

JOPLIN missouri Strategic Priorities

Vision

Joplin, built on generations of people with grit and determination is a regional hub at the crossroads of America. Our diverse people and employers thrive because of our healthy lifestyles, exceptional neighborhoods, lifelong learning opportunities, and cultural & recreational amenities.

Our connected community benefits from world-class health care, reasonable cost-of-living, and economic opportunity for all.

Together we are ready for anything!

Ad Omnia Parata

Goals

- Improve community appearance, including public properties maintained by the city.
- Address declining neighborhoods.
- Increase economic opportunities for all.
- Address homelessness.
- Reduce crime and increase safety.
- Create and grow resilient revenue to improve city service levels and maintain infrastructure.

new house by Llisole | help by supalerk laipawat | Award by BomSymbols | Safety by Milinda Courey | Traffic Light by JunGSa | bar graph by cathy moser from the Noun Project
Photo from Visit Joplin, MO

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Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 1- Develop and implement Adopt-A-Street Project:

Action Steps:

a. Form workgroup of city staff to research past programs and similar programs in other communities. Have information from previous city/chamber project to review as example.
b. Inform potential stakeholders for input.
c. Develop program processes and procedures.

Resources Required:

1. Staff time to research and design program.
2. Funding for staffing to operate program with a 0.10 FTE for a Neighborhood Improvement Officer in the Planning, Zoning and Neighborhood Development Dept.
3. Funding for operational costs of program.

Total Plan Cost:
Total Additional FTE: 0.10
One-Time Costs: $1,000
Staffing Annual Costs: $5,600
Program Annual Costs: $3,000

Desired Benefit/Outcome:

- Improved appearance of community through reduction of litter present on City streets.
- Increased pride of residents in appearance of city.
- City is more attractive to new residents and business investment.

ADOPT-A-STREET and ADOPT-A-PARK GUIDELINES
Joplin, Missouri

- Contact the Joplin Area Chamber of Commerce/Community Enhancement Committee (Chamber) at 417-624-4150 and request the street(s) and/or park you wish to adopt. All adoptions are on a first-come, first-serve basis. Some portions of the state highways are not included within the scope of this program.

- No Adopter, if an individual, or a member of a group or organization, will be approved to participate in the program if they have been convicted of, pled guilty or no contest to, a violent criminal activity, except 10 years after the completion of any incarceration, probation or parole. No group will be approved to participate for whom state or federal courts have taken judicial notice of a history of violence.

- Streets/Parks must be picked up every 30 days, and more frequently if necessary.

- Volunteers must adopt both sides of an approximate six-block long area on both sides or the equivalent of a park, unless otherwise designated by the Chamber.

- Volunteers are required to follow safety guidelines and abide by all laws.

- Designate a contact person who will assure that all minors (age 10 to 18) are provided with adequate adult supervision.

- Contact the Chamber office to arrange for the pick up of tools and trash bags.

- Contact the Chamber office so that the City of Joplin can remove collected trash and litter immediately after pick up.

- Any adopter that fails to perform litter pick up for three months, or who fails to comply with safety guidelines, will be dropped from the program.

- Volunteers must keep track of the number of hours spent volunteering on a monthly basis and report total hours to Chamber/Adopt-A-Street/Park. This information helps the program justify the need for more tools and supplies, account for total donated time to the City, confirms the growth or decline in volunteer participation, assists students/civic groups that are required to perform community service hours, and helps office staff provide volunteer awards and recognition.

- Upon resigning, notify staff and return any supplies.

- The City of Joplin will furnish and install the appropriate amount of signs, with the minimum being two, (one for each direction of traffic) with the Adopter's name on each sign.

ADOPTION AGREEMENT

_____
(Name of Organization/Family/Individual)

Hereby agrees to pick up litter at an assigned park or both sides of

_____ in Joplin, Missouri from
(Street or Park Name)

_____ to _____
(Street Name) (Street Name)

approximately every 30 days. This agreement is good for one year from the date listed below and may be cancelled at any time by the Joplin Area Chamber of Commerce, City of Joplin or the Adopter at its discretion. Adopter agrees to abide by all of the attached guidelines. The Chamber agrees to loan orange vests to adopter. The Chamber agrees to give the adopter free trash bags. The City agrees to remove all collected trash/litter free of charge. The City agrees to install two or more Adopt-A-Street signs.

_____ _____
Primary Adopter Representative Signature Date

_____ _____
Primary Name (Please Print) Title

_____ _____
Secondary Adopter Representative Signature Date

_____ _____
Secondary Name (Please Print Title

_____ _____
Address Phone Number(s)

_____ _____
Chamber Approval Date

_____ _____
City Approval Date

COVENANT NOT TO SUE

This Covenant is executed on the Date of _____, in the City of Joplin, Missouri. The undersigned, in consideration of being permitted to maintain _____(Streets or Parks) for litter control and or beautification, does release, waive, discharge and covenant not to sue the City of Joplin (City) and the Joplin Area Chamber of Commerce/Community Enhancement Committee (Chamber), and its members, agents, employees, and members of the governing body from all liability to the successors and assigns, for all loss or damage, and any claim of damage therefore, on account of death or any injury to person or property resulting from the granting of this permit. The undersigned further agrees that as against the undersigned or the successors or assigns, this instrument may be pleaded as a counterclaim to or as a defense in bar or abatement of any action of any kind whatsoever, brought, instituted or taken by or on behalf of the undersigned on account of said supposed claim or claims against the City and Chamber, and its members, agents, employees, and members of the governing body. The undersigned agree to indemnify and hold harmless the City and Chamber, and its members, agents, employees, and members of the governing body from and against all claims, damages, losses and expenses arising out of the performance of the work covered by this agreement, provided however, this indemnity shall not indemnify the City or Chamber or any of the others listed herein from or against claims brought because of the negligence, or alleged negligence, or intentional acts of the City of Chamber or its employees or agents.

Date _____ Name (Print) _____

Signature _____ Title _____

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 2- Develop and Implement a Residence of Month and Business of the Month Program to recognize well maintained business properties and increase pride of appearance of community:

Action Steps:

a. Form workgroup of city staff to research similar programs in other communities. Have information from previous chamber/city program to use as template.
b. Inform potential stakeholders for input.
c. Develop program processes and procedures.

Resources Required:

1. Staff time to research and design program.
2. Funding for staffing to operate program with a 0.10 FTE for a Neighborhood Improvement Officer in the Planning, Zoning and Neighborhood Development Dept.
3. Funding for operational costs of program.

Total Plan Cost:
Total Additional FTE: 0.10
One-Time Costs: $1,000
Staffing Annual Costs: $5,600
Program Annual Costs: $3,000

Desired Benefit/Outcome:

- Improved appearance of community through better maintenance of structures and properties.
- Increased value of properties.
- Increased pride of residents in appearance of city.
- City is more attractive to new residents and business investment.

2006 Joplin Betterment Awards

Helping to make Joplin better!

JOPLIN BETTERMENT AWARDS



AWARDS

The winners will receive a plaque and a sign to be posted in front of their home or business at the recognition ceremony to be held at a City Council Meeting in October.

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Other prizes will be awarded to the winners from Chamber members and those will be announced at a later date.

For complete rules and details, log on to www.joplincc.com

The purpose of the Joplin Betterment Awards is to encourage improvement and beautification to the community. A well maintained home or business is a value to Joplin and a more attractive place to live. The Joplin Area Chamber of Commerce Community Enhancement Committee and the City of Joplin encourages individual and business efforts to make Joplin a beautiful place to live, work and play.

City of Joplin

&

JACC
JOPLIN AREA CHAMBER OF COMMERCE

320 East Fourth Street
Joplin, MO 64801
TEL 417.624.4150
FAX 417.624.4303
www.joplincc.com
ksmith@joplincc.com

Name:_____

Address:_____

_____

Phone:_____

E-Mail:_____

Date Immpovements were completed (must be within

past 24 months prior to August 31, 2006):_____

Is the home or business within Joplin city Limits?

(Circle one): YES NO



Briefly describe improvements (attach additional sheet

if necessary):_____

_____

_____

_____

_____

_____

_____

_____

_____

Submit with photos to: Joplin Area Chamber of Commerce, 320 East 4th Street, Joplin, MO 64801 or via e-mail to ksmith@joplincc.com. Application also avaialbe on-line at www.joplincc.com.

Categories

Beautification - Residential
Beautification - Business - 1-50 Employees
Beautification - Businesss 50+ Employees



Beautiul - Residential

***RESIDENCE MUST BE LOCATED IN JOPLIN CITY LIMITS**
***IMPROVEMENT AND/OR BEAUTIFICATION TO A HOME INCLUDING BUILDINGS, GARDENS, CURBSIDE, ADDITIONS, ETC.**
***MAJORITY OF WORK COMPLETED BY HOME OWNER**
***ANY HOME WELL MAINTAINED AND/OR IMPROVEMENTS IN THEIR LANDSCAPING**
***BEFORE AND AFTER PICTURES**



Contest Time Line

***CONTEST BEGINS FEBRUARY 1, 2006 AND ENDS AUGUST 31, 2006. NO LATE ENTRIES WILL BE ACCEPTED. PRIZES TO BE AWARDED AT CITY COUNCIL MEETING IN OCTOBER.**



Beautiul - Business 1-50 Employees

***BUSINESS MUST BE LOCATED IN JOPLIN CITY LIMITS**
***IMPROVEMENT AND/OR BEAUTIFICATION TO A HOME INCLUDING BUILDINGS, GARDENS, CURBSIDE, ADDITIONS, ETC.**
***ANY BUSINESS, MANUFACTURER, INDUSTRY WELL MAINTAINED AND/OR IMPROVEMENTS IN THEIR LANDSCAPING**
***BEFORE AND AFTER PICTURES**

Beautiul - Business 50+ Employees

***BUSINESS MUST BE LOCATED IN JOPLIN CITY LIMITS**
***IMPROVEMENT AND/OR BEAUTIFICATION TO A HOME INCLUDING BUILDINGS, GARDENS, CURBSIDE, ADDITIONS, ETC.**
***ANY BUSINESS, MANUFACTURER, INDUSTRY WELL MAINTAINED AND/OR IMPROVEMENTS IN THEIR LANDSCAPING**
***BEFORE AND AFTER PICTURES**



Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 3- Review Zoning Code for additional beautification enhancements:

Action Steps:

a. Planning, Development and Neighborhood Services Dept. in process of conducting review and update of current Zoning Code. Review will include analysis for possible changes that can be made to enhance community appearance that include building design and landscaping requirements. This review will look at the possibility of including CEPTED principles in design of new buildings.

b. Bring draft of updates to council for public hearing and consideration.

Resources Required:

1. PDNS staff time to conduct or oversee review.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Improve appearance of new private development.
- Identify opportunities to update zoning code.
- Consistency in quality of appearance throughout the city.

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 4- Review Sign Code for additional beautification measures:

Action Steps:

a. Planning, Development and Neighborhood Services Dept. in process of conducting a review and update of current Sign Code for possible changes that can be made to enhance community beautification efforts. This review to include analysis of light pollution issues. Will review the use of options for small right-of-way signs, the increased use of monument signs, etc.

b. Meet with stakeholders to inform and seek input into changes.

c. Bring to city council for public hearing and consideration.

d. Reinstate sign code enforcement officer. Key components of any suggested changes will include efficient issuance of sign permits as well as improved enforcement of code. A significant education program for businesses on any changes will be required.

Resources Required:

1. PDNS staff time to conduct or oversee review.
2. Funding for Neighborhood Improvement Officer 1.0 FTE initially to bring sign issues into compliance, then estimated to be 0.50 FTE after that. 0.50 FTE can then assist with other code enforcement activities.
3. Funding for vehicle, office equipment, supplies.
4. Funding for additional court/prosecutor staff costs for additional citation activity. Estimated to be 0.25 FTE.

Total Plan Cost:
Total Additional FTE: 1.25
One-Time Costs: $2,500
Staffing Annual Costs: $80,000
Program Annual Costs: $5,000

Desired Benefit/Outcome:

- Improve quality of signage throughout the city.
- Increase staff capacity to enforce updated sign code.
- Increase safety, maintenance, and compliance of signs.

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 5- Review Non-Residential Property Maintenance Code for additional building maintenance requirements for structures:

Action Steps:

a. Planning, Development and Neighborhood Services Dept. to conduct review and update of current Non-Residential Property Maintenance Code for possible changes that can be made to enhance maintenance requirements of buildings. May consider updating current code with the International Property Maintenance Code (includes both residential and commercial).

The current code and a possible International Property Maintenance Code address current structures, and do not address new construction. New construction is covered by the 2018 International Building Codes. As presented, review of compliance with code would consist of an exterior review to improve community appearance. Interior inspections would occur based on complaints or concerns raised by citizens or if concerns observed and reported by other city departments during other code required inspections (i.e. health department or fire department). New inspection could also be required upon a change of ownership of business (business license inspection).

b. Inform stakeholders for input in process.
c. Bring to city council for consideration.

Resources Required:

1. PDNS staff time to conduct or oversee review.
2. Funding for 0.50 FTE Building Inspector.
3. Funding for vehicle and equipment for staff position (unless combined with another).
4. Funding for 0.25 FTE additional court/prosecutor staff.

Total Plan Cost:
Total Additional FTE: 0.75
One-Time Costs: $1,500
Staffing Annual Costs: $50,000
Program Annual Costs: $5,000

Desired Benefit/Outcome:
Improved appearance of community through enhanced beautification requirements for ongoing maintenance of existing structures in city. Increased pride of residents and business owners in appearance of city. City is more attractive to new residents and business investment.

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 6- Conduct a comprehensive Community Beautification Study that results in a Community Beautification Plan:

Action Steps:

a. City council to appoint a Beautification Committee to conduct a Community Beautification Study of city. Study to analyze various community beatification efforts underway and make suggestions for additional projects to enhance community appearance. Report to include project list as well as estimates of cost associated with projects/initiatives. City staff to assist in the study design and implementation as well as overseeing future project development.

