

Progress on Abandoned Properties

Some months ago, in a previous column, I shared with you my concern and annoyance by the problem of vacant houses left to deteriorate. Often these are houses in foreclosure, which the owners have abandoned to the bank holding the mortgage. I undertook a review of our Town ordinances regarding property maintenance, to understand what powers we possess that let us take action, and how our laws might stand improvement in this regard.

Specifically, I learned that our laws make provision for the Town to act when a vacant property presents health or safety issues. Those laws are rather more anemic when it comes to addressing strictly visual deterioration. Yet it's the visual decay, as much as any other factor, that blights the neighborhood. Residents in such neighborhoods know this all too well.

As a first step, I directed our code enforcement officers to act aggressively to address the problem using the powers that we have. We compiled an inventory of derelict properties and began targeting enforcement. At a Town Board meeting on April 1, residents spoke of specific problem houses. The next day, with code enforcement staff, I visited each property mentioned at the meeting, to gain a first-hand understanding of the issues needing remediation. I'm pleased to report that since then we've been able to make visible progress with specific properties, making them appear properly maintained and as inhabited as other house on the street. That effort continues.

Concurrently, we began revision of the Town Code to increase our ability to act on visual deterioration of vacant properties, to the full extent permitted by state law. Working with legal counsel and with Town Councilmember Mary Gehl Doyle, who acted as the Town Board's point person on this project, we now have a proposed ordinance on property maintenance that will give the Town significantly wider scope of action on derelict properties. The Town Board will hold a public hearing on the new law at its next meeting on Tuesday, July 15 at 7PM in Town Hall.

Based on our assessment of needed improvements in existing Town law, and on statutes used successfully by other municipalities around the country, the new Building and Property Maintenance Code represents a substantial improvement. It's easier to understand than the law it will replace, providing greater clarity to code enforcement staff. It's easier to enforce and can be enforced more promptly than before.

The new law provides clarity for owners and other responsible parties as to what their responsibilities are. Perhaps of greater significance than any other improvement, the new law assigns responsibility with clarity and precision. This has been a persistent problem in areas where an owner is nowhere to be found and the bank holding the mortgage declines responsibility on grounds that it isn't the owner. Under the new law, if a bank is enforcing its right to foreclose, that bank becomes the party responsible for maintaining the property.

The new law would expand our ability to use techniques from contracting for the work ourselves if the responsible party ignores a notice to remediate, with the cost being added to the tax bill, to issuing demolition orders. We won't hesitate to use the full scope of our authority to do our best to insure that vacant properties are maintained to the standard of the neighborhood and do not appear to be vacant.

If you'd like to comment on the proposed law, on the problem of vacant properties, or on any other issue involving Town government, please stop by my office in Town Hall, give me a call at 248-6220 or send a message to bsmith@townofpittsford.org.