

# **Vacant Building Maintenance License (VBML) and Suspension of Fees**

## **General Information on the VBM License**

1. Property Maintenance Code Enforcement Division issues orders to keep building vacant and apply for a VBM License.
2. The applicant must apply for VBM License within 30 days of the order.
3. The applicant pays the license fee for the VBM License\*
4. The applicant must maintain General Liability Insurance for property.
5. After the VBM License is paid and issued – the building must be brought into VBML maintenance standards within 60 days of application date.

**\*If the owner receives an order to obtain a VBML, and the fees or maintenance requirements would create a hardship and the owner has a viable development plan, the owner may file a petition to obtain relief from the VBML fees that range from \$900 to \$3500.**

## **General Information on the VBML Suspension of Fees Process**

1. The applicant must apply for the VBML suspension
2. The applicant pays the fee
3. The applicant is required to submit the insurance verification and include details for the development plan as indicated on the petition form
4. Please refer to FAQ's for further information

## **REQUIREMENTS FOR COMPLIANCE WITH THE VACATED BUILDING MAINTENANCE LICENSE ORDINANCE:**

- 1.) Apply for a Vacated Building Maintenance License (VBML) within 30 days of the date of this notice by completing the VBML/permit application form, paying the prescribed fee, and filing the application at **805 Central Avenue, Suite 500, Cincinnati, OH 45202**, and;
- 2.) Acquire General Liability Insurance within 30 days of the date of this notice (per Section 1101-77.1 General (b) shown below.) The Insurance policy shall provide for written notice to the director of buildings and inspections within 30 days of any lapse, cancellation, or change in coverage and;
- 3.) Cause the premises to conform to the minimum standards of safety and structural integrity set forth in 1101-79.4 below within 90 days of the date of this notice. NOTE: Merely applying for a VBML, paying the fee, and showing proof of insurance does not constitute full compliance with the VBML requirements and this order. You must make all necessary repairs and clean up on the building and premises and obtain the license to be considered in compliance. The license will not be issued until full compliance with the maintenance conditions set forth in Section 1101-79.4 CBC Vacated Building Maintenance Standards shown below is achieved.

Furthermore, as a condition upon which the VBML is issued, the premises must be kept in compliance and maintained in accordance with the VBML standards set forth in Section 1101-79.4 CBC during the entire license period, or the Vacated Building License will be revoked per section 1101-49.1 Revocation and refusal of permits, shown in part below.

Failure to timely pay the application fee within 30 days of the date the building is vacated or prior to the annual renewal date is subject to the assessment of a *late fee* equal to the VBML application fee or \$1000.00 whichever is less per Section 1101-129.3 CBC.

Failure to pay the application fee, late fees, or fines and City costs associated with the VBML may result in a lien being placed against the property for the total of these fines and fees allowed to remain unpaid.

### **Sec. 1101-77. Obligations of Owners of Vacated Buildings.**

#### **1101-77.1 General:**

- a. The owner of a building ordered in whole or in part vacated or kept vacant by the director of buildings and inspections shall apply for a vacated building maintenance license, cause the premises to conform to the minimum standards of safety and structural integrity set forth in § 1101-79.4, and obtain a vacated building maintenance license. \*
- b. The owner of a building ordered in whole or in part vacated or kept vacant by the director of buildings and inspections shall acquire or otherwise maintain general liability insurance in an amount of not less than \$300,000 for buildings designed primarily for use as residential units, including buildings containing no more than four dwelling units; and not less than \$1,000,000 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage, or commercial uses, including buildings containing five or more dwelling units. Any insurance policy acquired after an order to vacate or keep the building vacant shall provide for written notice to the director of buildings and inspections within 30 days of any lapse, cancellation, or change in coverage. Upon request, the owner shall provide evidence of the insurance to the director of buildings and inspections. The owner of a building ordered in whole or in part vacated or kept vacant by the director of buildings and inspections shall not be required to obtain or otherwise maintain fire/casualty insurance.

**1101-77.2 Time For Compliance:** An owner subject to § 1101-77.1 CBC shall apply for a vacated building maintenance license and obtain liability insurance in the amount required by § 1101-77.1 within 30 days from the date of issuance of the initial order to vacate the building or portion thereof. After applying for a license and obtaining insurance, the owner shall cause the premises to conform to the minimum standards of safety and structural integrity set forth in § 1101-79.4 within 60 days of the application date. The director may extend the time in writing, upon the owner showing good cause for extension. Any such extensions of time shall not exceed a total of 180 days, following the expiration of the 60-day period following the application date.