Resources Required:

1. Staff time to work with Beautification Committee to design and conduct study.
2. Funds for future implementation of projects. An initial budget of $100,000 is envisioned for miscellaneous committee costs as well as providing a budget for initial beautification projects. Other funding sources may be leveraged to enhance program (Hotel and Motel Tax, Parks and Stormwater Beautification initiative).
3. Funding for 0.25 FTE for a Neighborhood Improvement Officer in Planning, Development and Neighborhood Services Dept. to oversee program.

Total Plan Cost:
Total Additional FTE: 0.25
One-Time Costs: $100,000
Staffing Annual Costs: $16,250
Program Annual Costs: TBD

Desired Benefit/Outcome:

- Identify ways of enhancing community's appearance by increasing its aesthetic visual quality while welcoming visitors and enhancing quality of life for residents.
- Increased pride of residents and business owners in appearance of city.
- City is more attractive to new residents and business investment.

BEAUTIFICATION, SIGNAGE, AND PUBLIC ART STRATEGIC PLAN



2016-2020

A five year action plan & guidance document

The mission of the Tompkins County Beautification, Signage and Public Art Program is to work through program partners and municipalities to increase the aesthetic visual quality of Tompkins County natural and built landscapes, while welcoming visitors and enhancing quality of life for residents.

Acknowledgements

Plan Work, Editing, and Content

Chrys Gardener, Cornell Cooperative Extension Staff
Martha Gioumousis, Cornell Cooperative Extension Staff
Gary Ferguson, Downtown Ithaca Alliance
Jennifer Tavares, Tompkins County Chamber of Commerce
Thomas Knipe & Tompkins County Planning Department/Tourism Program

Feedback and Guidance

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Ken Jupiter, 15 Steps (Strategic Tourism Planning Board)
Mary Kirkwyland, Village of Dryden
Tom Knipe, Tompkins County Senior Planner & Tourism Coordinator
Tim Logue, City of Ithaca
Rick Manning, Landscape Architect
Sue Perlgut, Strategic Tourism Planning Board
Monika Roth, Cornell Cooperative Extension
John Spence, Community Arts Partnership
Jennifer Tavares, Tompkins County Chamber of Commerce & Convention and Visitors Bureau

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EXECUTIVE SUMMARY

"Increase the perception of Ithaca and Tompkins County as an outstandingly beautiful community that is simple for visitors to navigate and as a place to visit for the overall beauty of the area".

- Goal for Beautification, Signage and Public Art established by the Tompkins County 2020 Strategic Tourism Plan

The Tompkins County Tourism Program established a "Critical Action" when it adopted the 2020 Strategic Tourism Plan to *"write and implement a Tompkins County Beautification Plan for 2012-2020, to include the square footage, location, and type of gardens maintained by the program, maintenance and infrastructure requirements, design standards, and prioritized actions."* The Tompkins County Beautification Committee, led by the Tompkins County Chamber of Commerce, worked throughout 2015 to engage the community and seek input from businesses, municipalities, and tourism program stakeholders to help complete this Plan. As the planning process evolved, so did the scope.

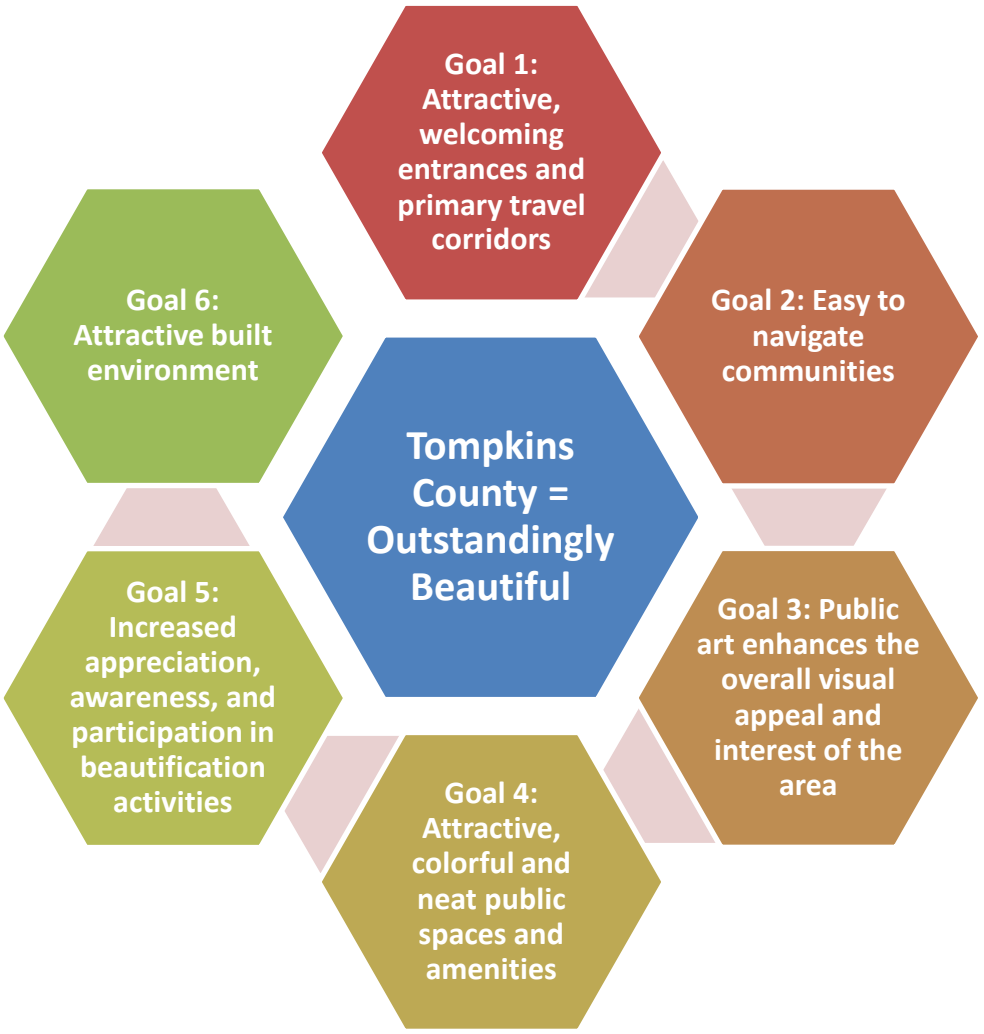
Through the collaboration of many partners long-involved in the Tompkins County Community Beautification Program—including Cornell Cooperative Extension, the Chamber of Commerce, the Downtown Ithaca Alliance, and the Strategic Tourism Planning Board, among others—a much more comprehensive plan evolved. This plan includes goals, strategies, and action items to address the needs of the Beautification Program, but also to support efforts to pursue other critical actions in the 2020 Strategic Tourism Plan: most notably the implementation of community wayfinding and gateway signage and the creation of a new grant program to encourage public art installations throughout Tompkins County.

Numerous other priority projects and topics came up throughout the process. The concept of place making wove its way into the plan, including exploring concepts like the creation of park-like areas, neighborhood signage programs, enhancing public arts partnerships in places like bus stops, and anticipated need for advocacy by committee members in the future to ensure blighted areas receive attention by municipal leaders and state agencies.

The Beautification, Signage, and Public Art Strategic Plan includes an exploration of the history of the program and its disparate components; the goals and methodology of the plan; numerous ways the community beautification program is implemented county-wide; historic and future efforts regarding community gateway and wayfinding signage; and an exploration of past public art projects and upcoming opportunities for more public art installations.

This plan provides a comprehensive look at the evolution of the program over the last fifteen years, and lays the groundwork for the next five years. Continued partnerships among cooperating agencies will be essential—as are passionate employees and volunteers—to help ensure that the plan is funded, implemented, and remains a priority for the Tourism Program and its stakeholders.

GOALS


Goal 1: Attractive, welcoming entrances and primary travel corridors
Goal 2: Easy to navigate communities
Goal 3: Public art enhances the overall visual appeal and interest of the area
Goal 4: Attractive, colorful and neat public spaces and amenities
Goal 5: Increased appreciation, awareness, and participation in beautification activities
Goal 6: Attractive built environment
Tompkins County = Outstandingly Beautiful

Strategies and Actions – Executive Summary Table

This Plan establishes the following Strategies and Actions. Additional details, including lead organization(s), timeline, and measures of accomplishment can be found in the full Plan document.

Goal	Strategy	*Action*
1	Welcoming entrances at all County Gateways	*Implement Wayfinding and Interpretive Signage Plan*
1	Colorful plantings at County Gateway signs	*Design and install landscape plantings for County Gateway signs*
1	Colorful plantings at all Community Gateway Signs	*Design and install landscape plantings at all Community Gateway Signs (entrances to towns/villages)*
1	Attractive highway corridors through City of Ithaca	*Add ornamental trees, landscape plantings and container plantings to corridors through City of Ithaca*
1	Ornamental and shade trees along major routes in rural towns and villages	*Engage municipalities in planting trees along major routes and in city and village centers*
2	Wayfinding and Interpretive signs for vehicles, bicycles and pedestrians throughout Tompkins County	*Implement the Wayfinding and Interpretive Signage Plan*
2	Minimize sign clutter on primary travel corridors	*Conduct inventory of existing sign clutter and local sign laws; address illegal signage through enforcement*
2	Integrated wayfinding system for multi-use trail system	*Develop a wayfinding signage plan for trails as County multi-use trails are completed and connected*
3	Public art, including murals, sculptures and banners are highly visible in all municipalities	*Establish a public art grant program to encourage public art installations and tactical placemaking activities countywide*
4	Colorful, attractive, well-maintained and sustainable plantings and along highway corridors in city center	*Develop and implement new landscape designs for existing areas to include more perennials and ornamental grasses*
4	Colorful, attractive, well-maintained and sustainable plantings in city center and along highway corridors in Ithaca	*Identify new planting sites in Ithaca based on site selection criteria; develop landscape plans for these sites and implement*
4	Colorful plantings in all village centers	*Engage municipalities in planting bulbs, annuals, perennials and shrub in village centers by training local leaders*
4	Beautiful parks, trailheads and trails	*Increase resident engagement in park maintenance through volunteer programs like Adopt- a-Park, Friends of Stewart Park, and Friends of Cayuga Waterfront Trail*
4	Tactical placemaking projects and activities.	*Through micro-scale plans and projects, explore tactical placemaking improvements at key focus areas; identify possible focus areas and develop placemaking toolkit for communities*
5	Increase number of beautification volunteers in rural municipalities	*Support initiation of Beautification Brigade volunteer groups by identifying and training leaders and offering preliminary plans*
5	Branding and awareness building for Beautification, Signage and Arts program	*Develop program logo, educational aspect of website and marketing materials for sponsorship*
5	Engage residents, partner businesses and organizations in beautification efforts	*Increase participation in Business Planting Day in the City of Ithaca, particularly in new areas*
5	Increase private and business funding of planting sites	*Promote business sponsorship program for public plantings*
5	Increase number of landscape plantings at businesses and private residences	*Promote best plants and landscape designs with photos and information on Community Beautification website*
5	Recognize businesses and residents that contribute to beautification efforts	*Develop awards program to recognize outstanding efforts in beautification by residents and business owners*
6	Well-cared for buildings, public and private	*Advocate for improvement and enforcement of land use regulations to preserve and improve the built environment*
6	Streetscapes in key focus areas are walkable, attractive and well- maintained	*Propose larger projects such as streetscape improvement projects*
6	Banner program to increase beautification in areas where landscape plantings are not practical	*Develop banner program for Collegetown and other areas*

INTRODUCTION

Mission

The mission of the Tompkins County Community Beautification, Signage and Public Art Program is to work through program partners and municipalities to increase the aesthetic visual quality of Tompkins County natural and built landscapes, while welcoming visitors and enhancing quality of life for residents.

Vision

The visual landscape of Tompkins County will be a reflection of its vibrant and caring communities: Welcoming, colorful, diverse, artistic, inclusive and engaging

Imagine this scenario.....*A visitor to Tompkins County arrives at any of the gateways into the county on a state route. A 'Welcome to Tompkins County' sign surrounded by a colorful planting of seasonal bulbs, blooming shrubs, colorful annuals and ornamental grasses immediately tells the visitor that this is a place where the residents and municipalities care about and take pride in their community. The state route is clean, with no litter present, and lined with mature shade trees.*



As the visitor approaches one of Tompkins County's rural villages on the state route there is another welcome sign at the village entrance, planted with the same palette of shrubs, perennials, bulbs and grasses as the county welcome sign. The main street of this village is historic, charming and well-cared for, with well-tended buildings, inviting shop signs and window displays, and planters with colorful annuals lining the street interspersed with benches and period lighting. A wayfinding sign, featuring information about the local area and a map of attractions, entices the visitor to slow down and spend some time exploring the village's historical and natural sites and business district.

After lunch and some shopping at businesses in the village, the visitor continues onto downtown Ithaca. A 'Welcome to Ithaca' sign is planted with a similar palette as the rural welcome sign. The state routes through the city are clean and many of the green spaces along the highway are planted with trees, flowering shrubs, perennials, annuals and spring bulbs. Buildings look cared-for and wherever possible there are landscape plantings, trees in parking lots and planters of annuals in front of businesses.

As the visitor approaches the urban center there are large colorful plantings on all street medians. Container plantings at busy intersections and in front of buildings provide color to the urban environment. Murals on buildings and walls and public sculpture reflect the artistic and vibrant nature of the community. The Commons and surrounding blocks are like a jewelbox filled with colorful flowers, art, historic architecture and unique, locally-owned shops and restaurants.



