

Residents First Legislative Package

A series of ordinance changes to support Cleveland residents and revitalize Cleveland's neighborhoods.



CITY OF CLEVELAND
Mayor Justin M. Bibb

These proposed Code changes were developed through a collaborative process spanning more than six months. A working group of focused councilmembers, external experts, and internal implementers gathered to get this right. Thank you to each of them.

Cleveland City Council:

*Councilman Kris Harsh
Councilman Joe Jones
Councilwoman Rebecca Maurer
Councilwoman Jenny Spencer*

**Vacant & Abandoned
Property Action
Council:**

*Frank Ford
Zach Germaniuk
Kermit Lind
Ron O'Leary
Phil Star*

**Building and Housing
Leadership:**

*Director Sally Martin O'Toole
Assistant Director Colleen Majeski
Commissioner Thomas Vanover
Antionette Allen
Tim Kobie, Ph.D*

City Attorneys:

*Ronda Curtis
Michele Comer
Austin Davis
Jennifer O'Leary
Dave Roberts*



Residents First **Legislative Package**

At a *glance*



Why is it needed?

Recent citywide survey results show housing quality drop from 2015 survey.

VAPAC white paper from March 2022 shows rise in real estate investment activity paired with negative outcomes for residents and tenants.



Percentage of A & B graded properties dropped from 78% in 2015 to 54% in 2022



C graded properties rose from 16% to 37%. Protecting these properties from further decline is vitally important for neighborhood stability



Over half of all vacant structures surveyed in 2022 were graded D or F



On east side of Cleveland, at least 54% of 1-3 family sales went to non-owner occupants in 2021; 24% on west side

Local Agent In Charge

Establishing responsibility and accountability mechanisms for property owners of Cleveland structures who do not reside in the area.



All non-owner-occupied units need to identify a Local Agent in Charge (LAIC)



If a property owner is located outside of Cuyahoga County or a contiguous county, their LAIC must be a human being who resides in Cuyahoga County



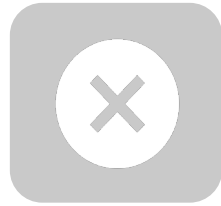
The LAIC is legally responsible for the physical and financial condition of the property

Rental Registry Overhaul

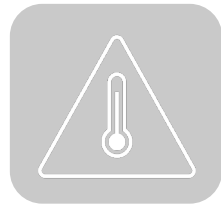
Revising and supplementing the City's existing rental registration process to better protect Cleveland renters.



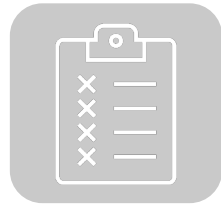
All non-owner-occupied residential units must register with the City



