



CITY OF RICHLAND HILLS

PLANNING AND COMMUNITY DEVELOPMENT

3200 Diana Dr.
Richland Hills, TX 76118

Phone: (817) 616-3770

Fax: (817) 616-3808

Vacant Building Registration

Indicate application type:

Single Family

Duplex

Four-plex

Non-Residential

Owners Information

Owner's Name:

Owner's Address:

Owner's Phone Number(s):

Owner's E-mail:

Property Manager (if applicable):

Address:

Contact Phone Number(s):

E-mail Address:

Rental Property Address:

Emergency Contact Information

Emergency Contact Name:

Emergency Contact Address:

Emergency Contact Phone Number:

Emergency Contact E-mail Address:

Additional Information

Date of Application:

Date Building Was Last Occupied:

Description of Any Hazardous Materials, Uses or Conditions That Currently Exist or Previously Existed in Vacant Building:

Description of Vacant Building (Square feet, Number of Stories, Construction Type, Etc.)

Number of Buildings/Structures on Site: Swimming Pool, Spas, Located in/on the Premises:

Proof of Insurance on Vacant Building

Name of Insurance Company:

Name of Insurance Agent:

Address:

Phone Number(s):

Policy Number:

Consent for Inspection of Vacant Building

Consent for the building official to enter at reasonable times, provided that such entry shall either be in the presence of the owner or the owner's representative, or, should the owner or owner's representative fail to appear when requested, based upon a search warrant issued by the municipal court based on a showing of reasonable suspicion that a violation of the Richland Hills, Texas Code of Ordinances, Part II, Chapter 14 - Buildings and Building Regulations, Article XV. Vacant Building, Division 1 has occurred.

Date of Inspection:

Owner/Agent Present (print):

Signature:

Plan For Vacant Building

For Official Use Only

TAD Parcel #:

Name of Lien Holder(s):

Address:

Phone Number(s):

E-Mail Address:

Certificate Number:

Received By:

Comments:

Date Received:

Fee:

Receipt Number:

ARTICLE XV. - VACANT BUILDINGS
DIVISION 1. - GENERAL PROVISIONS

Sec. 14-481. - Definitions.

Building means a structure for the support or shelter of any use or occupancy.

Building official means the person designated by the city manager to enforce and administer this article and includes any representatives, agents, or department employees designated by the official to enforce the terms of this article.

Certificate of registration means a certificate of registration issued by the building official under this article to the owner or operator of a vacant building.

Dwelling unit means one or more rooms designed to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.

Nonresidential use means any principal use of a building, structure, or portion thereof which is an occupancy type or use group other than a residential use group having less than four dwelling units.

Occupied means that one or more persons lawfully conduct business in or reside in at least 50 percent of the total area of a building (excluding stairwells, elevator shafts, and mechanical rooms) as the legal or equitable owner, operator, lessee, or invitee on a permanent, nontransient basis pursuant to and within the scope of a valid certificate of occupancy; or within an occupancy use that is authorized for the building or structure.

Owner means a person in whom is vested the ownership or title of real property:

(1) Including but not limited to:

- a. The holder of fee simple title;
- b. The holder of a life estate;
- c. The holder of a leasehold estate for an initial term of five years or more;
- d. The buyer in a contract for deed;
- e. A mortgagee, receiver, executor, or trustee in control of real property; and
- f. The named grantee in the last recorded deed; and

(2) Not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Person means any individual, corporation, organization, partnership, association, governmental entity, or any other legal entity.

Premises or property means a lot, plot, or parcel of land, including any structures on the land.

Registrant means a person issued a certificate of registration for a vacant building under this article.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

- (a) The building official shall revoke a certificate of registration for a vacant building if the building official determines that:
 - (1) The registrant failed to comply with any provision of this article or any other city ordinance or state or federal law applicable to the building;
 - (2) The registrant intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration; or
 - (3) The registrant failed to pay a fee required by this article at the time it was due.
- (b) Before revoking a certificate of registration under subsection (a), the building official shall deliver written notice to the registrant that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has ten days after the date of delivery to comply with the notice.
- (c) If, after ten days from the date the notice required in subsection (b) is delivered, the registrant has not complied with the notice, the building official shall revoke the certificate of registration and deliver written notice of the revocation to the registrant. The notice must include the reason for the revocation, the date the building official orders the revocation, and a statement informing the registrant of the right of appeal.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-487. - Appeal.