**1101-79.4 Vacated Building Maintenance Standards:** A building shall be deemed adequately protected from intrusion by trespassers and from deterioration by the weather if:

- (1) Building openings:** Doors, windows, areaways and other openings are weathertight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and opening coverings are covered with at least one-half inch of CDX plywood, weather protected, 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 gutters and downspouts are watertight and entire 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 good repair, structurally sound, free from debris, rubbish and garbage, and sanitary, and interior floors, walking surfaces and stairs are structurally sound, and interior walls and ceilings are free of loose or hanging plaster and finishes, 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 ratproof.
- (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 periodic application of weather coating materials, such as paint or similar surface treatment.
- (8) Decorative Features:** The cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features are safe, anchored, and in good repair. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
- (9) Structure Extensions:** All balconies, porches, canopies, marquees, signs, metal awnings, cornices, stairways, fire escapes, standpipes, exhaust ducts and similar features are in good repair, anchored, safe and sound. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
- (10) Chimneys and Towers:** Chimneys, cooling towers, smokestacks, and similar appurtenances are structurally safe. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
- (11) Sidewalk Openings:** Yardwalks, steps, and openings in sidewalks are safe for pedestrian travel.
- (12) Accessory and Appurtenant Structures:** Accessory and appurtenant structures such as garages, sheds, and fences are free from safety, health, and fire hazards.
- (13) Premises:** The premises on which a structure is located is clean, safe and sanitary, maintained free of weeds, junk cars, and litter, and does not pose a threat to the public health or safety.

**1101-49.1 Revocation and refusal of permits:** The director of buildings and inspections may revoke any permit, license, certificate or approval issued under the provisions of this Code, may refuse to issue a permit, license certificate, or approval or may stop the work for any of the following reasons:

- (3)** Whenever there is a violation of any condition on which the issuance of the permit, license or certificate was based;

## Sec. 1101-129. *Fees for Vacated Building Maintenance Licenses.*

1101-129.1 **Application Fee:** The fee for application for a vacated building maintenance license is based on the duration of time the building has been ordered vacated or kept vacated as determined by the following scale:

- \$900.00 for properties that have been ordered vacated or kept vacant for less than one year\*\*
- \$1,800.00 for properties that have been ordered vacated or kept vacant for at least one year but less than two years: \*\*
- \$2,700.00 annually for properties that have been ordered vacated or kept vacant for at least two years but less than five years: \*\*
- \$3,500.00 annually for properties that have been ordered vacated or kept vacant for at least five years\*\*

The fee shall be paid at the time of application and deposited in the building hazard abatement fund. Such rates shall go into effect upon the effective date of the ordinance which implements the fee structure contained in this section. Upon any initial application for a license, or upon the first renewal of a license following the implementation of the above-listed fee structure, all persons shall initially be required to pay the \$900 fee, and will thereafter pay the designated annual fee based on the graduated rate listed herein.

**1101-129.2 Renewal Fee:** The fee for renewal of a vacated building maintenance license to be determined by the scale in 1101-129.1. shall be paid at the time of application for renewal and deposited in the building hazard abatement fund. A renewal license shall expire on the annual renewal date. The annual renewal date shall be the anniversary of the date notice of violation is given pursuant to Section 1101-61 CBC wherein the building or portion thereof was initially ordered to be vacated or kept vacant.

**1101-129.3 Late Fee:** In addition to the amount assessed for the VBML license, the director of buildings and inspections shall charge a late fee equal to the license or renewal fee or \$1,000, whichever is less, if the owner fails to obtain a vacated building maintenance license within the time provided by 1101-77.2 CBC or if the owner fails to apply for renewal of a vacated building maintenance license before the annual renewal date. The annual renewal date shall be the anniversary of the date notice of violation is given pursuant to Section 1101-61 CBC wherein the building or portion thereof was initially ordered to be vacated or kept vacant. Unpaid Late Fees shall be considered a debt collectible pursuant to Section 1101-129.3A.

**1101-129.3A Fee as a lien:** If the owner fails to pay the amount due for the license, for renewal of the license, or as a fine for being out of compliance with the vacant building requirements, said amount shall constitute a debt due and owing to the city, and the city may commence a civil action to collect such unpaid debt.

\* Contractors hired to complete this work must be registered with the City of Cincinnati. See the City of Cincinnati Website (<http://www.cincinnati-oh.gov/buildings/contractor-registration/>), or call 352-3267, for more information.

\*\* VBML fees are subject to a 3% Technology Fee, therefore rendering the fees as follows: \$900.00 to \$927.00, \$1800.00 to \$1854.00, \$2700.00 to \$2781.00 and \$3500.00 to \$3605.00



# BUILDING PERMIT APPLICATION

<b>For Office Use Only</b> Digital <input type="checkbox"/>	<b>Building Permit No:</b> _____
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## Part A - Identification

<b>Project Address</b>		<b>Tenant/Floor/Suite/Unit/Lot</b>	
<b>Owner Information as Listed with HC Auditor</b>		<b>Contractor Information (REQUIRED)</b>	
Name	Name		Cont. Reg#/Exp. Date
Address	Address		
Contact Phone	Contact Phone		
<b>Primary Contact on Project (REQUIRED)</b>			
Name		Contact Phone	Contact Fax
Address		Email Address	

## Part B - Primary Use of the Main Building on Property (Select from the following Uses only) (See Use Guide for Details)

