

# Tucumcari Vacant Building Ordinance

## Tucumcari Ordinance 1124 adopted 8/13/15

# NOTICE

As of August 13, 2015 vacant buildings zoned C-1, C-2, I-1, I-1 or within the Route 66 overlay Zone are required to obtain a vacant building license. The full definition for a vacant building can be found within Ordinance 1124 which can be obtained at City Hall, but includes: A residential or commercial building which is lacking habitual presence of natural persons who have a legal right to be on the premises, or at which substantially all lawful business operations or residential occupancy has ceased. If a vacant building is used for the storage of materials related to a commercial enterprise, the owner must possess a valid business license consistent with said business. As this is a new ordinance, the City is working with property owners to notify them of the changes. We will begin strict enforcement of this ordinance beginning in 2016. On the back of this flier, there is a brief listing of requirements for vacant buildings. If you would like a full copy of the ordinance, it may be obtained from City Hall.



In order to obtain a vacant building license, your building must meet the vacant building maintenance standards as follows (for a full listing of requirements see Ordinance 1124) :

1. Building openings. All openings must be weather tight and secured against vermin and trespassers. Missing or broken doors, windows and opening coverings must be replaced or covered with one-half-inch CDX plywood, painted grey, weather protected, and tightly fitted to the opening and secured by screws or bolts.
2. Roofs. The roof and flashings are sound, tight, will not admit moisture, and drained to prevent dampness or deterioration in the walls or interior.
3. Drainage. The building storm drainage system is adequately sized, installed in an approved manner, functional and discharged in an approved manner.
4. Building structure. The building is maintained in a good repair, structurally sound, free from debris, rubbish and garbage, and sanitary, so as not to pose a threat to the public health or safety.
5. Structural members. The structural members are free of deterioration and capable of safely bearing imposed dead and live loads.
6. Foundation walls. The foundation walls are plumb, free from open cracks and breaks, and vermin proof.
7. Exterior walls. The exterior walls are free of holes, breaks, and loose or rotting materials. Exposed metal and wood surfaces are protected from the elements and against decay or rust by application of weather-coating materials.
8. Decorative features. The decorative features are safe, anchored, and in good repair.
9. Overhanging extensions are in good repair, anchored, safe and sound.
10. Chimneys and towers are structurally safe.
11. Openings in sidewalks are safe for pedestrian travel. Sidewalks are kept free of snow, ice and debris.
12. Accessory and appurtenant structures are free from safety, health, and fire hazards.
13. Premises. The premises on which a structure is located is clean, safe and sanitary and does not pose a threat to the public health or safety.
14. External appearance. The external appearance of the structure and premises shall be maintained in such a manner that the vacant building will not be unreasonably detrimental to property values or the character of the neighborhood as determined by the City Manager or designee.
15. Insurance. Certificate of insurance. Upon application for a vacant building maintenance license, the owner shall provide a certificate(s) of insurance for commercial liability, if a commercial building; a certificate of insurance for personal, premises or both types of liability insurance; and a fire legal endorsement, if applicable.
16. Designation of local agent. In addition to other information required by the City Manager, the application shall include the name, street address and telephone number of a natural person 21 years of age or older, designated by the owner or owners 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 or owners in connection with the enforcement of this chapter. This person must maintain an office in Quay County, New Mexico, or must actually reside within Quay County, New Mexico. An owner who is a natural person and who meets the requirements of this subsection as to location of residence or office may designate himself as agent.
17. Fees. A nonrefundable fee of \$50 shall be charged for processing each vacant building maintenance license. Upon approval of any vacant building maintenance license, a license fee of \$300 shall be paid as a condition of the license. Upon approval of any renewal of any vacant building maintenance license, a license fee of \$500 shall be paid for the first renewal, and a license fee of \$1,000 for the second renewal and every renewal granted thereafter.