Wayfinding signs in and around the city make it easy for the visitor to find parking, accommodation, local attractions, parks and trails. Bike lanes and pedestrian-friendly areas entice the visitor to enjoy the city by foot or bicycle. Mature street trees line the city streets and provide shade to pedestrian areas and outdoor café seating. Both Cornell and Ithaca College are easy to find from downtown, and the entrances to both academic institutions are well-defined with signage and plantings.

Everything about the visitor's visual experience, from arriving at the county gateway to exploring downtown Ithaca, reflects the vibrant and caring communities of Tompkins County.

HISTORY OF THE PROGRAM, 1995-2015

Adopt-A-Planter

The initial seeds for the Community Beautification Program were sown in 1995 by staff from Cornell Cooperative Extension of Tompkins County in conjunction with community members interested in improving the plantings on the Ithaca Commons and surrounding streets. This group formed the initial Beautification Committee in the City of Ithaca.

The first beautification initiative in the City of Ithaca was an Adopt-A-Planter program for local business owners, with the goal of adding annual and perennial flowers to the existing shrub and tree plantings on the Ithaca Commons. Utilizing volunteer labor and sponsorship of the concrete planters, the Commons was transformed each spring with the addition of colorful plants.

However, it soon became apparent that it was difficult to rely solely on volunteer labor for routine maintenance of the planters throughout the summer. Regular weeding, watering and deadheading are necessary to keep the plantings in good shape all summer. Frequent watering was found to be especially important when growing annuals and perennials in the same planters with trees and shrubs. At the time the Commons was lacking sufficient water spigots so watering was a very difficult task to manage with just volunteers.

Youth Horticulture Apprentice Program

In 1999 the Youth Horticulture Apprentice Program (YHAP) was established with funding by the Youth Employment Service. This program was led by educator and plantsman Lee Ginenthal; one of the goals of the program was to provide horticultural job training for teens. The youth were paid a stipend to help plant and maintain the flower plantings on the Commons. YHAP provided maintenance and horticultural training for youth on the Ithaca Commons until 2002. At this time the YHAP program relocated to the new Ithaca Children's Garden in Cass Park.



Plantings in the old Commons fountain – 1999



First beautification volunteers on the Commons - 1997

Founding of the Community Beautification Program

In 2002 the Tompkins County Hotel Room Occupancy Tax rate was increased from 3% to 5% in order to generate a greater number of tourism-enhancing programs in Tompkins County. The Beautification Committee advocated for a beautification program with secure funding that could expand efforts beyond the Ithaca Commons, and include rural communities as well as major routes into the city and county. The committee also believed strongly that retaining the volunteer aspect of the program would expand its reach as well as providing educational and training opportunities for youth and adults.

In 2001 the Beautification Committee collaborated with the Chamber of Commerce to develop a county-wide beautification program with the goal of improving the aesthetic quality of Tompkins County's rural and urban landscapes with plantings of flowers, shrubs and trees, outdoor sculpture, murals and banners. The room tax provided funding for a half-time program coordinator, whose responsibilities included training and coordinating volunteers to work in the City of Ithaca, ordering plants, tools and other supplies, and managing a matching beautification grants program for the rural communities of Tompkins County.

In fall 2002 the first Tompkins County Community Beautification Coordinator was hired at Cornell Cooperative Extension of Tompkins County (CCETC). The coordinator works in collaboration with the Beautification Committee and staff from the Chamber of Commerce. In the first year of the program the Beautification Coordinator trained the first group of Beautification Brigade volunteers who worked primarily on the Ithaca Commons and on the three large traffic medians on East State. At that time these medians were a mix of grass, weeds and sprawling, non-flowering shrubs. Staff and volunteers with the Beautification Brigade renovated these medians and they are now jewels of downtown Ithaca from spring to fall when they are filled with colorful flower plantings.





Sign Triangle (East State Street): Before

Sign Triangle: After

Based on the success of the program in the first two years, funding from the room tax was gradually increased to allow a full-time program manager, a seasonal assistant, and the purchase of a watering van. Several years later the scope of the program was expanded to include signage and public art. The Strategic Tourism Planning Board oversees the Beautification, Signage and Public Art Program and approves the program's budget request before submitting it to Tompkins County Legislature for annual funding.

Beautification Brigade Volunteers

Volunteers are the backbone of the Community Beautification Program. Each year hundreds of hours are contributed by volunteers with the Beautification Brigade to plant and maintain public planting sites all over the City of Ithaca (see Appendix III, p. 36 for map of current planting sites in the City of Ithaca). Volunteers also help propagate thousands of plants for the program. This voluntary labor makes it possible to plant and maintain many areas in the City of Ithaca on a small budget and with a small number of paid staff. In return, volunteers experience hands-on learning, and gain experience in seed sowing and transplanting, bulb planting, container gardening, garden design, and plant maintenance. One of the highlights of the spring is Business Planting Day. The Beautification Program provides free flowering plants to businesses and organizations and the Beautification Brigade mobilizes to plant these in containers at dozens of locations throughout the City of Ithaca.



Volunteers on Business Planting Day



Business planter on the Commons

Commons Ambassador Program

In 2002 Room Tax funding was awarded to the Downtown Ithaca Alliance for a seasonal position to water plantings and pick up litter on the Commons and surrounding streets, and answer questions from visitors. Paid staff to perform regular watering on the Commons and surrounding streets was essential to expanding the number of plantings in this area. The new planting areas on the rebuilt Commons include trees, perennials and annuals which will be watered and maintained by the Downtown Ithaca Ambassadors, paid staff that work seasonally on the Commons and surrounding streets. In addition to watering planters, the Ambassadors also answer visitors' questions and keep the Commons and downtown area tidy. Staff and volunteers with the Beautification Program will continue to plant the spring, summer and fall flowers in the planters on the Commons and surrounding streets.

Rural Matching Grants Program

Beautification funding is available each year for a wide variety of beautification projects in the rural communities. Matching grants are awarded to municipalities, schools and other groups that want to implement beautification projects in their communities. Typically grant funds are used to purchase plants and materials and the matching portion is fulfilled by the value of the volunteer labor. Rural beautification projects have included landscape plantings, tree and shrub plantings, flower planters, banners, park renovation and interpretive signage for historical sites. Some communities have also developed volunteer groups in their communities that are similar in structure to the Ithaca Beautification Brigade. Volunteer coordinators in these communities organize regular work sessions to plant and maintain the plantings and containers in their villages and towns.

For more information about the rural beautification grants program, see Appendix VIII on p. 51 for grant guidelines and required reporting documents.

Examples of projects funded by the Rural Grants program



Plantings at Groton Public Library



Village of Dryden Main Street planters

Continued Growth

In 2015, the Community Beautification continues to go from strength to strength. The program now collaborates with Cornell University and the Finger Lakes Residential Center to have plants grown in their greenhouses by students and volunteers, and this has greatly expanded the number of areas that can be planted with a relatively small plant budget, while also providing more training opportunities for those who help with seeding and transplanting in the greenhouses.



Beautification Brigade transplanting seedlings



Beautification plants at Cornell greenhouse

After 13 years of planting in the often harsh environment of public planting sites, the beautification staff has accumulated valuable information on the best plants for challenging public sites, in both sunny and shady locations. Each year new plant varieties are trialed in public planting sites in Ithaca while continuing to plant many of the staunch champions that have proven themselves. A gallery of the best annuals, bulbs and perennials for public plantings can be found in the toolkit section Appendix V on p. 38.



Zinnias are tough plants, suitable for roadside plantings

One of the biggest challenges for public beautification is providing enough water for plants to flourish. Roadside planting areas tend to be hotter and drier than typical garden sites. Annuals are great for continuous bloom throughout the summer but with shallow roots they need very consistent watering to flourish. In order to increase the sustainability and reduce watering of city plantings in dry years we will be piloting some new planting designs that include a greater number of shrubs, ornamental grasses and perennials. These garden designs can be seen in Appendix VI, p. 45.

GOALS AND METHODOLOGY of THIS PLAN

As the Beautification, Signage and Public Art Program enters its 15th year it's a good time to step back to review the past successes and challenges and develop a cohesive set of goals and strategies to take county-wide beautification to a higher level over the next five years.

The Community Beautification Committee held focus group meetings in winter 2015 and conducted a survey of businesses, tourism stakeholders and municipal officials. The survey questions solicited feedback on past and current beautification efforts, and ideas for high-priority projects in their communities over the next five years.

Some of the recurring suggestions from 190 survey respondents include creating more welcoming entrances to visitors entering Tompkins County, improving the aesthetic quality of main routes into the City of Ithaca, enhancing public parks and trails, adding more public art and sculpture, and helping rural and urban municipalities in their efforts to be welcoming, interesting, clean and safe for visitors. Results of the survey and suggestions from the focus group helped shape the goals and strategies presented in this plan. The survey questions and a summary of responses can be seen on Appendix X on p. 57.

Community Beautification& Planting Program

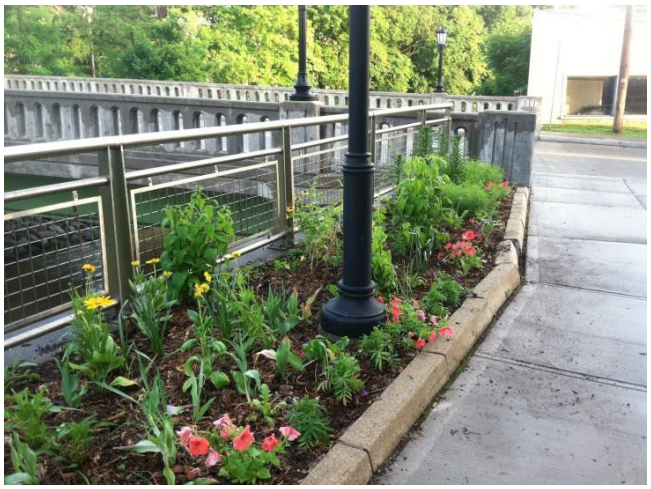
WHY BEAUTIFICATION MATTERS

Studies back up what most of us have experienced: public spaces that are clean, that have places to sit down, and that are close to trees, flowers and outdoor art make us feel happier, relaxed and safer. Beautification enhancements provide benefits for businesses, residents and tourists. Research has demonstrated that businesses that are located in areas with beautification elements have higher foot traffic and sales.

Cleveland, Ohio

"The importance of the on-street experience was highlighted in the perception research conducted with visitors and residents. The research showed that lighting, public art, greenery and improved conditions of roads and sidewalks can increase perceptions of cities as being clean, safe and welcoming."

http://www.wkyc.com/story/news/local/cuyahoga-county/2014/08/05/cleveland--downtown- beautification-starts-at-east-4th--prospect/13634111/



Creek Walk plantings behind the Tompkins County Public Library

Example: Texas A&M University

"Beautification Draws Customers, Reduces Shopper Stress, and Enhances Store Appeal: Trees and other ornamental plants beautify otherwise bland areas. They help create a positive aesthetic environment that attracts and welcomes customers of local businesses. Stores with landscaped areas have proven to make shoppers feel more at ease, and also contribute to the appeal of a store. This translates into expanded sales resulting from longer shopping occasions and to stores being able to charge slightly higher prices because of an increase in the perceived quality of the store. Landscaping is an effective way to invite more customers to a store and to keep them coming back to experience the positive environment they encounter there."

(Bisco Werner 1996, Brethour 2007, Frank 2003, McPherson 2004, PNLA 2009, Wolf 1998)

http://ellisonchair.tamu.edu/economic-benefits-of-plants/#.VQnPMv7svxQ



Planters on the Ithaca Commons

University of Florida

"Aside from the obvious aesthetic benefits, studies indicate that roadside beautification, including landscaping and gardens, can help drivers reduce stress, frustration, and aggression, while helping maintain safe highways. Implementing simple, cost-effective beautification projects can enhance communities and improve quality of life for residents and travelers."

http://www.sciencedaily.com/releases/2008/07/080717110228.htm

More detailed guidelines for planter boxes, traffic medians and roadside plantings,as well as plant lists and photos for each type of planting, can be found in the Toolbox section in Appendix V on p. 38.



Spring bulbs on Aurora St. median



Volunteers planting summer annuals on Aurora St. median



Evergreen branches, twigs and berries for winter interest

Role of Volunteers and Community Partnerships

From the inception of early beautification efforts in the mid-90's to the founding of the current Community Beautification Program in 2002, volunteers have played a key role in developing and maintaining planting sites in Tompkins County. Utilizing volunteer labor greatly leverages funding from the Room Tax fund and creates a sense of empowerment for community residents while providing horticultural training.

The program also involves volunteers from Cornell University and Ithaca College, providing opportunities for these often temporary residents to engage in beautifying their Ithaca community, and of course city beautification is a benefit to these institutes of higher learning as it makes the city more attractive to prospective students and their parents.

Cornell Cooperative Extension horticultural volunteer programs include: the Beautification Brigade; the Citizen Pruners, a volunteer group that prunes city street trees; and the Master Gardeners, who maintain several public planting areas in the city and in rural locations.

Other horticultural volunteer groups in the city include Friends of Stewart Park, Adopt-A- Park participants, Cayuga Waterfront Trail volunteers, Six-Mile Creek natural area volunteers, the Ithaca Garden Club, and beautification volunteers in the rural municipalities. All of these volunteers provide invaluable work on beautification projects throughout Tompkins County.



Dryden beautification volunteers



Tompkins County Public Library volunteers

Developing stronger partnerships with businesses and organizations is one of the key goals of the 2016-2020 strategic plan. These partnerships are essential to expanding the scope of beautification projects on a limited budget. Business and organizations can choose to support the program with volunteer labor or funding for plants. A formal sponsorship program and sponsorship signage will be designed over the next several years to help develop these types of partnerships.

An example of a successful volunteer partnership is one that was forged with the Tompkins County Public Library in 2014. Library volunteers work side-by-side with the Beautification Brigade to plant areas around the library building in downtown Ithaca. The Beautification Program provides plants, and TCPL volunteers work with Beautification Brigade to water and weed the planters to keep them looking fresh all season. The Beautification Program also helped design and plant a cutting garden behind the building that provides fresh flower bouquets inside the library all summer and fall.

