five dollars (\$125.00~~100.00~~) for each residential structure. The registration fee for commercial properties is

set at three hundred dollars (\$300.00) semi-annually. The registration fees are intended to cover the costs of registration enforcement, code enforcement, and mitigating the negative impacts of vacant residential and commercial structures on the community. The registering party shall not be entitled to a refund of all or any part of the registration fee should the structure no longer be deemed vacant during the annual- or semi-annual registration periods.

(de) The owner shall notify the Director or his or her designee within twenty days of any change in the registration information by filing an "Amended Vacant Property Registration Form", also prescribed by the City Manager. There shall be no fee for filing an "Amended Vacant Property Registration Form". The "Vacant" or "Amended Property Registration Form" shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner of the structure. An owner shall be liable under this section for failing to register a vacant structure, paying an appropriate annual registration fee, or timely updating any change in registration.

(ed) In addition to other information required by the Director, the City Manager shall prescribe a "Vacant Property Registration Form". The form will request the disclosure of the following information, if known:

- _____ 1) The street address of the property,
- _____ 2) Permanent parcel number assigned by the County Auditor,
- _____ 3) The trash hauling service provided (if provided) by the owner;
- _____ 4) The date upon which the property became vacant (if known to the owner),
- _____ 5) The case name and case number of any foreclosure proceeding with respect to the property,
- _____ 6) The case name and case number of any bankruptcy proceeding with respect to the property,
- _____ 7) Name and telephone number of a person twenty-one years of age or older, designated by the owner 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 in connection with the enforcement of this chapter. This person must maintain an office in Ohio; or must ~~actually reside~~ within 250 miles of 76 East High Street, Springfield, Ohio 45502, within the State of Clark County, Ohio. An owner who meets the requirements of this subsection as to location of residence or office may designate him- or herself as agent. By designating an authorized agent under the provisions of this subsection the owner is consenting to receive any and all notices of code violations concerning the registered building and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered structure by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this subsection shall be deemed to consent to the continuation of the agent's designation for the purposes of this subsection until the owner notifies the Director or his or her designee in writing of a change of authorized agent or until the owner files a new annual registration statement and/or amendment. An owner shall be liable under this section for failing to register an authorized agent.
- _____ 8) Such other information as the Director may reasonably require.

(fe) The owner of any vacant structure shall cause an initial physical inspection of the structure to be made and secure the structure in accordance with this chapter. An owner shall be liable under this section for failing to inspect the property or structure or for failing to maintain the inspection reports as required by this section.

(gf) Any owner who fails to register a vacant structure under the provisions of this section shall further be deemed to consent to receive, by posting at the structure, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the structure and premises.

(hg) The Director may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods which must be used when securing a structure beyond the standard provided so that the boarding is reasonably incapable of being removed by trespassers or others acting without the owner's consent.

(i) Owners of commercial properties must adhere to the same registration and inspection intervals, with semi-annual updates.

1380.05 Maintenance and Security Requirements for Commercial Structures

Commercial Structures must adhere to rigorous maintenance standards to prevent blight and hazards. This includes the upkeep of exterior appearances, landscaping, and structural integrity. Security measures must be robust to prevent unauthorized access, with requirements for adequate locking systems, secure windows, doors, and other potential entry points. A designated property manager must inspect the property monthly, ensuring compliance with all city codes and regulations concerning commercial structures.

1380.065 REGISTRATION REQUIRED AND PENALTY.

(a) The owner of any vacant structure shall file a "Vacant Property Registration Form" for each such structure with the Director or his or her designee on the form provided for such purpose. Any such registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner or owners of the structure.

(b) The owner of any vacant structure who fails to file a registration statement for each such structure within the timeframes established by this chapter or who fails to update a change in registration information within the timeframes established by this chapter shall be subject to a \$25 per day administrative penalty with a maximum penalty of \$750. Continued non-compliance may lead to more severe legal actions, including potential foreclosure by the city to remedy severe neglect or abandonment.

(c) Registration fees, penalties, and fines associated with and collected on behalf of the Vacant Property Registration Program shall be deposited in a specific Finance Department account in the annual budget of the City of Springfield and shall only be expended for the specific purposes set forth in this chapter.

(d) If a property is scheduled or placed on the voluntary demolition list, the City may waive in writing the registration fee for that specific property.

1380.076 NOTICE TO CITY OF FORECLOSURE, FILING, FEE.

Any person who files a complaint in any court of competent jurisdiction for foreclosure involving real property located within the City of Springfield on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Department of Community Development within ten (10) calendar days after filing the complaint with the relevant court. The notice to the City shall be on a form as prescribed by the Director.

