

Ordinance amending Corpus Christi Code, Section 13-3002 to amend the vacant building definition, Section 13-3005 to amend the compliance period, Section 13-3006 to establish registration program requirements for owners of vacant buildings (residential and commercial) including a vacant building registration fee and an annual vacant building inspection fee, and Section 13-2026 to provide for a penalty not to exceed \$500; and providing publication.

WHEREAS, the Development Services – Code Compliance vacant building registration fee and annual inspection fee are necessary for cost recovery in administering the vacant building regulatory program.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, THAT:

SECTION 1. Section 13-3002 of the Corpus Christi Code is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 13-3002. Definitions.

~~Vacant building means a building or portion of a building that is any of the following:~~

- ~~(1) — Occupied by unauthorized persons and unsecured.~~
- ~~(2) — Occupied by unauthorized persons and condemned.~~
- ~~(3) — Unoccupied and unsecured.~~
- ~~(4) — Unoccupied and a dangerous building.~~
- ~~(5) — Unoccupied and condemned.~~
- ~~(6) — Unoccupied and has had two (2) or more violations of property maintenance ordinances within the previous twelve-month period.~~
- ~~(7) — Unoccupied for a period of time over three hundred sixty-five (365) days and during which time the administrator has issued an order to correct any nuisance condition.~~

Vacant building means that all lawful activity has ceased, or reasonably appears to have ceased for thirty (30) days.

Lawful activity is that the current use of the structure is also that which the structure was built for or intended to be used for.

SECTION 2. Section 13-3005 of the Corpus Christi Code is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 13-3005. - Notice of vacant building.

(b) If the administrator determines that a building or portion of a building may be classified as a vacant building under this article, the administrator shall:

- (1) Attempt to contact the owner or an agent of the owner, identified by any sign posted on the property, by telephone or by electronic communication, such as by electronic mail or facsimile, and advise the owner or agent that it appears

that the building is a vacant building and that the following measures need to be taken by the owner:

- (a) Take immediate measures to temporarily secure the building from unauthorized entry.
 - (b) Take measures to secure the building by normal or other than normal means within ~~fourteen(14)~~ 7 days.
- (2) Mail a notice to the owner, with a copy to any agent identified by any sign posted on the property, that advises the owner that it appears that the building is a vacant building and that the following measures need to be taken by the owner:
- (a) Take immediate measures to temporarily secure the building from unauthorized entry.
 - (b) Take measures to secure the building by normal or other than normal means within ~~fourteen(14)~~ 7 days.

SECTION 3. Section 13-3006 of the Corpus Christi Code is amended and authorized by adding the following language that is underlined is (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 13-3006. ~~Optional vacant building plan and timetable.~~ Registration Required.

- (a) The vacant building property owner shall have thirty (30) days in which to register from the date that written notice is issued to the property owner. Written notice shall be issued to the vacant building property owner by means of personal service, or by first-class mail to their last known address according to Nueces County Appraisal District records, and by posting on the property. The Administrator may consider evidence provided that the property is listed for sale or lease for fair market value and for a reasonable length of time for purposes of extending the length of time before the property must be registered.
- (b) ~~If the~~ When the owner of a vacant building registers the vacant building and files a vacant building plan and timetable with the administrator not later than ~~seven (7)-days~~ thirty (30) days after the owner receives verbal or written notice under subsections 13-3005(b) and 13-3006, the administrator is authorized to temporarily suspend the processing of any citation or complaint for violation of this article while the property is secured, and there is active progress to complete the vacant building plan.
 - ~~(1) Suspend the processing of any citation or complaint for violation of this article.~~
 - ~~(2) Extend the period of time in which the owner of a vacant building must secure the building by other than temporary measures.~~
- (c) ~~The vacant building plan and timetable must be submitted on forms provided by the administrator and include the following information supplied by the owner:~~
Upon the issuance of notice to register a vacant building, property owners shall register with the Department and provide the required information:
 - (1) A description of the premises.
 - (2) The names, addresses, and telephone numbers of all owners with a right of

control over the property.

- (3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building.
- (4) The name, address, and telephone number of the owner's property manager or agent, and whether the property manager or agent has the authority to independently act on the owner's behalf to repair or maintain the property.
- (5) The period of time the building is expected to remain vacant.
- (6) If the owner plans on returning the building to a lawful occupancy and use, the estimated date for returning the building to a lawful occupancy and use.
- (7) If the owner plans on demolishing the building, the date the building is scheduled for demolition.
- (8) If the owner plans on rehabilitating or renovating the building, the dates the building rehabilitation or renovation is scheduled to commence and be completed.
- (9) If the owner plans on retaining the building for investment purposes, the measures that will be taken to try to reduce any adverse impact on the property values of adjacent property from the retention of the vacant building for investment purposes.
- (10) A plan for regular maintenance of the building during the period of vacancy.
- (11) Measures the owner will employ to secure the building to prevent access by trespassers.

a. One the following methods must be used to secure ~~the~~ a residential building:

1. Installation and maintenance of adequate first-floor windows and doors, in accordance with Article II, Property Maintenance Code.