Eliminates registration loopholes

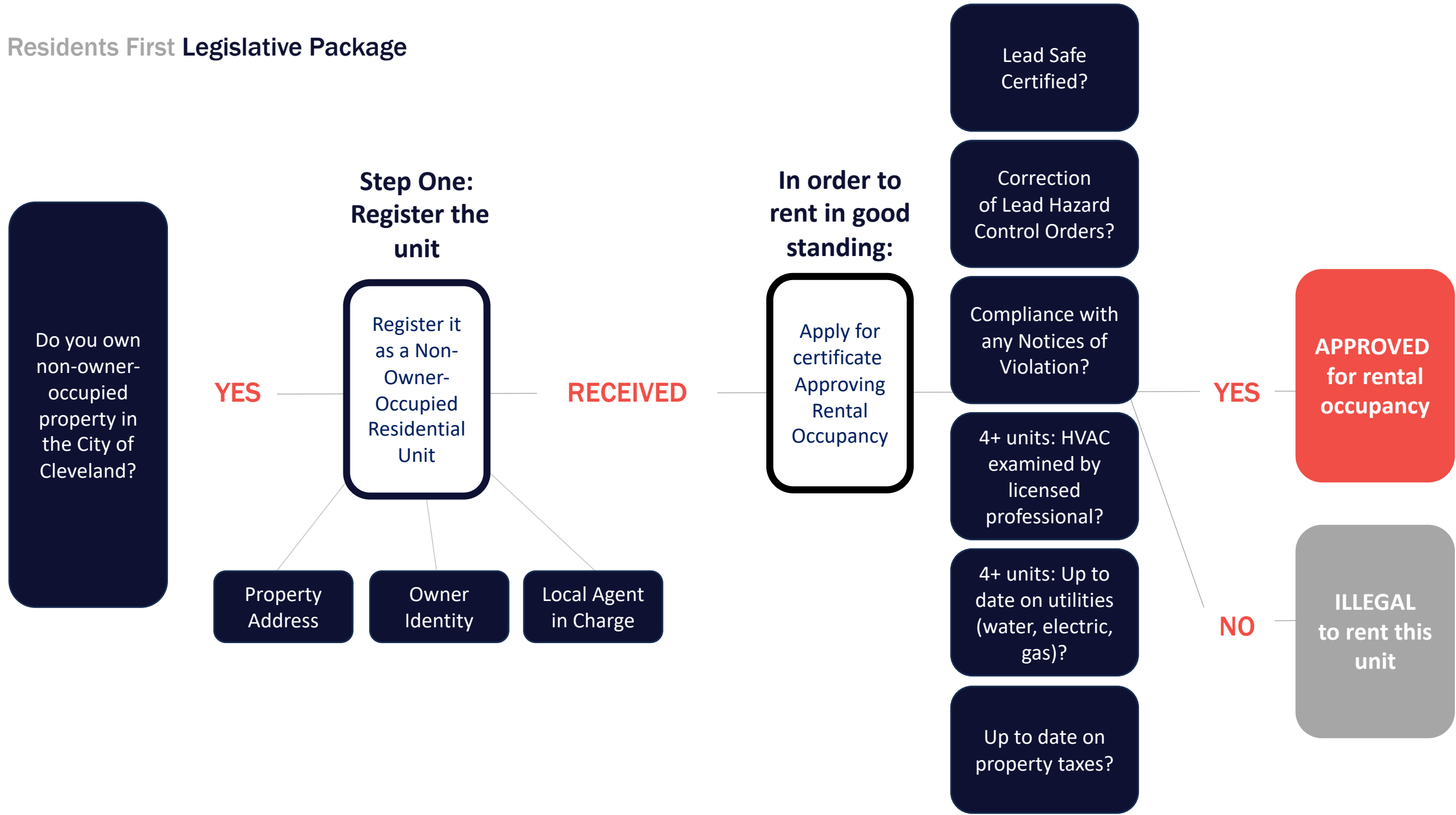


HVAC certification requirement



Grants authority to revoke registration for noncompliance

Residents First Legislative Package

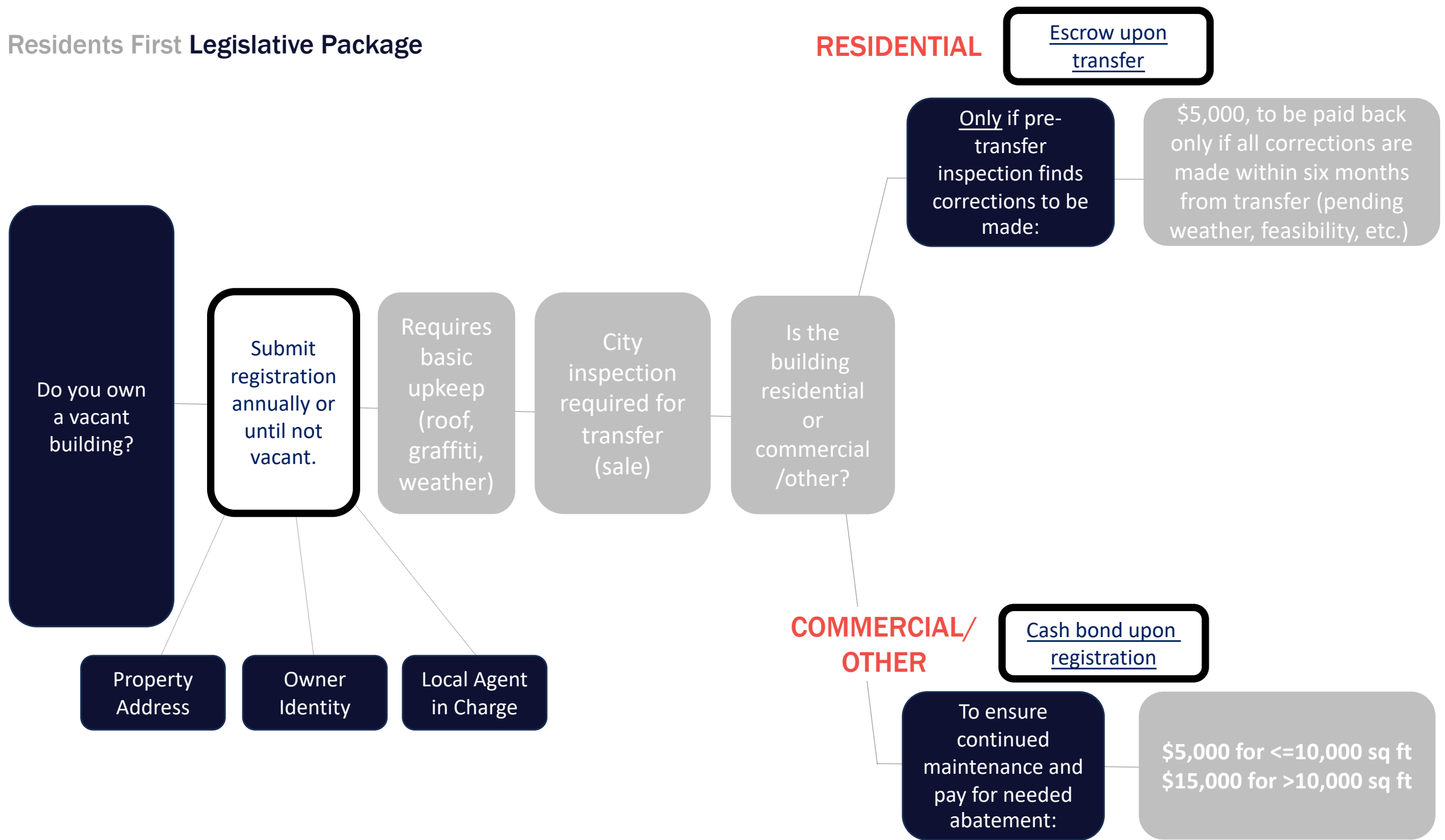


Vacant Property Registry

Establishes duties and accountability mechanisms for property owners of vacant buildings.

- Requires annual registration of vacant buildings and identification of LAIC.
- Registration requires an inspection of the property by Building and Housing for code violations.
- Point of Sale: upon transfer, with >1 code violation, buyer of residential property is required to put \$5,000 in an escrow, assume violations, and to complete repairs within six months.
- Vacant Commercial properties require \$5,000-15,000 cash bond upon registration.

Residents First Legislative Package



RESIDENTIAL

Escrow upon transfer

Only if pre-transfer inspection finds corrections to be made:

\$5,000, to be paid back only if all corrections are made within six months from transfer (pending weather, feasibility, etc.)

COMMERCIAL/ OTHER

Cash bond upon registration

To ensure continued maintenance and pay for needed abatement:

\$5,000 for <=10,000 sq ft
\$15,000 for >10,000 sq ft

Residents First Legislative Package

Inspecting Parking Garages

Modifying our laws to require regular inspections of parking garages. Follows same process as façade ordinance.

Inspections will...

- Occur every five years
- Require an inspection report to be submitted to the Director
- Require Notice of Unsafe Condition
- If satisfactory and in safe condition, owners will receive a parking garage certificate

Civil **Tickets**

Establishes legal authority for inspectors to issue civil tickets for nuisances. Becomes a new tool in the code enforcement tool box.

- Allows for the issuance of a \$200 fine per infraction. Assessed to tax duplicate if unpaid.
\$50 fee for late payments.
- Codes Included: Building & Housing, Zoning, Fire, Health, others