1380.087 LIABILITY.

(a) Unless otherwise specifically provided, the owner, the owner's agent for the purpose of managing, controlling or collecting rents, and any other person managing or controlling a structure or premises in any part of which there is a violation of the provisions of this chapter, shall be liable for any violation therein, existing or occurring, or which may have existed or occurred, at or during any time when such person is or was the person owning or managing, controlling, or acting as agent in regard to said structure or premises and is subject to injunctions, abatement orders or other remedial orders.

(b) The liabilities and obligations imposed on an owner shall attach to any financial institution, mortgage company, or any other person or entity with or without an interest in the structure or premises who knowingly takes any action in any judicial or administrative proceeding that is intended to delay issuance or enforcement of any remedy for any violation of the Codes, provided that with respect to fines such person shall be liable only for fines which accrue on or after the date of such action and further provided that no liability shall be imposed under this section for any action taken in any proceeding, including a proceeding to foreclose on a lien, that does not delay or prevent the prosecution of any action brought by the City to enforce the adopted Codes.

(c) In the event the City, due to lack of response of an owner or agent, is required to take action, through its own efforts or via a contract for such services, to abate a nuisance at a vacant property the owner will be billed for the cost of the abatement to include all labor and materials needed to correct the violation. Nuisance abatements shall include, but are not be limited to, elimination of hazardous conditions, cutting of weeds and overgrowth, securing and/or boarding of a structure, trash cleanup and disposal and demolition.

1380.098 APPEALS.

Any person aggrieved by any order of the Director may appeal such order directly to the Office of the City Manager within five (5) days of receiving the Director's initial decision. If the aggrieved person is still aggrieved, they may then appeal such order to the Board of Building Appeals in accordance with the procedure set out in Section 1323.07 of these Codified Ordinances

1380.1009 ASSIGNMENT OF REGISTRATION FEES, PENALTIES, AND FINES.

(a) Failure to register a vacant residential property as required by this chapter is guilty of a Class B Civil Offense further detailed in Section 1324.03 and Section 1324.99.

(b) Failure to file a Notice of Foreclosure pursuant to Section 1380.06 is guilty of a Class BA Civil Offense further detailed in Section 1324.02 and Section 1324.99.

1380.~~1110~~ EXEMPTIONS.

(a) Any property with foreclosure proceedings with a mortgage held through the Federal Housing Finance Agency ("FHFA"), who acts as a conservator (i.e. Fannie Mae and Freddie Mac) is exempt from the fee requirements of this registry, but are requested to notify the City of properties that may be subject to this list sans FHFA involvement.

(b) This exemption is specifically in accordance with the doctrine of preemption through Article VI, paragraph two (2) of the United State Constitution.

(c) This chapter does not apply to County Land Reutilization Corporations organized under Ohio Revised Code Chapter 1724.

1380.~~1211~~ REMOVAL FROM REGISTRY.

(a) Any owner or mortgagee of a vacant residential property may apply to the Director to remove a vacant property from the City registry at such time as the property no longer constitutes a vacant property.

(b) Any application for removal allowed under subsection (a) of this section shall be granted or denied by the Director within thirty (30) days, and if no such determination is made within thirty (30) days then the application for removal from the registry shall be deemed granted.

(c) If the property was sold, a copy of the HUD-1 statement and Security Deed must be provided as proof. If the property is rented by a tenant, a copy of the a fully executed lease, duly signed by both the landlord and the tenant(s) must be provided as proof.

1380.~~1312~~ NONCOMPLIANCE; ADDITIONAL REMEDIES.

(a) Whenever a property is deemed abandoned or vacant pursuant to the terms of this chapter and is not maintained pursuant to the terms of this chapter and the City of Springfield Codified Ordinances, the Director or designee, may order the abatement of the violation or any other action that may be required including, but not limited to, demolition. Any abatement action shall be conducted in accordance with the City of Springfield Codified Ordinances. The cost of any action taken by the City shall be charged against the real estate upon which the structure or violation is located and shall be a lien upon such real estate in accordance with Ohio Revised Code 715.261.

(b) In addition to the penalties set forth in in this chapter, the City may pursue such other remedies it deems necessary to carry out the purpose and intent of this chapter. Those additional remedies may include issuing appropriate administrative orders under this and other chapters of the City of Springfield Codified Ordinances, injunctions, mandatory relief, restraining orders, and damages, appointment of a receiver, issuing assessments, and such other relief as may be allowed in law or equity.

(c) Commercial properties must maintain yards, landscaping, and building exteriors in accordance with the same standards set for residential properties, including debris removal and upkeep of structural integrity.

1380.14~~13~~ SAVINGS CLAUSE.

The repeal or amendment herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending litigation or prosecution of any right established or occurring prior to the effective date of this chapter, as amended.

1380.15~~14~~ SEVERABILITY.

If any section, subsection, clauses, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

1380.16~~15~~ EFFECTIVE DATE.

The provisions of Title Seven entitled the "Vacant Property Registration Program" shall become and be effective on or after January 1, 2020.