Matching Grants Program for Rural Municipalities

The Tompkins County Community Beautification Program gives grants to Tompkins County municipalities that are outside of the City of Ithaca for beautification projects. Since 2002, approximately $100K has been awarded to rural municipalities for beautification projects, including a 'pocket park' in Forest Home (Town of Ithaca) planted with native shrubs and trees; interpretive signage for the Covered Bridge in Newfield; funding for Main Street plantings in Dryden, Trumansburg, Enfield and Groton; street trees and landscaping on Triphammer Road in Lansing, and colorful plantings at visitor centers, libraries, post offices, schools, village and town offices, and other public locations.

Project organizers are encouraged to speak with the Community Beautification Coordinator before they get too far in planning their project to ensure that it is eligible for funding. The application process is simple and ongoing throughout the year. Applicants will:

- Submit a project description and total budget
- State how much they are asking for from the Community Beautification Program and how the funds will be matched

- Indicate how the project will be maintained
- Submit a final report when the project is complete, with documentation for expenses and volunteer hours. Following a site inspection to ensure that the project is complete, reimbursement is made to the municipality.

Criteria used to determine rural grant awards include:

- The project should be in an area that is highly visible to the public: along a main road or near a public building such as a Town Hall or school.
- It is a 1:1 matching grant. The match can be in the form of money, services, supplies, or volunteer labor.
- It is a reimbursement grant. The municipality agrees to front the money for the project and is then reimbursed by our program when the project is done.
- Existing employee payroll is not an eligible grant expense.
- The typical grant award is $1,000 to $2,000, but awards are made on a case-by-case basis.



Monarch garden in the Village of Dryden



Plantings at Village of Trumansburg visitor center

Downtown Ithaca Ambassador and Hospitality Program

According to the 2009 'Profile of Visitors to Tompkins County' study, Downtown Ithaca and the Commons are important in motivating trips to Tompkins County, ranking third in importance after Cornell University and local gorges and state parks. The Downtown Ithaca Ambassador and Hospitality Program was created to help maintain this key community asset and to help provide visitors with supportive on the street concierge like assistance. Ambassador programs are found in a number of larger downtown communities. They provide supplemental cleaning and sometimes safety assistance as well as street level hospitality services, all designed to improve people's experience downtown. The Downtown Ithaca Alliance, with funding from the Tompkins County Tourism Program, has created a modest ambassador program that focuses on supplemental maintenance and cleaning services as well as hospitality. With the re-opening of the Ithaca Commons pedestrian mall the importance of supplemental cleaning and hospitality services has intensified.

Ambassadors are paid employees of the nonprofit Downtown Ithaca Alliance (DIA). They are supervised by the DIA Director of Operations, who is responsible for scheduling and daily oversight of work performed. Their work year is divided into two distinct periods: peak visitor season (May-October) and non-peak (November – April). Cleaning crew ambassadors work throughout the year in both peak and non-peak periods. Hospitality ambassadors work only during peak months. During peak months both clean and hospitality ambassadors cover each day of the week, including weekends and most holidays. Ambassadors have worked full-time and part-time and receive a living wage after a brief

trial period. In 2016, the ambassador program will utilize one working supervisor/fore-person and a series of part-time persons to help cover the needed hours. During the peak summer the paid staff is also supplemented with a seasonal youth employment worker and occasional community service and volunteer helpers.



Downtown Ithaca Ambassadors

Hospitality Responsibilities

The hospitality ambassadors are trained to engage with the passing public, answering an array of questions ranging from simple directions to more complex queries about where to find various goods and services. The ambassadors are typically, but not always, located at or near the DIA's portable red information kiosk that contains brochures, maps, downtown guides, and other downtown oriented information. Ambassadors have cell phones to call for information they cannot readily obtain and access to a computer. Whenever visitors inquire about overnight stays or more detailed regional information, they are directed to the Downtown Visitor Center staffed by the CVB. The red cart is often located next or adjacent to the visitor center to facilitate this cross servicing of visitors. On average, the hospitality ambassadors provide information to between 5,000 and 6,000 people each season.

Cleaning Responsibilities

Clean crew ambassadors are charged with maintaining the appearance of the Commons and surrounding blocks. This is supplemental cleaning that follows mechanized cleaning performed by the City of Ithaca Public Works Department. Clean crew ambassadors typically are responsible for hand cleaning, including, but not limited to, daily litter pick-up, cigarette butt cleaning, flower bed watering, weeding, small graffiti removal, painting, and numerous miscellaneous maintenance related chores. The scope of these tasks varies by the season. Watering can consume 4-5 hours a day of a single person during dry summer periods. Cigarette butt cleaning can be extensive, particularly during busy bar days. One measurement exercise performed by the DIA in 2008 for the Keep America Beautiful Program found that ambassadors picked up nearly 6,000 cigarette butts in a single 24 hour period from one target block on Aurora Street. Even with the current downtown smoking ban, this problem still exists today.

While ambassadors focus on the pedestrian mall, they also maintain a schedule of cleaning in the entire 22 blocks of the downtown district. Some areas, such as the major bus stops, receive daily attention. Other areas receive less frequent cleaning based on the level of need and trash generated. Ambassadors are always available to modify their schedule to assist with emergency or unexpected situations. They are also assigned to clean up and assist with key downtown events such as summer

concerts and festivals.



Downtown Ithaca information kiosk

The Future of the Ambassador Program

As City funding for street and sidewalk cleaning has waned, the ambassador program has added to its scope of work. The new Commons pedestrian mall provides significantly more real estate for maintenance. For example, the Commons has 12 larger planting beds, 6 annual beds, and 78 portable flower planters all requiring regular watering, weeding, and attention.

Looking forward, the need for supplemental maintenance services will continue. Visitors expect a certain level of cleanliness when they visit attractions and the Commons/Downtown is no exception. The DIA will continue to experiment with staffing plans that provide maximum flexibility for the needed 1st and 2nd shift coverage. The ambassador program will continue to work closely with Cornell Cooperative Extension to ensure that there is solid communication between the CCE planting crews and the DIA maintenance crew.

Additional Beautification Efforts

Various other groups and city departments contribute to beautification efforts in the City of Ithaca. The Department of Public Works City Forestry program plants trees along city streets and in public parks, replacing trees as needed and maintaining a healthy diversity of tree species. Ithaca's City Forestry program has received numerous awards for both the number and diversity of trees planted yearly. Ithaca's Streets and Facilities department recently installed four new 'rain gardens' downtown, located on new pedestrian bump-outs on Green and Seneca Streets. These rain gardens will capture storm water from nearby sidewalks and parking lots as well as adding floral color to these streets.

Additional plantings in the City of Ithaca have been installed in Stewart Park by volunteers with the Friends of Stewart Park and the Ithaca Garden Club. Perennial and shrub plantings have been installed by volunteers along Cayuga Waterfront Trail, a pedestrian/bike trail that runs from Stewart Park to Cass Park.

Signage

HISTORIC EFFORTS REGARDING COMMUNITY SIGNAGE

The use of community wayfinding signage to guide and direct visitors is not a new or novel trend. During the latter half of the twentieth century wayfinding signage was becoming a common feature in several different venues, especially parks, university campuses, and a growing number of urban centers and cities. Such a coordinated signage system did not find its way to Ithaca and Tompkins County. Instead, by 2000, there was a number of wildcat signs appears along Ithaca and Tompkins County roadways placed there, usually illegally, by a growing number of area attractions. They were all different in size and design.

This growing number of wayfinding systems across the United States was increasing the expectations of the motoring public and, when combined with the clutter of many miscellaneous signs installed by individual entities, this concern spawned an initiative by the Tompkins County tourism community in 2000 to address this issue. Utilizing County tourism funds specifically set aside for this purpose, the CVB led an effort to undertake a pilot program to demonstrate the viability and value of a coordinated wayfinding signage program. Particular concern in this program was to be paid to Cornell and Ithaca College signage. The CVB selected 212 Associates, a NYC based firm that specialized in wayfinding and directional signs programs. The intent of the demonstration was to plan, produce and install wayfinding signs in a small geographic area (the west end of Ithaca) where the problem with sign proliferation was most acute.

This pilot program immediately ran into problems with the State Department of Transportation, which proved to be unreceptive to the designs and proposals prepared by the consultants, After considerable negotiation by former CVB head Bridgette Berry, the pilot was able to install a limited number of signs at some six different locations. The State DOT resistance to the program effectively ended the pilot and the concept of a coordinated wayfinding signage program was shelved for the next fifteen years. While signage was nominally listed as an item for beautification, only entrance signs received any attention during this 15 year hiatus.

By 2014, the idea of a coordinated wayfinding signage program was again revisited by the Beautification Committee. This time the planning task force carefully considered firms who could work effectively and clearly with the State DOT.

WAYFINDING & INTERPRETIVE SIGNAGE PROJECT

Background

The Tompkins County Wayfinding & Interpretive Signage Project is a comprehensive, well-planned program to address the issues with existing gateway signage, standard DOT signage, and a lack of ample or appropriate vehicular and pedestrian wayfinding signage throughout Tompkins County. The project includes community gateway and municipal welcome signage, informational kiosks with interpretive panels (for pedestrians and cyclists), standard NYS DOT directional signage and recreational/cultural signage, and intra-community wayfinding signage.

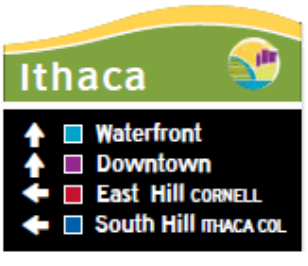
Wayfinding is knowing where you are spatially in an environment, knowing where your desired location is, and knowing how to get there from your present location. In Ithaca and Tompkins County, wayfinding is particularly important, because each year we host over a million tourists, college students and their families, and we have a very transient residential population as well as thousands of in-commuters daily. The historic and current signage condition throughout Tompkins County has frequently been described as poor, confusing, broken, lacking, absent, and frustrating.

Through a collaborative and comprehensive stakeholder engagement and planning process, a Wayfinding & Interpretive Signage Plan was created to address the issues noted above. From 2013 through July 2014, a Tompkins County Tourism Program grant helped key stakeholder groups and a steering committee work with consultants to formulate a wayfinding system with a clear hierarchy of preferred wayfinding routes. It is on these routes that the wayfinding effort is centered, in order to make navigating through the county clear and easy to understand. The primary and secondary routes were determined to be the main routes travelled when entering the county. The primary and secondary routes also provided connections between municipalities and attractions within the county.

The next step in the process identified which tourism and natural resource attractions/destinations should be signed. The process started with a list of 417 potential attractions. These included cultural and recreational attractions/destinations, private businesses/restaurants, community facilities/services and more. The project team evaluated this list and added over 70 attractions including waterfalls, parks, trails, services, and environmental/nature-based attractions. With a list of approximately 500 potential attractions, the limitations of the number of destinations per sign (four), and the importance of not creating sign clutter, it was necessary to prioritize and identify the major attractions to be the focus of the wayfinding system. Commercial services such as restaurants, retail establishments and businesses were eliminated because they are not necessarily permanent and it was decided that the community wayfinding should not promote individual private businesses. In the end, the project team and Steering Committee identified 56 attractions to be signed, which have the most significant cultural/recreational interest and visitorship.

Wayfinding Plan Components

The wayfinding system for Tompkins County that resulted from this process is organized to direct visitors and residents, whether traveling by vehicle, bike or on foot, to major attractions and destinations, and to encourage the most efficient and navigable traffic flow. **Gateway signs** introduce one's entry into the county and municipalities. Gateway signs will be enhanced with plantings of perennials, shrubs and ornamental grasses. These plantings will be funded by the rural beautification grants program and maintained by the rural towns and villages. The wayfinding system focuses on primary and secondary routes through the county that people are most likely to travel. **Wayfinding signage** is strategically located along these





routes to direct residents and visitors to the major attractions (an additional benefit of the signage is to alert travelers to the presence of these attractions even if they are unable to visit them on that particular trip). The design of the wayfinding signage is consistent throughout the county in order to support the development of a sense of place as one moves through the county. **Interpretive kiosks** are strategically located along these routes and at parking garages and pedestrian areas to provide information about the region in both traditional and digital formats.

Within the Town and City of Ithaca, the number of major attractions exceeds the capacity of a sign (vehicular directional signs are limited to three or four destination listings per sign). Therefore, for wayfinding purposes, Ithaca has been divided to four districts to allow for simpler understanding and navigation. Travelers will be directed to one of the four districts; once within a district they will be directed to specific attractions and parking within that district. The pedestrian and bicycle wayfinding system also reinforces this district organizational model.

This project includes the following key visitor and tourist destinations:

Parks, Waterfalls, Trails: Taughannock Falls, Buttermilk Falls State Park, Ithaca Falls, Ludlowville Falls, Cascadilla Gorge, Robert Treman State Park, Allen Treman Marina, Black Diamond Trail, Finger Lakes Trail, Cayuga Waterfront Trail, Stewart Park, Cass Park, East Shore Park, Myers Park, Ithaca Children's Garden, South Hill Recreational Way, Wildflower Preserve, Hammond Hill State Forest, Danby State Forest, Shindagin Hollow State Forest, Jim Schug Trail

Theatres: Hangar Theatre, State Theatre, Kitchen Theatre

Educational/Museums: Cornell University, Ithaca College, Tompkins Cortland Community College, Museum of the Earth, Sciencenter, Cayuga Nature Center

Landmarks/Historical: *Newfield Covered Bridge, The History Center*

***Shopping/Restaurants*:** Downtown, The Commons, Collegetown, Ithaca Farmers Market, Shopping Mall

Other: Major districts within Ithaca (Downtown, Waterfront East, Waterfront West, East Hill-CORNELL, South Hill- ITHACA COLLEGE) CVB Visitors Center (Downtown Ithaca and East Shore Drive); four parking garages. Many locations indicated above are part of the "Discovery Trail," an important tourist destination marketing project.