- (a) If the building official denies the issuance or renewal of a certificate of registration or revokes a certificate of registration, the action is final unless the registrant files a written appeal to the vacant property registration appeal board within seven calendar days of delivery of the notice of revocation.
- (b) The zoning board of adjustment shall serve as the vacant property registration appeal board unless the city council creates and appoints a separate vacant property registration appeal board.
- (c) If a written request for an appeal hearing is filed with the building official within the seven-day period, the vacant property registration appeal board shall hear the appeal within 30 days from the city's receipt of the appeal unless otherwise agreed by the city and the appellant.
- (d) Failure to file an appeal in accordance with this section is a waiver of appeal and the building official's decision shall be final.
- (e) The revocation of a certificate of registration is stayed pending appeal.
- (f) At the appeal hearing, the vacant property registration appeal board is limited to affirming or reversing the denial or revocation based upon proof by the appellant that there was error as of the date of the revocation or denial. Subsequent repair, renovation, correction, or payment of a fee shall not form the basis of the board's decision. Otherwise, the appeal shall be handled in accordance with Section 112 of the 2003 International Building Code. The decision of the board is final as to administrative remedies, and no rehearing or appeal may be granted.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-488. - Expiration and renewal of registration.

- (a) A certificate of registration for a vacant building expires the earlier of:
 - (1) One year after the date of issuance;
 - (2) The date the vacant building changes controlling ownership, as determined by the building official;

The owner, operator, or other person in control of a vacant building, or an authorized agent, must arrive at the premises within one hour after a contact person named under this section is notified by the city or emergency response personnel that an emergency condition has occurred on the premises.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-492. - Insurance.

Prior to the issuance of a certificate of registration for any vacant building, the registrant shall maintain in full force and effect at all times during the registration period property casualty insurance in an amount not less than the value of the building according to the last Tarrant County Appraisal District assessment and with a deductible not to exceed \$5,000.00, and, for property zoned for residential use or last used for residential purposes, liability insurance for the vacant building in an amount of not less than \$25,000.00, and for property zoned for nonresidential use or last used for nonresidential purposes, liability insurance for the vacant building in an amount of not less than two times the value of the building according to the last Tarrant County Appraisal District assessment. The policy shall designate the city as an additional insured and cover any loss or damage resulting from damages to persons or property resulting from the owner's supervision, management, and maintenance of the vacant building, the use of the building, or a condition of the vacant building. The insurance policy shall require notice to the building official within 30 days of the policy's lapse, cancellation, or change in coverage. The insurance policy must be written by an insurance company approved by the State of Texas and issued in a standard form approved by the Texas Department of Insurance. The owner shall provide a current certificate of insurance upon application, reinstatement, or renewal of the certificate of registration. Upon a reasonable request by the building official, the owner shall provide the building official such additional information and documents as are necessary to ensure compliance with this section.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-493. - Vacant building plan.

- (a) Within 30 days after the date a certificate of registration is issued for a vacant building, the registrant shall submit to the building official a vacant building plan complying with this section.
- (b) The vacant building plan must contain the following:
 - (1) A plan of action and a time schedule for correcting all existing violations of this article or any other city ordinance or state or federal law applicable to the building or its premises.
 - (2) A plan of action for maintaining the building and its premises in compliance with this article and all applicable city ordinances and state and federal laws.
 - (3) A plan of action for maintaining the building and its premises in a safe and secure manner, including but not limited to, provisions for pest control, securing the building from unauthorized entry, and, for buildings zoned for nonresidential uses or last utilized for nonresidential purposes, lighting, security, and maintenance of any existing alarm systems and fire suppression systems.
 - (4) A plan of action for occupying, leasing or selling the building, including a plan for marketing, advertising, or offering the building for sale or lease. If such plan does not provide for listing the property through a bona-fide licensed real estate marketing firm or organization, the applicant must provide a specific marketing strategy designed to aggressively market or utilize the property, which plan shall be subject to city council review.
 - (5) A plan of action and time schedule for any repair, renovation or demolition of the building.

information:

- (1) The name, street address, mailing address, e-mail address (if applicable), and telephone number of the applicant or the applicant's authorized agent.
 - (2) The name, all street addresses, and the main telephone number, if any, of the vacant building, and a description of the last permitted use and the type of property (e.g., a commercial retail building, a warehouse, an office, a hotel), the date on which the vacant building was last occupied, and a description of any hazardous materials, uses or conditions that currently exist or previously existed in the vacant building.
 - (3) The names, street addresses, mailing addresses, e-mail addresses (if applicable), and telephone numbers of all owners of the vacant building and any lien holders and other persons with a financial interest in the vacant building.
 - (4) The name, street address, mailing address, e-mail address (if applicable), and telephone number of a person or persons to contact in an emergency as required by this article.
 - (5) The nature of the business of the applicant; the name, street address, mailing address, e-mail address (if applicable), and telephone number of the applicant if an individual or a managerial agent of the applicant if the applicant is a noncorporeal entity; and, if the business is a noncorporeal entity, documentation regarding the legal standing of the business.
 - (6) Proof of insurance as required by this article.
 - (7) The number of buildings (including vacant and occupied buildings), units and other structures located in or on the premises of the vacant building.
 - (8) The total area in square feet of the vacant building, the number of stories contained in the vacant building, the area in square feet of each story, and whether each story is above or below ground level.
 - (9) Such additional information as the applicant desires to include or that the building official deems necessary to aid in the determination of whether the requested certificate of registration should be granted.
 - (10) Consent for the building official to enter at reasonable times, provided that such entry shall either be in the presence of the owner or the owner's representative, or, should the owner or owner's representative fail to appear when requested, based upon a search warrant issued by the municipal court based on a showing of reasonable suspicion that a violation of this article has occurred.
- (b) If the application for a certificate of registration is being made for multiple vacant buildings located at the same address, then the information required in subsection (a) must be provided for each vacant building located at that address.
- (c) A registrant shall notify the building official within ten days after any material change in the information contained in the application for a certificate of registration for a vacant building, including any changes in ownership of the property.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-496. - Registration and inspection fee.

