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CITY OF TRENTON
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

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Vacant Property Ordinance – Factsheet

On November 6th, 2014, the City Council passed Ordinance 14-54 that will require owners of vacant properties to register their properties, pay an escalating annual fee for registration and require property owners to maintain the property in compliance with municipal codes.

When is a property considered vacant?

A building or structure is considered vacant if it is not legally occupied *or* at which all lawful business or construction operations or residential or other occupancy have substantially ceased, *and* which is in such condition that it cannot legally be re-occupied without repair or rehabilitation.

I am between tenants, is my property considered vacant?

If the property is habitable, e.g., all building systems are in sound working order, the building and grounds are maintained in good condition, and the property is being actively marketed by its owners for sale or rental, it will not be considered vacant for purposes of this ordinance.

When does the ordinance take effect?

The ordinance goes into effect on January 1, 2015.

Does the ordinance apply to vacant buildings and lots?

The ordinance applies to vacant buildings, not vacant lots.

What are the fees?

- Initial registration: \$250 or prorated amount per Sec. 2(d) of the ordinance.
- First annual renewal: \$400
- Second annual renewal: \$750
- Subsequent annual renewals: \$1000 or 5% of the assessed value, whichever is higher.

Are non-profits exempt from the vacant property registration fees?

Non-profits are not exempt and will be subject to all fees.

Can the registration fee be waived?

Yes, only if the owner of the property has plans to renovate/rehabilitate the property within the next twelve months in an effort to obtain a tenant. The owner may submit a written request for a waiver along

with plans to the Director of the Department of Housing & Economic Development and the Director may waive the registration fee.

In addition, if an owner is experienced in rehabilitation or redevelopment of vacant properties, and where the property is being held for a project of rehabilitation or redevelopment consistent with municipal plans and ordinances, then the owner of the property may submit a written request for a waiver of the fee to the Department of Housing & Economic Development and the Director may waive the registration fee on an annual ongoing basis.

Where can I find out if my property is listed as a vacant property based on the most recent survey?

You can go to <http://www.restoringtrenton.org>.

I've heard I need to post a "registration sign" on my vacant building, what is a "registration sign?"

Owners are required to post a sign on the structure with the name, address and telephone number of the owner or the owner's authorized agent for the purpose of service of process, and the name, address and telephone number of the entity or individual responsible for maintenance of the property. The sign shall be at least 8"x 24" in dimension, shall include the words "to report problems with this building, call....", and shall be placed in a location where it is clearly legible from the nearest public street sidewalk.

Are there any other requirements in addition to registration under this ordinance?

Yes, owners must maintain liability insurance, in an amount not less than \$300,000.00 for buildings designed primarily for one to four unit residential use and not less than \$1,000,000.00 for any other building, including, but not limited to, buildings designed for multifamily, manufacturing, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building.

In addition, owners must maintain the building(s) in a secure and closed condition, keep the grounds in a clean and well maintained condition, and ensure that the registration sign is visible and intact until the building is again occupied or demolished or until repair or rehabilitation of the building is complete.

What happens if a property owner fails to pay the registration fee or maintain their property in accordance with the ordinance?

Any person who violates any provision of this ordinance or of the rules shall be fined not less than \$250.00 and not more than \$1,000.00 for each offense and every day that a violation continues shall constitute a separate and distinct offense. Moreover, fines assessed under the ordinance shall be recoverable from the owner and shall be a lien on the property.

What does the City intend to do with the fees collected under the ordinance?

At least 50 percent of all the funds resulting from the application of this ordinance shall be deposited in a trust fund that shall be used for the sole purpose of carrying out municipal activities with respect to vacant and distressed properties, including but not limited to code enforcement, abatement of nuisance conditions, stabilization, rehabilitation, and other activities designed to minimize blight and/or promote further productive reuse of properties.