The need for additional signage throughout Tompkins County cannot be understated. Directional signage is haphazard, incomplete, and often found in deteriorated condition. Signs were installed at various intervals over the past several decades, and no theme exists from one sign type to another. The result is a confusing, poor looking, and ineffective signage program resulting in a missed opportunity for community branding as well. The impact area for this project is all of Tompkins County, including nine towns and the City of Ithaca, with specific benefit to natural resource assets, tourism properties, Cornell University, Ithaca College, and Tompkins Cortland Community College.

The Ithaca/Tompkins County Convention and Visitors Bureau noted that 8% of visitor phone calls to the CVB are from individuals seeking maps and directions. An estimated 5% of the inquiries from CVB online chat visitor services were requests for maps or directions from those visiting the area, or already located within the area. Over 70,000 print travel guides were distributed YTD, all included maps. A significant portion of ongoing walk-in visitor center traffic, in Downtown Ithaca and on East Shore Drive, includes individuals and families seeking directions and input regarding wayfinding.

With such a high percentage of transient population due to three higher education institutions, and approximately one million total visitors each year, the need for comprehensive, attractive, and clear signage has become a community priority. This project will directly support the Southern Tier Regional Council's efforts to improve the economic impact of tourism by enhancing and simplifying the visitor experience to Tompkins County. By allowing visitors to locate assets such as theaters, waterfalls, hiking trails, parks, downtown and The Commons, and much more, we will enhance the visitor experience and invite them to stay longer, play more, and spend additional dollars during their visit.

Next Steps

Throughout 2015, the Tompkins County Chamber of Commerce and its Foundation, along with Tourism Program Partners and the County Planning Department, worked to move this project towards plan implementation phase. Significant effort resulted in the following work being accomplished:

- Numerous stakeholder meetings and presentations were held over the course of several months, to discuss the background, goals, and need for the project
- Collaboration with the NYS DOT regarding the project, funding sources, and agency support needed to make the project become reality
- Collaboration with local municipalities capable of supporting the project through installation of signage (and therefore reduction of the most costly item in the budget)
- Project scope and budget revisions, including reduction of the project budget to render it a more feasible project
- Funding requests to project stakeholders, many of which were approved with contingencies
- A grant request was submitted to the Empire State Development and the Southern Tier Regional Economic Development Council, which was not funded for the 2015 project year

In 2016, The Chamber of Commerce will establish a stakeholder committee to discuss and plan for next steps. Multiple funding sources and follow-up grant applications will be considered as opportunities arise, and in particular, as clarity is provided regarding the process for seeking investments from the Southern Tier Region's Upstate Revitalization Initiative (URI) Funding Award.

The committee will consider project phasing options, and whether an initial project should be considered for 2016-2017 which could be used as a demonstration project and a springboard for implementation of the complete project. Additional meetings and presentations with a wider base of local stakeholders will continue in the first half of 2016.

Appendix IX on p. 54 provides more detail about the planned Wayfinding & Interpretive Signage Project, and examples of the various components of the program, as well as some maps detailing new sign placement, sign removal and replacement. The final plan is available in its entirety at www.tompkinschamber.org/wayfinding.

Public Art

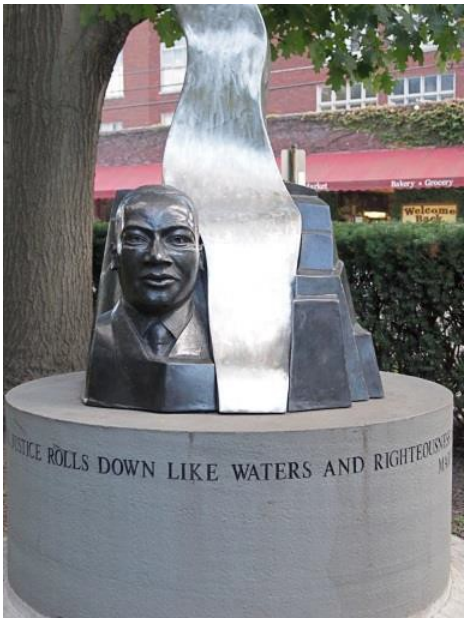
Art can beautify and enhance public places, and has been a tool for beautification and community development here in Ithaca and throughout the country. The Beautification Program created by the Tompkins County Tourism Program has always included public art as an eligible activity, but historically

there has been only limited focus on this tool in the past decade. Looking forward, public art offers communities a possible cost effective way to create lasting enhancement to their public spaces and can be a growing part of the Beautification program.



Downtown Ithaca mural honoring the Haudenosaunee tribe

There is a history of public art initiatives in our community. In 2000, the Downtown Ithaca Alliance created the Art in the Heart of the City program, a seasonal public sculpture art program that has brought over 150 pieces of eclectic sculpture to the streets and plazas of downtown Ithaca. This program changes annually, refreshing the artistic landscape. The City and DIA have purchased/acquired several pieces over the years, creating a permanent collection of outdoor 3-D art.



Sculpture on the Ithaca Commons honoring Martin Luther King, Jr.

The City's Public Arts Commission has promoted two major programs over the past five years: a program to add murals to public spaces and a program to paint utility electric boxes throughout the City. Murals are now present in parking garages as well on public and private buildings. The utility box program, known as "21 Boxes" has painted over 40 boxes and engaged that same number of artists in the process of creating public art.





Two of the utility boxes painted by local artists through the 21 Boxes program

The Beautification Program will be seeking to augment these programs and extend the opportunity for public art to communities throughout the County. Key criteria for art placement will be its visibility to tourists and visitors. A 2016 pilot program will provide funds for murals or other low cost public art. This was identified as a "Critical Action" by the 2020 Tompkins County Strategic Tourism Plan, specifically to 'Formalize a public art grant component of the Beautification Program to encourage public art installations throughout Tompkins County.' As such, it is anticipated that a more formal and sustainable public art program will be supported by room tax funding in the years to come.

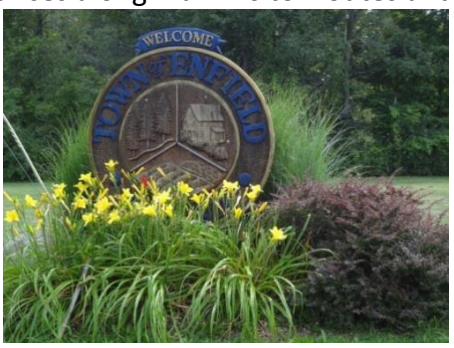
Goals, Strategies, and Action Items

Through the planning process—which included an analysis of the program's history, stakeholder engagement, survey, and prioritization of opportunities by the Beautification, Signage & Public Art Committee—the following key goals were identified as priorities for the next five years:

1. **Attractive, Welcoming Entrances and Primary Travel Corridors**

First impressions are extremely important, and the first impressions of all visitors to Tompkins County start with travel through the rural communities that ring the City of Ithaca. Visitors should be warmly greeted with Welcome signs at county gateways and entrances to rural villages, flower plantings, well- kept village centers, and visitor signage promoting local attractions. Roadsides should be free of litter and planted with ornamental and shade trees. Visitors should immediately feel that they have entered a community where people care about their surroundings.

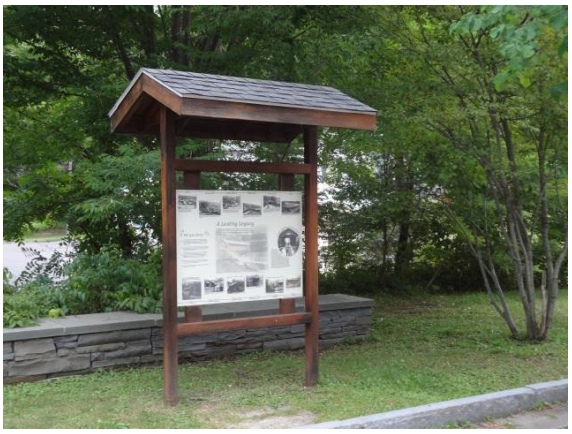
Improving the entrances to the county, to the rural towns and villages and to the City of Ithaca was identified as a high priority by many of the survey respondents. Goals for 2015-2020 include installation of welcome signs at all county gateways and village entrances as well as the airport; plantings of flowers, bulbs, trees and shrubs in all rural villages; and working with local municipalities to enforce and improve sign ordinances along main visitor routes and corridors.



Town of Enfield welcome sign

2. **Easy-to-Navigate Communities**

Once visitors have arrived in our county, we want to be sure they can get around easily and find visitor attractions and recreational areas. The Tompkins County Wayfinding and Interpretive Signage Plan, funded by the Tompkins County Tourism Program, is a master plan for integrated county-wide wayfinding signage. The plan can be viewed online at http://www.tompkinschamber.org/wayfinding. Goals for 2016-2020 include securing funding to implement the plan, and developing cost-sharing and sponsorship programs to help fund the plan's implementation. Improving wayfinding signage was listed as a high- priority action by many of the survey respondents.



Interpretive signage at the Covered Bridge in Newfield

3. Public art, including murals, sculpture and banners are a vital part of the visitor experience and enhance the overall visual appeal and interest of the area.

Public art reflects the unique and artistic aspects of Tompkins County, and art elements such as murals, sculptures and banners continue to beautify the environment in winter months when planting areas are dormant. The great variety of art in downtown Ithaca, from outdoor sculptures to large murals to utility boxes painted by local artists, can be replicated in the rural parts of the county. Goals for 2016-2020 include the expansion of public art throughout the county with grants from the Community Arts Partnership (CAP) and sponsorship opportunities. Survey respondents indicated that the increased number of public art pieces in the City of Ithaca is a major asset, and that increasing the number of public art pieces in the rural areas should be a high priority as well.



Mosaic mural in downtown Ithaca

4. Attractive, colorful and neat public spaces and amenities in centers and destinations.

City and village centers that are tidy, well-lit and planted with flowers and trees are much more likely to attract visitors to stay and linger. Attractive and welcoming centers include places to sit and relax, flower planters, shade trees in summer, trash and recycling bins to encourage tidiness, and street lighting.

Research has shown that businesses that are located in attractive, well-cared for areas are safer and have higher foot-traffic and sales than those that are not, thus beautification benefits residents and local businesses as well as visitors. Many of Tompkins County's rural villages have added Main Street

enhancements in recent years, including flower planters, benches and historic lighting. The nearly completed renovation of the Ithaca Commons will result in an airy, colorful, people-friendly pedestrian area with well-designed and maintained plantings.

Plantings, public art, benches and streetscape improvements are all elements of Placemaking, which "inspires people to collectively reimagine and reinvent public spaces as the heart of our communities." Placemaking also refers to a "collaborative process by which we can shape our public realm in order to maximize shared value." (www.pps.org). A focus on enlivening specific places in the City of Ithaca and our rural communities with small scale tactical placemaking or "Lighter, Quicker, Cheaper" placemaking projects, can bring immediate benefits both to the spaces themselves and the people who use them, including visitors.

Continuing to add landscape plantings, flower planters, benches and lighting to city and village centers were felt to be very important actions by the survey respondents. Goals for 2016-2020 include maintaining existing planting sites in the city and county; identification of new planting sites based on site selection criteria; designing and implementing plantings that are easy to maintain and drought tolerant; helping rural municipalities develop Beautification Brigades to maintain plantings in town and village centers; supporting tactical placemaking projects and activities including development of a placemaking toolkit for local communities; and engaging volunteer groups to enhance park entrances and trailheads.



The renovated Commons in downtown Ithaca

5. Increased appreciation, awareness, and participation in community beautification activities

From the inception of the beautification program, community involvement has been a key goal. Engaging volunteers in maintenance of public plantings, parks and trailheads is a win-win partnership as funding can be stretched further and community residents gain hands-on training in horticultural skills. Volunteer groups involved with beautification efforts in Tompkins County include the Beautification Brigades, Citizen Pruners, Friends of Stewart Park, Adopt-A-Park participants, Cayuga Waterfront Trail volunteers, and various gardening groups and neighborhood associations. Some of the survey respondents noted the many benefits of engaging volunteers in beautification efforts.

Goals for 2016-2020 are to continue to increase the number of community members that participate in volunteer beautification projects, in particular to help beautify public parks and trailheads, and to

enhance recognition for the program itself to increase and diversify financial support for it.



Beautification Brigade volunteers planting a city median

6. Attractive built environment

An attractive built environment is an important aspect of community beautification. Flower plantings and street trees are not enough to overcome the negative visual impact of poorly-maintained buildings and infrastructure. Participation from municipalities is needed to enforce ordinances on building maintenance and aesthetic requirements for new construction, such as requiring landscape plantings to soften the visual impact of parking areas. More positive approaches include recognition of well-maintained and beautified residences and businesses through programs like Historic Ithaca's Pride of Place awards. Many survey respondents commented that the quality of the built environment is very important, and that poorly maintained and derelict buildings detract from public beautification efforts.

Goals for 2016-2020 include exploring ways that the Community Beautification Program can promote local guidelines, proposing larger-scale streetscape improvements and expanding the use of banner programs to ensure a high quality of the built environment in Tompkins County.



