

ORDINANCE NO. 6284, AS AMENDED

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE BY
ENACTING SECTION 10-208 TO PREVENT AND ADDRESS BLIGHT**

WHEREAS, blighted properties pose a health, safety, and welfare risk to the community; and

WHEREAS, blighted properties pose a health risk by, among other things, harboring unsanitary conditions through the accumulation of excess litter and trash, failing to provide adequate ventilation or water for inhabitants, or by the improper disposal of human waste; and

WHEREAS, blighted properties pose threats to public safety by attracting criminal activities and creating an increased fire risk; and

WHEREAS, blighted properties contribute to the overall decline of neighborhoods, lowering the value of nearby properties and creating unsafe environments; and

WHEREAS, many of the blighted property owners are unable or unwilling to address the public safety concerns with their property; and

WHEREAS, several communities have found that establishing notification standards, remediation schedules, and civil penalties for noncompliance encourages owners to better care for their properties.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. Fairbanks General Code Chapter 10, Article VII Code for the Abatement of Dangerous Buildings is hereby amended to add new Section 10-208 Blighted properties, as follows:

Sec. 10-208. - Blighted Properties.

- (a) *Blighted Property definition:* Any individual commercial, industrial, or residential structure or parcel of land that endangers the public's health, safety, or welfare because the property is dilapidated, or deteriorated.

Properties with two or more of the following conditions may be considered a blighted property:

1. A property upon which is located a dangerous building as defined in the City of Fairbanks Code for the Abatement of Dangerous Buildings.

2. The property is determined to be a fire hazard by the Fire Chief, Assistant Fire Chief, Fire Marshal, or Deputy Fire Marshal for violations set forth in Chapter 30 of the Code of Ordinances.
 3. Property that meets the chronic nuisance property definition outlined in FGC Sec. 46-211.
 4. The presence of people staying in temporary shelter not intended for permanent human habitation for more than ten days.
 5. Properties containing unregistered, inoperable, unrepaired, uncovered vehicles for more than 90 days.
 6. Properties with accumulated litter as defined in FGC Secs. 46-161 and 46-162.
 7. Presence of unsecured drug paraphernalia as defined in FGC Sec. 46-361.
 8. Properties with polluted conditions as defined in FGC Sec. 34-106.
 9. Conditions of the property or activities on the property have materially contributed to a decline in property values of proximate properties.
- (b) *Blighted Property Determination:* The Mayor or mayor's designee has the authority to determine if a property has met the blighted property threshold outlined in this ordinance.
- (c) *Notification:* Upon determination that a property is blighted, the City of Fairbanks will notify the owner of the property by posting a notice of the violation in a conspicuous location on the blighted property and providing the notice to the owner by hand delivery, mail, or electronically. The notification will specify violations that constitute the blight and clearly express remediation deadlines.
- (d) *Schedule:* Owners have ~~thirtyten~~ business days from the notice of violation to remediate the violations. If the remediation will take longer than ~~thirtyten~~ business days, the owner must present a remediation plan to the City. The Mayor or mayor's designee will determine if the plan will address the violations in a reasonable timeframe.
- (e) *Remedies:* Property owners are responsible for correcting all conditions that have led to the blighted property designation. Owners failing to adequately address blighted property violations within ~~thirtyten~~ business days of the notice of violation or by an approved alternate timeline will accrue civil penalties in the amount of \$300 per ~~monthbusiness day~~. After 30 days the City may address the violations at the property owner's expense. The City Council may place a lien on a property for any unpaid civil penalties and/or expenses resulting from remedying the violations.
- (f) The civil remedy provided in this section is intended to address health, safety, and welfare concerns resulting from blighted properties. Any remedy included in this section is independent and separate from any other legal remedy available including injunctive relief and criminal action.

(g) The property owner(s) may appeal any decision regarding this section of code with the Mayor or mayor's designee. The property owner may further appeal any decision regarding this section of code with the City Council.

(h) The Mayor or mayor's designee may waive any fees or penalties associated with this section of code.

SECTION 2. The effective date of this ordinance is five days after adoption.



David Pruhs, Mayor

AYES: Rogers, Marney, Sprinkle, Cleworth, Tidwell
NAYS: None
ABSENT: Ringstad
ADOPTED: July 8, 2024

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk

Thomas A. Chard II, City Attorney