The fees for a certificate of registration and required inspection for each vacant occupancy or unit or demised space zoned for nonresidential use or last utilized for nonresidential purposes are as shown in the city's fee schedule.

- occupied, and a description of any hazardous materials, uses or conditions that currently exist or previously existed in the vacant building.
- (3) The names, street addresses, mailing addresses, e-mail addresses (if applicable), and telephone numbers of all owners of the vacant building and any lien holders and other persons with a financial interest in the vacant building.
 - (4) The name, street address, mailing address, e-mail address (if applicable), and telephone number of a person or persons to contact in an emergency as required by section 14-494 of this article.
 - (5) The nature of the business of the applicant; the name, street address, mailing address, e-mail address (if applicable), and telephone number of the applicant if an individual or a managerial agent of the applicant if the applicant is a noncorporeal entity; and, if the business is a noncorporeal entity, documentation regarding the legal standing of the business.
 - (6) Proof of insurance as required by this article.
 - (7) The number of buildings (including vacant and occupied buildings), dwelling units, swimming pools, and spas located in or on the premises of the vacant building.
 - (8) The total area in square feet of the vacant building, the number of stories contained in the vacant building, the area in square feet of each story, and whether each story is above or below ground level.
 - (9) Such additional information as the applicant desires to include or that the building official deems necessary to aid in the determination of whether the requested certificate of registration should be granted.
 - (10) Consent for the building official to enter at reasonable times, provided that such entry shall either be in the presence of the owner or the owner's representative, or, should the owner or owner's representative fail to appear when requested, based upon a search warrant issued by the municipal court based on a showing of reasonable suspicion that a violation of this ordinance has occurred.
- (b) If the application for a certificate of registration is being made for multiple vacant buildings dwelling units located at the same address, then the information required in subsection (a) must be provided for each vacant dwelling unit located at that address.
- (c) A registrant shall notify the building official within ten days after any material change in the information contained in the application for a certificate of registration for a vacant building, including any changes in ownership of the property.

(Ord. No. 1231-12, § 2, 6-20-2012)

Sec. 14-500. - Registration and inspection fee.

The fees for a certificate of registration and required inspection for each vacant unit zoned for residential use or last utilized for residential purposes are as shown in the city's fee schedule.

(Ord. No. 1231-12, § 2, 6-20-2012)

Secs. 14-501—14-530. - Reserved.

ARTICLE XVI. - EXISTING BUILDING CODE

Sec. 14-531. - Adopted.

- a. Length of time the owner expects the boarding-up to continue;
 - b. Proposed plan to secure or board up the structure including a detailed description regarding the manner and materials; and
 - c. Proposed maintenance plan detailing the monitoring and maintenance of the structure and premises.
- (c) The city may conduct an inspection of the subject property to ensure that the structure is boarded-up in accordance with the approved plan as described in subsection (b)(3).
- (d) A permit issued pursuant to this section shall authorize the boarding-up or other securing of a building or structure for a period of six months. An owner of a property desiring to continue to board his property beyond the six-month term must submit a renewal application to renew the permit and continue to meet the requirements for the issuance of a new permit. The permit may be renewed within 30 days of the expiration of the original upon payment of necessary fees. A new permit must be obtained if the original permit is not renewed within 30 days of the expiration of the original permit.
- (e) No permit shall be required to board-up a building for up to 30 days in the event of a temporary emergency situation, including but not limited to, damage caused by vandalism, theft, or weather. In the event an emergency situation requires a building or structure to be boarded-up for more than 30 days, the owner of the building or structure or his authorized representative must obtain a valid building permit for repair or a valid boarding-up permit in accordance with this section.
- (f) The boarding of doors, windows, or other openings of any building or structure or any means of securing such openings, other than by the conventional method used in the original construction and design of the building or structure, shall be according to the specifications approved under the permit. All boarded openings shall be painted with a minimum of two coats of exterior paint, which is of a color compatible with the exterior color of the building or structure.
- (g) Any structure which is boarded shall be in compliance with all applicable codes and ordinances of the city.
- (h) Any building or structure which is boarded-up shall be posted with the name, permit information, and contact phone of the local agent.

(Ord. No. 1269-14, § 1, 5-6-2014)

Secs. 14-552—14-575. - Reserved.