Historic building facades in downtown Ithaca

Goals, Strategies and

Action Items Chart

WITH GOAL, STRATEGY, ACTION ITEM, AND LEAD ORGANIZATION; WITH PROPOSED TIMELINE TO ACCOMPLISH, AND MEASUREABLE OUTCOMES

Guide to Acronyms:
CBP - Community Beautification Program, operated by Cornell Cooperative Extension of Tompkins County
TCCOC - Tompkins County Chamber of Commerce
TCPD - Tompkins County Planning Department
COI DPW - City of Ithaca Department of Public Works
CAP - Community Arts Partnership
DIA - Downtown Ithaca Alliance
PAC - City of Ithaca Public Art Commission
STPB - Strategic Tourism Planning Board
TCTP – Tompkins County Tourism Program
CBA – Collegetown Business Alliance

Timing:
Short: 2016
Medium 2017-2018
Long: 2019-2020

Goal 1: Attractive, Welcoming Entrances and Primary Travel Corridors

Strategy	Action	Lead	Timing	Possible Funding	Measurable
Welcoming entrances at all County Gateways	Implement Wayfinding and Interpretive Signage Plan	TCCOC TCTP	Medium	Tompkins County Tourism, NY State, local municipalities	County Gateway signs installed at 10 entrances into the county, on major routes
Colorful plantings at County Gateway signs	Design and install landscape plantings for County Gateway signs	CBP	Medium	CBP Rural Grants program	Landscape plantings installed at 10 new County Gateway signs
Colorful plantings at all Community Gateway Signs	Design and install landscape plantings at all Community Gateway Signs (entrances to towns/villages)	CBP	Medium	CBP Rural Grants program	Landscape plantings installed at 22 Community Gateway Signs
Attractive highway corridors through City of Ithaca	Add ornamental trees, landscape plantings and container plantings to corridors through City of Ithaca	COI DPW	Long	City of Ithaca Department of Public Works	20 new trees and shrubs planted along Route 13 corridor in the City of Ithaca
Ornamental and shade trees along major routes in rural towns and villages	Engage municipalities in planting trees along major routes and in city and village centers	Rural towns	Long	CBP Rural Grants program	50 new trees planted in rural towns and villages

Goal 2: Easy to Navigate Communities

Strategy	Action	Lead	Timing	Possible Funding	Measurable
Wayfinding and Interpretive signs for vehicles, bicycles and pedestrians throughout Tompkins County	Implement the Wayfinding and Interpretive Signage Plan	TCCOC	Medium	Tompkins County Tourism, NY State, local municipalities	Stakeholder buy-in; funding secured; some phase of project implemented
Minimize sign clutter on primary travel corridors	Conduct inventory of existing sign clutter and local sign laws; address illegal signage through enforcement	TCPD, City of Ithaca, Rural towns	Long	None required	Illegal commercial signage is eliminated on Rt 13 South and other primary travel corridors. Potential changes to sign regulations.
Integrated wayfinding system for multi-use trail system	Develop a wayfinding signage plan as County multi-use trails are completed and connected	TCPD	Long	Funding?	Wayfinding plan for trail system developed and implemented

Goal 3: Public art, including murals and sculpture are a vital part of the visitor experience and enhance the overall visual appeal and interest of the area

Strategy	Action	Lead	Timing	Possible Funding	Measurable
Public art, including murals, sculptures and banners are highly visible in all municipalities	Establish a public art grant program to encourage public art installations and tactical placemaking activities throughout the county	TCTP, CAP, PAC	Medium	Tompkins County Tourism, foundations and private donors	10 new public art pieces in rural and downtown locations

Goal 4: Attractive, colorful and neat public spaces and amenities in centers and destinations

Strategy	Action	Lead	Timing	Funding	Measurable
Colorful, attractive, well-maintained and sustainable plantings in city center and along highway corridors in Ithaca	Develop and implement new landscape designs for existing areas to include more perennials and ornamental grasses	CBP, DIA	Medium	CBP, local sponsors	6 re-designed and installed plantings in City of Ithaca
Colorful, attractive, well-maintained and sustainable plantings in city center and along highway corridors in Ithaca	Identify new planting sites in Ithaca based on site selection criteria; develop landscape plans for these sites and implement	CBP	Long	CBP, local sponsors	5 new planting sites in the City of Ithaca
Colorful plantings in all village centers	Engage municipalities in planting bulbs, annuals, perennials and shrub in village centers by training local leaders	Rural towns	Medium	CBP Rural Grants Program	8 rural municipalities increase square footage of planting area by 25%
Beautiful parks, trailheads and trails	Increase resident engagement in park maintenance through volunteer programs like Adopt- a-Park, Friends of Stewart Park, and Friends of Cayuga Waterfront Trail	TCCOC COI DPW, FOSP Rural towns	Medium	Seek funding from Parks and Trails NY (PTNY) for part- time volunteer coordinator for parks and trails	Volunteers engaged in park, trailhead and trail maintenance increased by 50%
Tactical placemaking projects and activities.	Through micro-scale plans and projects, explore tactical placemaking improvements at key focus areas; identify possible focus areas and develop placemaking toolkit for communities	Rural towns TCPD DIA TCCOC	Long	Possibly include tactical placemaking in public art grant program	5 focus areas have been improved with placemaking elements by 2020.

Goal 5: Increased appreciation, awareness, and participation in beautification activities

Strategy	Action	Lead	Timing	Possible Funding	Measurable
Increase number of beautification volunteers in rural municipalities	Support initiation of Beautification Brigade volunteer groups by identifying and training leaders and offering preliminary plans	Rural towns	Medium	CBP Rural Grants program	8 rural municipalities initiate Beautification Brigade volunteer groups
Branding and awareness building for Beautification, Signage and Arts program	Develop program logo, educational aspect of website and marketing materials for sponsorship	TCCOC, CBP	Short	CBP	New logo, improved website and marketing materials for sponsorship program
Engage residents, partner businesses and organizations in beautification efforts	Increase participation in Business Planting Day in the City of Ithaca, particularly in new areas	CBP	Medium	CBP, business and private sponsors	50% increase in number of businesses participating in Business Planting Day
Increase private and business funding of planting sites	Promote business sponsorship program for public plantings	TCCOC	Medium	Local businesses and private donors	5 planting areas sponsored by businesses and private donors
Increase number of landscape plantings at businesses and private residences	Promote best plants and landscape designs with photos and information on Community Beautification website	CBP	Medium	No funding needed	Enhanced website with photos and information on best plants for public plantings
Recognize businesses and residents that contribute to beautification efforts	Develop awards program to recognize outstanding efforts in beautification by residents and business owners	CBP, COC, STPB	Medium	Seek sponsorship from horticulture businesses for awards program	Beautification recognition and awards program in place by 2018

Goal 6: Attractive built environment

Strategy	Action	Lead	Timing	Possible Funding	Measurable
Well-cared for buildings, public and private	Advocate for improvement and enforcement of land use regulations to preserve and improve the built environment	DIA, COC, TCPD	Long	No funding required	Advocacy role only; support for Form Ithaca initiative
Streetscapes in key focus areas are walkable, attractive and well- maintained	Propose larger projects such as streetscape improvement projects	COC, DIA, rural towns	Long	Funding?	At least one area is proposed for a significant streetscape improvement project.

Banner program to increase beautification in areas where landscape plantings are not practical	Develop banner program for Collegetown and other areas	COC, DIA, CBA	Short	Seek sponsorship and develop funding for banner program	Banners in place in two new city locations by 2017

APPENDICES

- Appendix I Possible funding for implementation
- Appendix II Tompkins County map expansion of beautification sites
- Appendix III City of Ithaca map of current beautification sites
- Appendix IV City of Ithaca map of expansion of beautification sites
- Appendix V Beautification Toolkit (Which includes: guidelines for public plantings, plant gallery of suitable annuals, perennials, bulbs & shrubs for public plantings)
- Appendix VI Sample landscape designs for selected city planting sites
- Appendix VII Selection criteria for location of beautification projects and planting guidelines
- Appendix VIII Rural beautification grant guidelines and final report form
- Appendix IX Municipal Gateway Signage Program Details
- Appendix X Beautification, Art and Signage survey questions and summary of responses

Appendix I: Possible Funding for Implementation

Tompkins County Tourism Program

Since 2002, the Tompkins County Tourism Program has provided major funding for efforts of the combined Beautification, Signage and Public Art Program, with matching support also being provided by program partners the Downtown Ithaca Alliance, City of Ithaca, and Cornell Cooperative Extension of Tompkins County. Staff administrative support for the program has also been provided by the Tompkins County Chamber of Commerce. The Tourism Program is funded by the county hotel room occupancy tax and overseen by the Strategic Tourism Planning Board with staff support from the Tompkins County Planning Department.

Beautification, Signage and Public Art are a focus area in the 2020 Strategic Tourism Plan, with an overarching goal to:

> *"Increase the perception of Ithaca and Tompkins County as an outstandingly beautiful community that is simple for visitors to navigate and as a place to visit for the overall beauty of the area."*

This funding source is expected to continue to provide a consistent core base of program support through annual budget allocations. However, rather than significantly growing room tax funding to implement new strategies identified in this Plan, the vision is to engage and inspire additional partners to leverage existing room tax support and add value to these efforts, significantly expanding what room tax funding would be capable of supporting alone.

In 2015, the STPB also voted to recommend $150,000 in Strategic Tourism Implementation (STI) grant funding towards implementation of the Wayfinding and Interpretive Signage Plan. STI funds are geared towards implementing Critical Actions from the 2020 Strategic Tourism Plan.

Using a $4,000 reserve balance of room tax funds at the Chamber of Commerce for public art, the Tourism Program in partnership with the Chamber of Commerce, Community Arts Partnership and City of Ithaca Public Art Commission has created a pilot public art grant program for 2016. Due to a matching donation from a local private family foundation, the amount available in grant funds will be nearly doubled, to $7,500. In its pilot year, the program will support murals. If successful, the intent is to continue and possibly grow this public art grant program to include sculpture and other types of public art in 2017 and beyond. The STPB will be asked to entertain a 2017 budget request towards these efforts.

The Rural Beautification Grant program, which is funded by room tax and administered by CCETC, distributes about $12,000 a year. Since this program responds to applications on a rolling basis, these funds are to be made available as needed to rural beautification projects that are awarded grant funds. The program has supported interpretive signage projects in the past and could also potentially be used to provide support for kiosks in village centers, which are part of the Wayfinding and Interpretive Signage Plan.

Sponsorship

Increasing sponsorship is an important new activity of the Beautification Program. Leadership for sponsorship efforts is to be provided by CCETC, with support from the Tompkins County Chamber of Commerce and the Downtown Ithaca Alliance. There are several areas of possible sponsorship, and in some cases, successful implementation may be dependent upon securing new sponsorship:

- Specific planting areas. Sponsor benefits could include naming rights and recognition through new on-site signage.
- Banner projects
- Business Planting Day
- Awards programs
- Wayfinding sponsorship – individual kiosks and signs along with institutional support for the entire project

Outside Grants

Parks and Trails New York (PTNY) Growing the Grassroots Grants could be an opportunity for Friends' groups of parks or trails to develop and promote their efforts. http://www.ptny.org/our-work/support/growing-the-grassroots-grants. PTNY has also compiled an impressive list of other funding opportunities, some of which may hold potential to support our local beautification-related efforts: http://www.ptny.org/our-work/support/funding-opportunities

New York State provides funding annually to a variety of projects and initiatives through its Consolidated Funding Application (CFA). Projects which are in alignment with the Southern Tier Regional Economic Development Council's Strategic Plan are particularly encouraged. The Upstate Revitalization Initiative is an additional state program with $100 million each year over five years (2016-2020) being allocated to support economic development in the Southern Tier Region. The region's URI plan includes several tourism-related strategies including: "Branding and tourism marketing to promote the region's culture", and "strengthen community and tourism infrastructure", with example projects listed including:

- "Community infrastructure projects to enhance the infrastructure of both our college communities and local Main Streets that connect the region and provide an authentic Americana and Southern Tier experience."
- "Improve physical infrastructure necessary to build new high-value tourism products."
- "Upgrade tourism destinations such as performing arts, wineries, breweries, distilleries, agritourism, museums, sports facilities, hiking/biking trails, scenic byway initiatives and major waterfront development projects. "

More information is available on the Southern Tier REDC's website:
http://regionalcouncils.ny.gov/content/southern-tier

The Chamber of Commerce is working to secure state funding for the Wayfinding and Interpretive Signage plan and program administrators should also look for CFA and URI funding opportunities for other Beautification, Signage and Public Art related local initiatives and apply for funding as appropriate.

Municipal Support

Municipalities in Tompkins County currently provide matching support for rural beautification grant-funded projects as wells as planting and downtown ambassador activities in the City of Ithaca. The City's Department of Public Works also contributes to beautification efforts through the city's urban forestry program and additional tree plantings identified as priorities by this plan will be carried out by this City program.

Municipal support will also be critical to implementing the Wayfinding and Interpretive Signage Plan, in particular support from the City and Town of Ithaca and from rural municipalities hosting community gateway signage and kiosks.