- Similar process currently utilized by Public Works to address trash cans.



Residents First Legislative Package

Civil **Tickets**

Includes numerous nuisance issues and will more quickly address nuisance properties

Rubbish and Garbage Disposal

Infestation of Pests

Smoke Detection and Alarm Systems

Maintenance of Exterior Walls and Roof

Lead-Safe Certification Requirements

Portable Storage Containers

Sanitation Responsibilities

Graffiti Removal

Abatement Authority



Provides the authority to use existing demolition funding accounts for emergency nuisance abatement activity other than demolition.

This can be used for emergency repairs to stabilize structures or make critical life, health, and safety repairs at a property.



High grass, weeds, and overgrowth of vegetation will receive one 72-hour notice ***per growing season***, with right to abate whenever out of compliance during the season.



Residents First Legislative Package

Certificate of Disclosure

& Statements of Authorized Use

- Merges Certificate of Disclosure requirements with Statement of Authorized Use
- Minimizes loopholes
- All parcels transferred (not just larger ones) must provide property condition disclosures and zoning information uniformly prior to transfer
- Will allow for more aggressive prosecution

Consistency & **Clarification**

Adjusting our existing ordinances to promote clarity among departments, consistency in our issuance of citations, and continuity of legal language.

Building, Housing, Zoning, Health, Fire, and Sidewalks Code

- Updating for consistency for service of a nuisance Notice of Violation & providing for service at reasonable address
- Updating for consistency in making a nuisance violation a first-degree misdemeanor, with each day of violation a separate offense
- Updating for consistency for who at the City is authorized to make inspections
- Clarifying right-to-entry authority for inspectors to work more like health inspectors (proactive, administrative)

Questions?



CITY OF CLEVELAND
Mayor Justin M. Bibb