



IMPORTANT MEMORANDUM

To: Whom it May Concern

From: Kathy S. Holland
Development Division Director

Subject: Amendment to the Property Maintenance Ordinance
(PMO-2011)

Date: April 18, 2011

On March 15, 2011, the Board of Commissioners adopted an amendment to the Property Maintenance Ordinance. The amendment repealed Article X "Property Maintenance" and Article VIII "Building Numbering" of the Code of Ordinances of Gwinnett County in their entirety and replaced them with a new Chapter 14, Article X "Property Maintenance" which now includes Section 14-321, Numbering Requirements for buildings.

Gwinnett County has experienced an increase in vacant buildings or structures due to property abandonment, foreclosures, and the failure of owners/ builders to complete permitted structures. As vacant structures can lead to deterioration of neighborhoods, sections were added to the Property Maintenance Ordinance to address vacant structures and the boarding up of such structures.

The amendment requires owners of a vacant structure to apply for and obtain a permit. As part of the application, an owner must provide a maintenance plan as to how the structure will be monitored and properly maintained. Key information regarding vacant structures is listed below:

- **What is a Vacant Structure?**

- A vacant structure is a structure that is not legally occupied for at least sixty (60) days, without evidence of water, electric and/or gas utility usage; or
- A structure that is partially constructed or incomplete after the building permit authorizing its construction has expired;
- A structure that is held pursuant to a judicial foreclosure of a mortgage, deed of trust, security deed, or other security instrument securing a debt or obligation owed to a creditor or a deed in lieu or contemplation of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor;

Note: A vacant structure does not include a building or structure under a common ownership which is designed for and contains multiple tenant units

and where at least one tenant unit is occupied with evidence of utility usage.

- **What is required for permitting the vacant structure?**
 - A Vacant Structure Registration Application containing the following information:
 - Name, current street address, telephone number, fax number, and e-mail address of the owner;
 - Name, current street address, telephone number, fax number, and e-mail address of any local agent (within 75 miles);
 - Name, current address and telephone number of all persons with any legal interest in the property, building, or premises including mortgagees and successors in interest;
 - Tax parcel identification number;
 - Address of the Vacant Structure;
 - Whether the property is a foreclosure.
 - A Maintenance Plan.
 - Length of time the owner expects the vacancy to continue;
 - Proposed rehabilitation or improvements (if any);
 - Plan for securing and monitoring.
- **What is the fee for a Vacant Structure Permit?**
 - Vacant Structure Permit Fee \$100 Renewal \$50
- **What is the deadline to register?**
 - An owner has 14 days after a structure meets the definition of vacant structure to apply for a permit.
- **How long are the permits valid?**
 - A permit is valid for 1 year, but may be renewed.
- **What if the structure has a change in ownership?**
 - Upon a change in ownership of the vacant structure the new owner shall be required to apply for a new permit if the structure is to remain vacant more than sixty (60) days.

In the event a vacant structure must be boarded-up, a permit is required. No one is to place boards or other non-conventional material over the doors, windows or other opening of any building or structure without first obtaining a boarding-up permit.

- **How do I obtain a Boarding-up Permit?**
 - **Provide the following information:**

- Name, address, and telephone number of the owner;
 - Name, address, and telephone number of any local agent of the owner;
 - Tax parcel identification number;
 - Address of the structure.
- **What is included with the Boarding–Up Permit Plan?**
 - Length of time the owner expects boarding to be maintained;
 - A plan to secure or board-up the structure, including a detailed description regarding the manner and materials;
 - A Maintenance Plan.

Note: Any structure which is boarded–up shall be posted with the name and contact phone number of the local agent or responsible party.

- **What is the fee for a Boarding-up Permit?**
 - Boarding-up Permit Fee \$200 Renewal \$100

Other changes in this amendment include:

- A clarification of the requirement for fences surrounding swimming pools to be consistent with the building and swimming pool code. Above ground swimming pools that are (4) four feet in height or greater are now considered a “barrier” to the pool. A fence is no longer required surrounding an above ground pool as long as the ladder or stairs to the pool are capable of being secured, locked or removed to prevent access to the pool when not in use.
- Grass, Weeds, and Uncultivated Vegetation. This section previously exempted RA-200 parcels greater than 1 acre and R-100 parcels greater than 3 acres from the twelve inch requirement for grass and weeds. As amended, the exemption would apply to all parcels with a single-family zoning classification that are greater than 3 acres in size.

Please refer to the amendment for more detailed information regarding the above mentioned key items.