2. Installation of wooden structural panels on unsecured windows, doors or other exterior openings in accordance with Article III. Vacant Buildings.

b. One of the following methods must be used to secure a commercial building:

1. Installation and maintenance of adequate first-floor windows and doors, in accordance with Article II, Property Maintenance Code.

2. Installation and maintenance of security shutters, grills, and bars for windows and doors.

3. Installation and maintenance of adequate locks for windows and doors.

4. Installation, operation, and monitoring of an electronic security system, which monitors windows and doors by glass breakage or motion sensors, and a method of responding to alarms from the electronic security system, other than sole reliance on the city's police department.

5. Installation of security fencing.

6. Employment of watchmen, who are licensed peace officers, public security officers, commissioned security officers, or noncommissioned

security officers.

7. Any other method approved by the administrator.

- (h) If, within ~~fourteen(14)~~ 7 days of the initial observation by a Code Enforcement Official, there is evidence that a broken window or door on a building whose owner has filed a vacant building plan and timetable, which can be observed from a street or adjoining property, has not been repaired, or that high weeds or solid waste have accumulated on the property without corrective action, the administrator may determine that the property is not being monitored and inspected by the owner, property manager, or an agent of the owner with full authority to maintain and repair the property on a weekly basis.

- (j) The administrator may determine that a building whose owner has registered their building and filed a vacant building plan and timetable or that has been the subject of an abatement action by the city under this section is no longer a vacant building, if:
- (1) The owner has secured the building by the means specified in the vacant building plan and timetable approved by the administrator.
 - (2) The administrator has inspected the building and determined the building is:
 - a. Properly secured.
 - b. There is no solid waste within the building or on the premises.
 - c. All of the vegetation on the premises has been properly trimmed.
 - d. There is no graffiti on the inside or outside of the building.
 - e. There is no evidence or indication that the building has been occupied or entered by an unauthorized person within the prior thirty (30) days.

(k) **Registration fees.** Vacant building property owners shall tender an annual registration fee of two hundred fifty dollars (\$250.00) with an annual inspection fee of fifty dollars (\$50.00). The registration fee shall be pro-rated for the first time a property is registered with the city. Subsequent annual registration fees shall be due and postmarked no later than January 31st of each year.

(l) **Exception.** Vacant buildings within the downtown district are exempt from registration. (Downtown district is defined as the area included within the boundaries of the tax increment reinvestment zone #3.)

SECTION 4. Section 13-3026 of the Corpus Christi Code is amended and authorized by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 13-3026. ~~Penalties~~ Jurisdiction, enforcement, and penalties

~~(a) — Any person violating any provision of this article, or providing false information to the administrator, may be punished by a fine not to exceed two thousand dollars (\$2,000.00).~~

~~(b) — Any person convicted of a subsequent violation of this article may be fined not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000.00).~~

~~(c) — Violations of this article are treated as strict liability offenses. There is no need to prove that the person had an intent to violate this article.~~

~~(d) — Violations of this article are violations of a rule, ordinance, or police regulation that governs fire safety, zoning, or public health and sanitation, including dumping of refuse.~~

~~(e) — Each day any violation of this article continues constitutes a separate offense.~~

(a) Written notice of violation will precede the issuance of a criminal citation, in which the vacant building property owner will be given a reasonable length of time, as determined by the director, to remedy the violation. Written notice shall be issued to the vacant building property owner and the owner's agent by means of personal service, or by first-class mail to their last known address according to Nueces County Appraisal District records, and by posting on the property.

(b) Failure to register with the department after written notice to the vacant building property owner, as is hereinafter specified, is a violation of this article.

(c) A person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense.

(d) Each day any violation of this article continues constitutes a separate offense.

(e) The culpable mental state required by V.T.C.A., Penal Code § 6.02, is specifically negated and dispensed with, and a violation under this article is a strict liability offense.

(f) An offense under this article is punishable by a fine of not more than five hundred dollars (\$500.00).

(g) Administrative, civil, and criminal enforcement are alternative remedies which may be sought independently of each other. Criminal prosecution may occur regardless of pursuit of civil or administrative remedies and vice versa.

SECTION 5. If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it may not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance be given full force and effect for its purpose.

SECTION 6. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 7. This Ordinance shall become effective on October 1, 2025.

Introduced and voted on the _____ day of _____, 2025.

PASSED and APPROVED on the _____ day of _____, 2025.

ATTEST:

Paulette Guajardo, Mayor

Rebecca Huerta, City Secretary