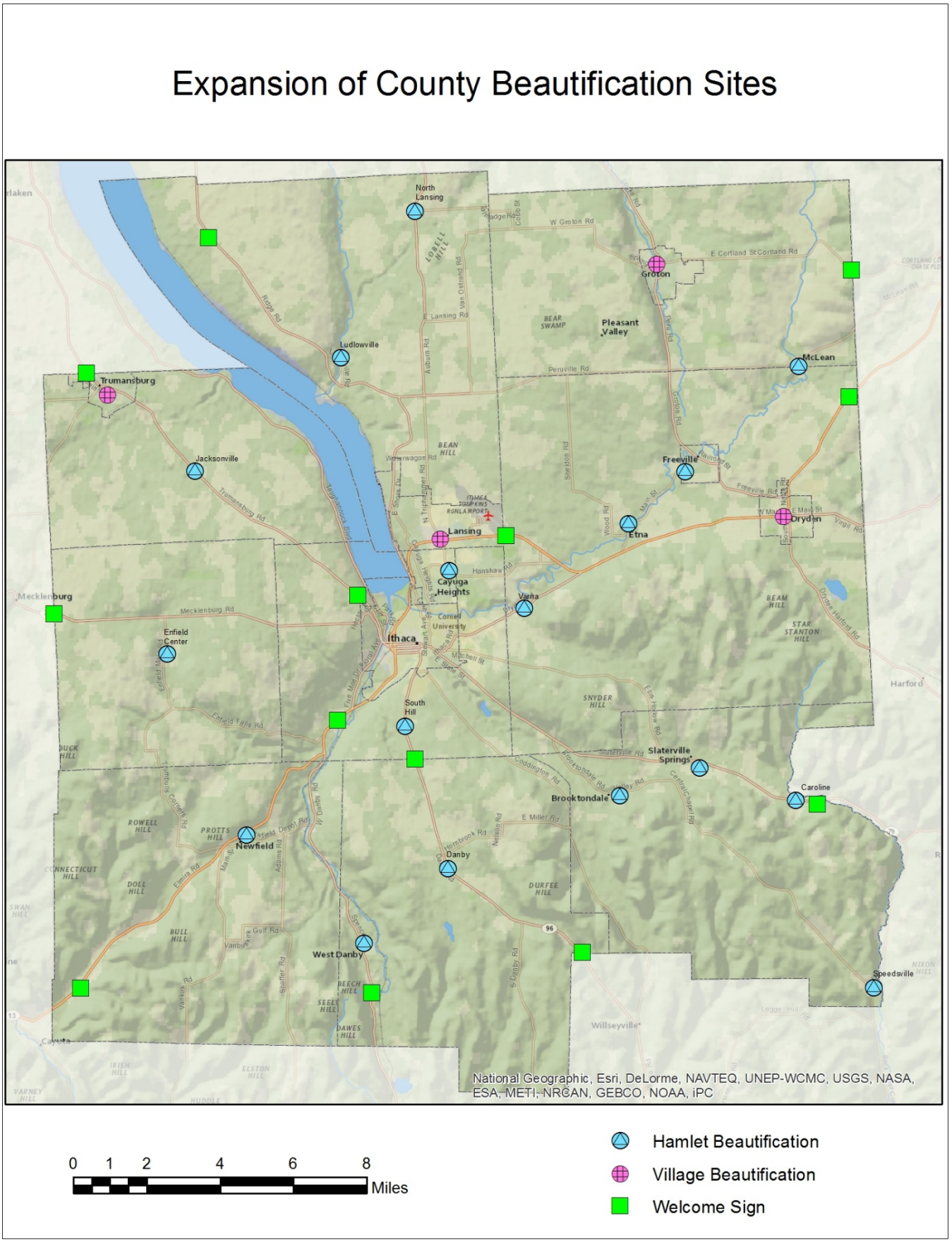
Program Administration and Staff Support

Program administrators also have staff administrative capacity to support implementation of this plan in several ways.

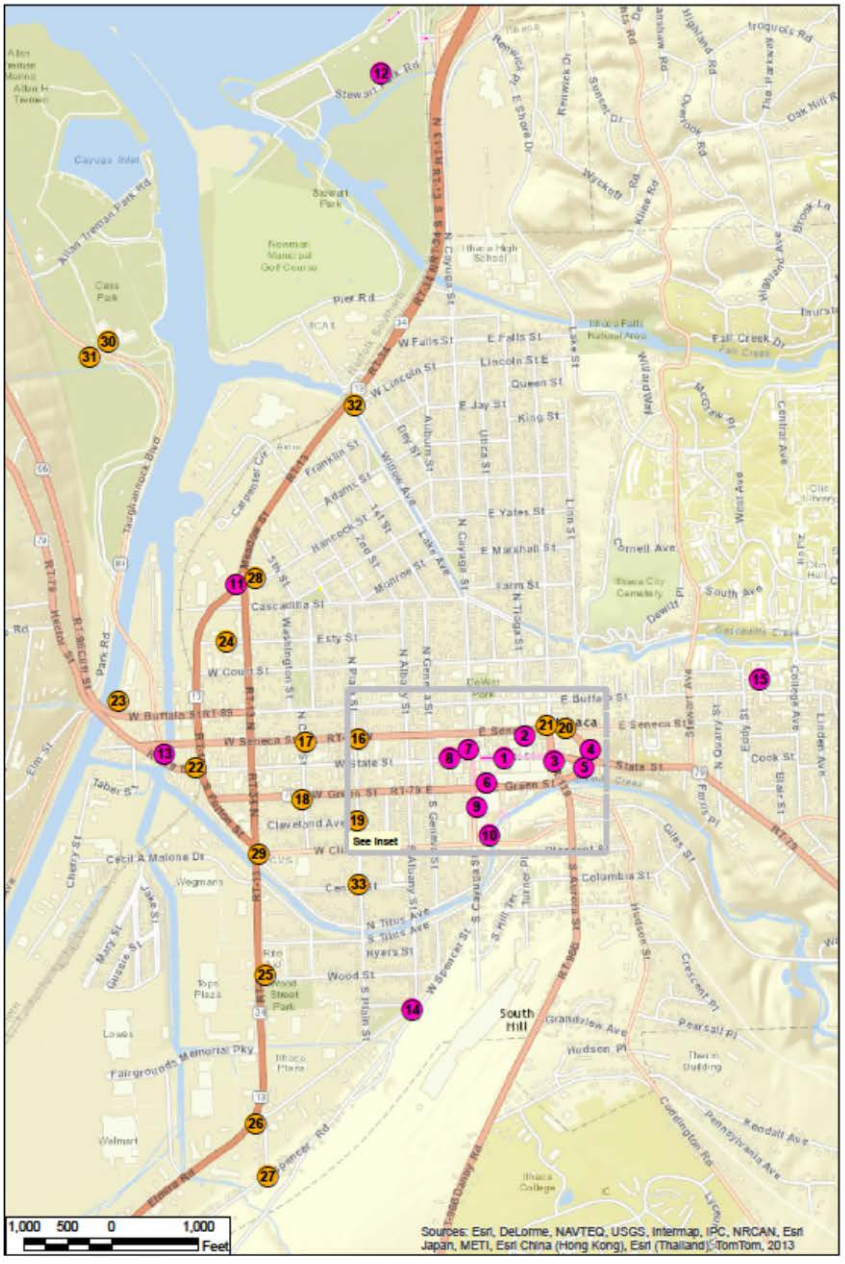
The Tompkins County Planning Department, in addition to providing overall administrative support for the Tompkins County Tourism Program, will support ongoing implementation of this plan as needed and in the following specific areas: sign clutter identification and municipal support, recognition/award programs, technical assistance on sponsorship, grant-making, grant-writing and program administration.

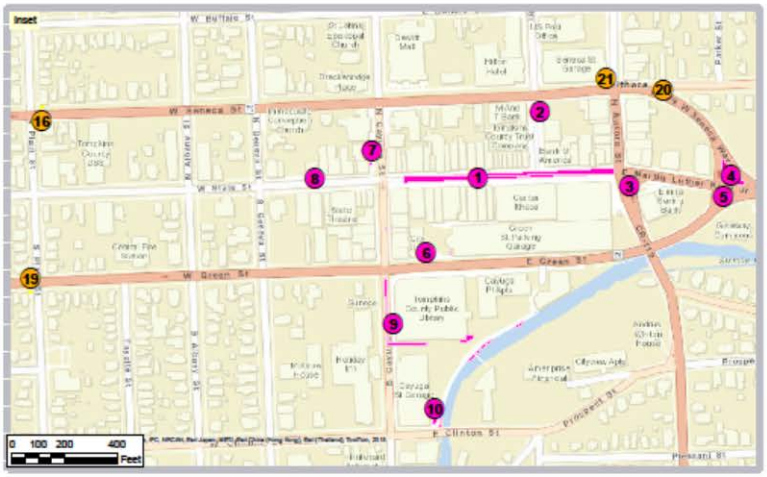
The Tompkins County Chamber of Commerce receives room tax support for overall administration of the program and the Beautification Committee. The Chamber will lead sponsorship program development, exploration of the banner program, and resident engagement through volunteer “Adopt-A-Park“ programs. The Chamber will also continue to provide leadership on the Wayfinding Initiative, which will take considerable effort on coordination and fundraising to make it happen.

Appendix II: Tompkins County Map of Priority Beautification Sites



Appendix III: Map of Current City of Ithaca beautification sites





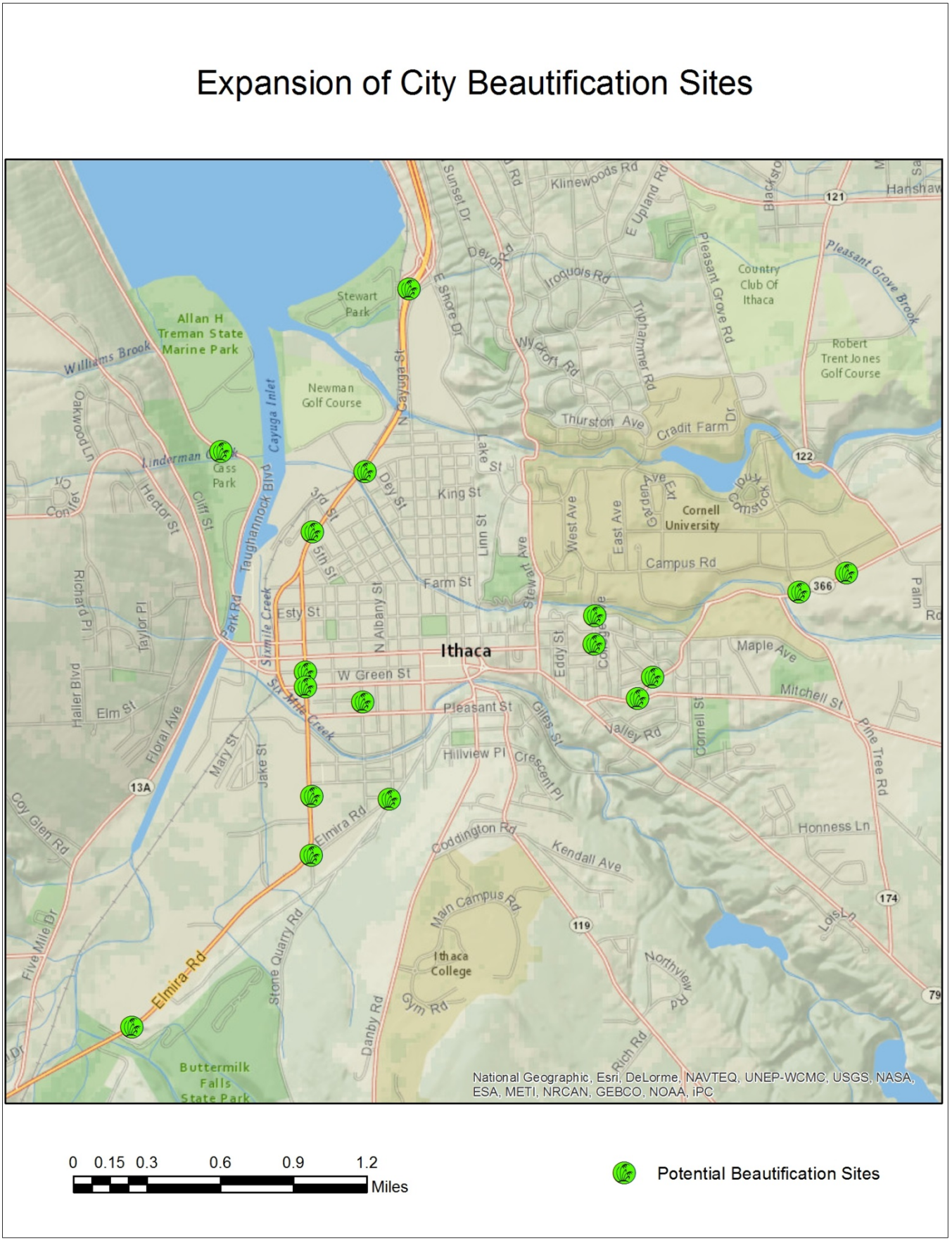
2015 Plantings
Tompkins County
Beautification Program

Plantings

- Primary
- Secondary

1 The Ithaca Commons
2 Bank Alley
3 Aurora St Triangle
4 Zelkova Triangle
5 Sign Triangle
6 City Hall
7 Cayuga St Planters
8 West State St Planters
9 Tompkins County Public Library
10 Creek Walk
11 Purity Point
12 Stewart Park
13 Van Horn Park
14 The Rotary
15 Dryden Rd/People's Park
16 Rain Garden Bump-out
17 Rain Garden Bump-out
18 Bump-out
19 Bump-out
20 Seneca Point
21 Rainshadow
22 Bus Station
23 Brindley Park
24 Friends of Library
25 Pump House
26 Gas Station Planting
27 Spencer St
28 Hancock St
29 Clinton St
30 Cass Park Rink
31 Ithaca Sign
32 Bridge to Sciencenter
33 Plain and Center rotary

Appendix IV: Expansion of City Beautification Sites



Appendix V: Community Beautification Toolkit

Suggestions and Tips for Public Plantings

I. **Types of Planting:**
   - A. Planters
   - B. Plantings on traffic medians
   - C. Plantings between roadways and walkways
   - D. Plantings on pedestrian walkways

A. Planters

Planter boxes and other planter containers are a good way to present plantings.
They can be in front of businesses, on the ground in street tree pits or constructed as structural elements in the streetscape. Examples in Ithaca include the Commons, N. and S. Cayuga St., W. State St. 100 block, Tompkins County Public Library, City Hall.