Current Use	Use Group	# Dwell Units	ASSEMBLY A-1 A-2 A-3 A-4 A-5	BUSINESS B	EDUCATION E	FACTORY F-1 F-2
Proposed Use	Use Group	# Dwell Units	HIGH HAZARD H-1 H-2 H-3 H-4 H-5	INSTITUTIONAL I-1 I-2 I-3 I-4		MERCANTILE M
			RESIDENTIAL 123 Fam R-1 R-2 R-3 R-4	STORAGE S-1 S-2	UTILITY U	VACANT LAND VAC

## Part C - Description or Scope of Work & Costs:

Describe the proposed work in detail:				<b>Fair Market Value of Labor &amp; Materials for this Application</b> (Do not include cost of electrical or any work covered by a separate application) \$ _____					
<b>Building</b>	New Building <input type="checkbox"/>	Addition <input type="checkbox"/>	Square Footage of the building or area of work?	Is it a Change of Use? Yes No					
	Alteration <input type="checkbox"/>	Repair <input type="checkbox"/>		Is it a Historic Bldg? Yes No					
	Deck/Porch <input type="checkbox"/>	Fence <input type="checkbox"/>		Tent <input type="checkbox"/>	If Temporary Structure		Start Date	End Date	
Certificate of Occupancy/Use <input type="checkbox"/>									
<b>Fire Protection</b>	Alarm <input type="checkbox"/>	New <input type="checkbox"/>		Square Footage of work area?		Associated Building Permit#			
	Sprinkler/Suppression <input type="checkbox"/>	Modify Existing <input type="checkbox"/>							
<b>Excavation Fill</b>	Quantity of Excavation _____ C.Y.		Disposal Site _____		Quantity of Fill _____ C.Y.		Borrow Site _____		
<b>Retaining Wall</b>	Length	Avg Height	Max Height	<b>Sign</b>	Type of Illumination?		Ground Sign		
							Yes	No	
						Does copy pertain to business conducted on property?			
						Yes		No	
<b>Wrecking</b>	Length	Width	# of Stories	Depth of Basement	<b>Other</b>	Please describe type of permit			
Vacant Building Maintenance License <input type="checkbox"/>		Certificate of Inspection <input type="checkbox"/>		<b>Total # of Sheets in one set of drawings (Including Specifications)</b> _____		Is there a Notice of Violation or Adjudication Order? Yes No			
						Violation Number: _____			

## Part D - Authorizations

The owner or agent of this building and the undersigned do hereby certify that the information and statements given on this application, drawings and inspections are true and correct to the best of their knowledge. The undersigned further certifies their authorization to grant consent and does hereby grant consent to the inspection of the described premises at any time when work on those premises is ongoing by employees of the City of Cincinnati .

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

<b>FOR OFFICE USE ONLY</b>	<b>Inspector's Notes</b>	<b>Application Exp Date</b>	<b>Permit Exp Date</b>
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**BUILDING USE CODES**

A-1	Concert Hall or Theatre w/Stage	H-1	Explosives	1-2-3 Family	1-2-3 Family Dwelling	
A-2	Nightclubs or Restaurants	H-2,H-3,H-4	Flammable Gases, Toxic, Corrosives	R-1	Res Hotel/Motel/Boarding Homes	
A-3	Churches or Other Assemblies	H-5	Haz Prod Materials or Semi Cond Fab	R-2	Multi Fam Apartment Building	
A-4	Sports Arena	I-1	Inst Res Care/Halfway House	R-3	Multi Fam Townhouses <3 Units Attach	
A-5	Outdoor Facilities	I-2	Inst Hospital	R-4	Assisted Living Facility	
B	Business	I-3	Inst Prison	S-1	Storage Moderate Hazard	
E	Education	I-4	Adult Daycare	S-2	Storage Low Hazard	
F-1	Factory Moderate Hazard	M	Mercantile	VAC		
F-2	Factory Low Hazard	U	Utility			

**FOR OFFICE USE ONLY**

Type of Permit	Amount		
Barricade		Valuation for Fee Purposes _____	
Building		Zoning District _____	
Cert of Inspection		Use Group _____	
Cert of Occupancy		Conflicts w/ City Projects _____	
Excavation/Fill		Base Flood Elevation _____	
Fire Protection		Floodway Map No./Parcel/Date _____	
Investigation Fee			
Ohio St Surcharge		Regulatory FloodWay	Yes No
Outdoor Adv Sign		Floodway Fringe	Yes No
Permit Processing Fee		Flood Elevation	Yes No
Premium Service Fee		Certificate Required	
Review By Appt			
Revisions		<b><u>Inspections Required</u></b>	
Scanning Fee		Soil Inspection	<input type="checkbox"/>
Sign		Framing Inspection	<input type="checkbox"/>
Technology Surcharge		Fire Stopping Inspection	<input type="checkbox"/>
VBML		Final Inspection	<input type="checkbox"/>
Wrecking			
Zoning Certificate			
<b>Permit Processing Fee</b>	\$ _____		

Reviewed \_\_\_\_\_  
 By: \_\_\_\_\_ Zoning \_\_\_\_\_ Date \_\_\_\_\_ Plan Exam \_\_\_\_\_ Date \_\_\_\_\_