

## **Town of Mason Dilapidated Property Ordinance**

### **AN ORDINANCE TO ADDRESS DILAPIDATED PROPERTIES IN THE TOWN OF MASON**

WHEREAS, the Town of Mason is committed to maintaining the safety, health, and welfare of its residents; and

WHEREAS, dilapidated properties pose significant risks to the community, including fire hazards, health hazards, and a negative impact on property values;

NOW, THEREFORE, be it ordained by the Town Council of Mason as follows:

#### **Section 1: Purpose**

The purpose of this ordinance is to establish procedures and regulations for the identification, evaluation, and remediation of dilapidated properties within the Town of Mason to ensure the safety and welfare of its residents and to preserve property values.

#### **Section 2: Definitions**

For the purposes of this ordinance, the following terms shall have the meanings indicated:

1. Dilapidated Property: Any building or structure that, due to neglect or damage, is in a state of disrepair or decay to the extent that it poses a hazard to public health, safety, or welfare.
2. Owner: Any person, partnership, corporation, or entity holding title to a property.
3. Committee: The Dilapidated Property Committee, consisting of the Mayor, two Town Council members, one member of the Fire Department, a consulting engineer or building inspector, and the Mason Metro Police Chief.

#### **Section 3: Establishment of the Dilapidated Property Committee**

A Dilapidated Property Committee (hereafter referred to as "the Committee") is hereby established to oversee the implementation of this ordinance. The Committee shall consist of the following members:

1. The Mayor of Mason, who shall serve as Chairperson.
2. Two Town Council members, appointed by the Mayor.
3. One member of the Mason Fire Department, appointed by the Fire Chief.
4. A consulting engineer or building inspector
5. The Mason Metro Police Chief, who shall serve as an advisory member without voting rights.

#### **Section 4: Identification and Inspection**

1. Any resident or official of the Town of Mason may report a suspected dilapidated property to the Committee.
2. Upon receipt of a report, the Committee shall conduct an initial review to determine if an inspection is warranted.
3. If the Committee determines that an inspection is necessary, the consulting engineer or building inspector shall conduct a thorough inspection of the property.
4. The results of the inspection shall be documented in a written report, which shall include findings, photographs, and any relevant information regarding the condition of the property.

#### **Section 5: Notification to Property Owner**

1. If a property is determined to be dilapidated, the Committee shall send a written notice to the property owner. The notice shall include:
  - A description of the condition of the property.
  - A copy of the inspection report.
  - A statement of the required actions to remediate the dilapidated conditions.
  - A timeframe for owners is they must submit a plan of correction within 30 days
    - They will have 60 days upon receipt of notification to make appropriate corrections as listed in the report.

#### **Section 6: Remediation**

1. The property owner shall take necessary actions to remediate the dilapidated conditions within the timeframe specified in the notice.
2. The Committee shall provide guidance and resources to assist the property owner in complying with the remediation requirements.
3. If the property owner fails to take appropriate action within the specified timeframe, the Committee may take further action, including but not limited to:
  - Imposing fines of \$500 for each offense.
  - Imposing a \$500 fine for failure to submit plan of correction.
  - Arranging for the remediation of the property at the owner's expense.or
  - Initiating legal proceedings to enforce compliance.

#### **Section 7: Appeals**

1. The property owner may appeal the Committee's decision by submitting a written appeal to the Town Council within 30 days of receiving the notice, however a plan of correction will still be required within 30 days of original notification to the property owner.
2. The Town Council shall hold a hearing within 30 days of receiving the appeal and shall issue a written decision within 15 days of the hearing.

#### **Section 8: Enforcement**

1. The Town of Mason shall have the authority to enforce this ordinance and may seek injunctive relief to ensure compliance.
2. Any costs incurred by the Town in the remediation of a dilapidated property shall constitute a lien or other legal action against the property or property owner until paid in full.

### **Section 9: Severability**

If any provision of this ordinance is found to be invalid or unenforceable, such finding shall not affect the validity of the remaining provisions of this ordinance, which shall remain in full force and effect.

### **Section 10: Effective Date**

This ordinance shall take effect immediately upon its adoption and publication as provided by law.

Adopted August 15th, 2024 by the Town Council of Mason.

This ordinance establishes a clear process for addressing dilapidated properties, ensuring the safety and well-being of the community while providing property owners with fair notice and opportunities to remediate issues.

First Reading: 7/11/24

Second Reading: 7/23/24

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Recorder