Planting/Design Guidelines

- Good quality potting soil or potting soil/compost mix
- Drainage holes
- Time release fertilizer
- Plants selected for sunny or shady locations
- Directional planters: Tall focus plants in back, trailing plants in front, filler plants
- Non-directional planters: Tall focus plants in center, trailing plants on outside edges, filler plants

Four-season interest

- Pansies or other hardy annuals in spring
- Structural planters may support bulbs in spring
- Mixed summer annuals (flowers and foliage) in summer
- Ornamental kale and pansies in fall
- Evergreen branches, berries and woody branches in winter



Spring Planter: Pansies in single colors or mixes

Annuals for Planters in Sunny Locations

- Tall focus plants:

Canna, Geranium, Marigold, Zinnia, Begonia, Rudbeckia, Butterfly Weed, Grasses

- Trailing plants:

Petunia, Verbena, Sweet Potato Vine, Scaevola

- Filler plants:

Marigold, Geranium, Begonia, Sunpatiens, Osteospermum

- Look for new sun/shade tolerant varieties of Impatiens, Coleus, Caladium, Begonia

Annuals for Planters in Shady Locations

- Tall focus plants:

Begonia, Plectranthus, Caladium, Coleus, Alternathera, Persian Shield Strobilanthes, Iresine

- Trailing plants:

Purple Setcresea, Sweet Potato Vine

- Filler plants:

Begonia, Coleus, Caladium, Impatiens



Raised brick planter at City Hall

Fall

- Ornamental Kale
- Pansies
- Chrysanthemums
- Natural Birch
- White Birch
- Corkscrew Willow
- Red Twig Dogwood
- Teasel
- Winterberry Holly
- Ribbons
- Plastic Berries

Winter

- Evergreen Boughs

Maintenance for planters

- Deadheading improves appearance
- Regular watering is critical
- Replace plantings before appearance deteriorates
- Fertilize as needed
- Avoid empty planters

B. **Plantings on Traffic Medians**

Examples in Ithaca include Purity Point on Route 13, the three traffic triangles on the east endof the Commons, known as the Tuning Fork: (Aurora Triangle, Sign Triangle, Zelkova Triangle), the Rotary on Old Elmira Road.

Characteristics/Design Guidelines

- Drive-by visibility—large swaths of color, bright colors—red, orange, yellow annuals best
- Plant height restriction to keep lines of sight for safety
- Avoid any hard landscape items for traffic safety
- Plant height lower on edges and approaching side, higher in center
- Planting in watering bowls on edges to prevent run-off
- Watering at planting and throughout season/Availability of water
- Deadheading improves appearance
- Usually full sun
- Additional heat from asphalt, salt from winter
- Compost to amend soil
- Mulch for water retention, weed suppression, attractive appearance
- Fertilize as needed

Four-season interest

- Bulbs in spring
- Annual flowers in summer
- Ornamental kale, chrysanthemums and pansies in fall
- Structural shrubs in winter, mulch

Spring

- Bulbs include varieties of Tulips, Daffodils, Alliums
- Mix of varieties within each color provides succession of bloom
- Deadheading is important for blooms in future years
-



Spring tulip display on Aurora Street median

Summer

Plant annuals as soon as bulbs finish flowering between the fading foliage. Cut foliage where necessary to

expose summer flowers. Use large swaths of color of each plant.

- Marigold varieties: American Mix; Discover Mix; Marvel; Moonsong; Antigua; French; Hero Series; Janie series; Queen Sophia; Red Marietta
- Zinnia elegans varieties: Profusion Series Double Fire; Dreamland Series; Benary's Giant; Dahlia Flowered; Zowie Yellow Flame;
- Zinnia Zahara Double Fire
- Rudbeckia hirta Indian Summer, Irish Spring
- Rudbeckia hirta Tiger Eye
- Petunia Wave Series
- Salvia Red Flare

Fall

- Ornamental Kale
- Chrysanthemums
- Pansies

Winter

- Shrubs with good structure and twig color, eg. Redtwig Dogwood Arctic Fire

B. Plantings between Roadways and Sidewalks

Examples in Ithaca include Van Horn Park, the sidewalks at Aurora, Sign and Zelkova Triangles, Dryden Road, the Pump House.

Characteristics/Design Guidelines

- Same as roadway plantings, but include:
- Increased use of perennials
- Smaller flowers, smaller swaths of color
- Close up as well as drive-by interest
- Taller plantings in rear of area

Four-season interest

- Bulbs in spring
- Annual and perennial mix in summer
- Ornamental kale, chrysanthemums and pansies in fall
- Structural shrubs in winter, mulched and tidied

Spring

- Mix of daffodils, tulips and alliums
- Include smaller bulbs: snowdrops, winter aconite, crocus, fritillaria, scilla, chionodoxa, species tulips

Summer

Same annuals as suggested for traffic medians, as well as the following;

Annuals and Tender Perennials:

- Butterfly Weed
- Salvia Blue Angel
- Salvia Black and Blue
- Dahlia
- Canna
- Coleus
- Caladium
- Grasses
- Sweet Potato Vine
- Delosperma

Perennials:

Coreopsis Presto, Moonbeam

- Bergenia
- Echinacea
- Sedum
- Daylily
- Salvia
- Cosmos bipinnatus
- Hollyhock
- Lillies
- Hellebore
- Hosta
- Heuchera
- Grasses
- Hardy Hibiscus
- Lupine
- Liatris
- Gaillardia
- Crocosmia
- Oenothera (Evening Primrose)
- Liriope

Fall

- Ornamental Kale
- Chrysanthemums
- Pansies

Winter

Structural Shrubs with colorful twigs and berries:

- Redtwig Dogwood Arctic Fire
- Elderberry
- Winterberry Holly (Ilex verticillata)
- Beds mulched and tidied

C. Plantings on Pedestrian Walkways

Examples in Ithaca include Creekwalk, behind the Tompkins County Public Library

Characteristics/Design Guidelines

- Same as roadway plantings, but include:
- Increased use of perennials

- Smaller flowers, smaller swaths of color
- Close up flowers and colors
- Taller plantings in rear of area
- Use of vines if fencing available

Four-season interest

- Bulbs in spring
- Annual and perennial mix in summer
- Ornamental kale, chrysanthemums and pansies in fall
- Structural shrubs in winter, beds mulched and tidied

Spring

- Mix of daffodils, tulips and alliums
- Include smaller bulbs: snowdrops, winter aconite, crocus, fritilleria, scilla, chinodoxa, species tulips

Summer

- Mix of annuals, perennials, shrubs, vines.
- Add ornamental edibles: Bright Lights Chard, Dinosaur Kale, Okra

Fall

- Ornamental Kale
- Chrysanthemums
- Pansies

Winter

Structural Shrubs with colorful twigs and berries:

- Redtwig Dogwood Arctic Fire
- Elderberry
- Winterberry Holly (Ilex verticillata)
- Beds mulched and tidied

i. **Partnerships with Businesses/ Groups**

1. Business Planting Day
2. Sponsored Plantings

A. Business Planting Day

Business Planting Day is a program where businesses in target areas provide one or more planter containers on the sidewalk or walkway in front of their business, as well as potting soil. The Beautification Program plans a planting day in early to mid-May when program volunteers plant a variety of foliage and flowering plants in each container. Containers are categorized as sunny or shady and the plant selection reflects the category.

Each container will be designed to contain at least one thriller plant (tall, large, showy), one or more spiller plants (trailing over the front edge), and filler plants (to fill the container). Both flowering and foliage plants are used. Volunteers add time-release fertilizer before planting. Businesses are responsible for watering throughout the

season. Businesses are encouraged to deadhead and keep the planter tidy. Program staff or volunteers will also assist to maintain attractiveness.

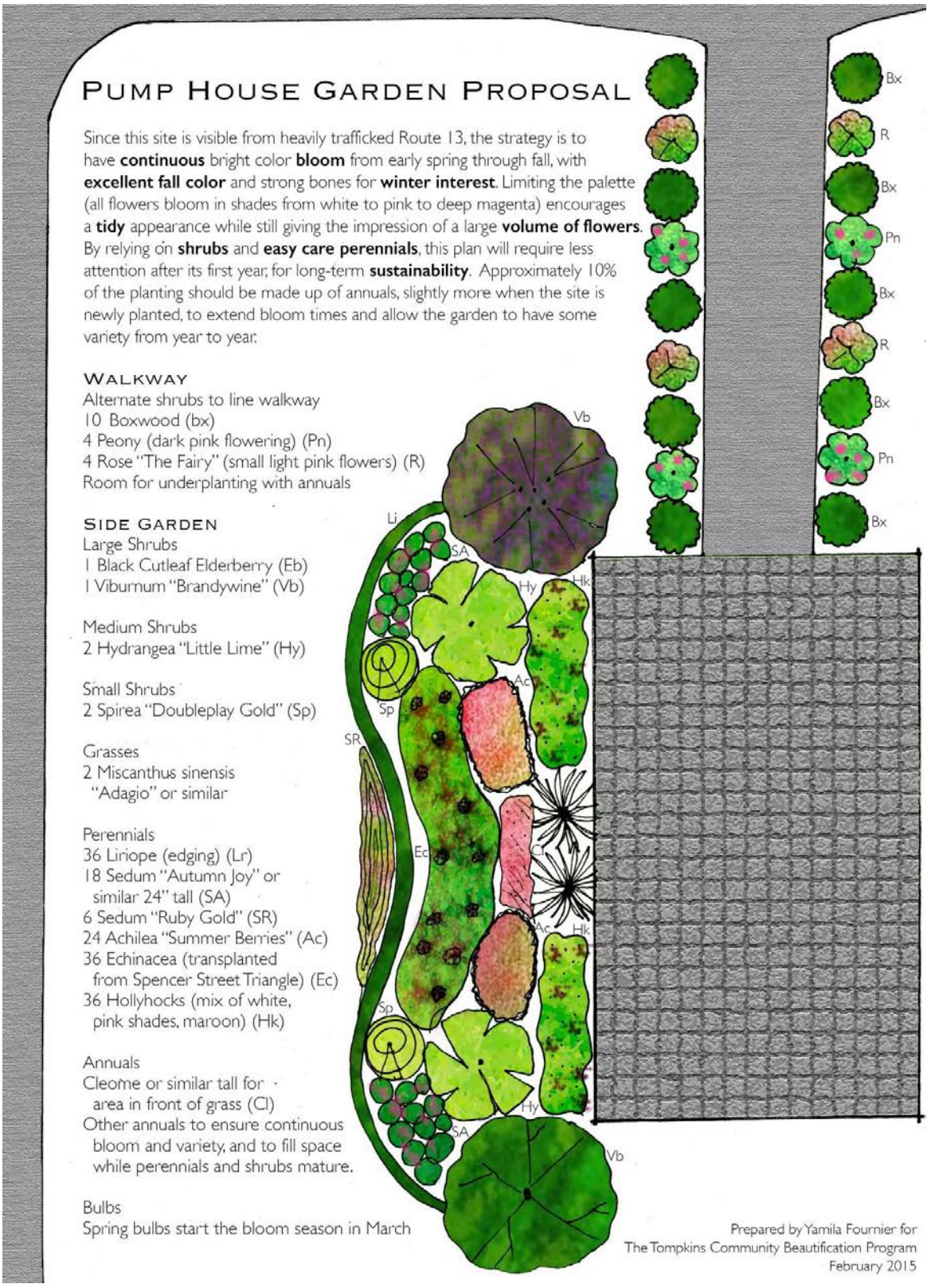
Containers can be planted once in May for the summer season, or may be re-planted for three or four season interest. If multiple season interest is desired, spring planting could be pansies, summer mixed annuals, fall ornamental kale, chrysanthemums and pansies and for winter evergreen greens and mixed sticks with berries, bows. Containers range from plastic window boxes to large round ceramic or plastic urns to custom built foundation planters. Potting soil should be of good quality and light and friable. Time release fertilizer can be added at planting and re-planting if needed. Containers should have drainage holes.

B. Sponsored Plantings

Businesses are encouraged to adopt or sponsor in-ground plantings in adjacent areas. Individual contracts and expectations can be tailored for each specific sponsorship. Some key items to include might be a mix of the following: funding, volunteers to prep and plant the area, weekly work parties during the season for weeding and watering. Signage to indicate the sponsorship will be placed in the planting area.

Appendix VII: Sample Landscape Plans for City Sites

The following are sample landscape plans for several of the planting sites in downtown Ithaca, using a mix of shrubs, perennials, annuals, ornamental grasses and spring bulbs.

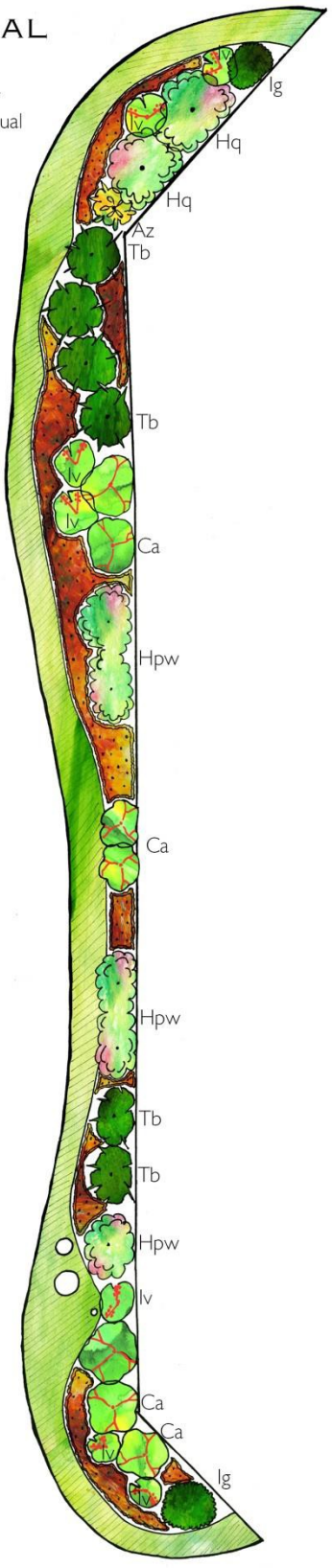


Dryden Garage Garden Proposal

This site, alongside the Dryden Road Garage in Collegetown, is a opportunity for placemaking. A bold palette of hot colors - reds, oranges, and yellows - with a casual mix of **easy-care perennials** will make a statement.

A strong backbone of beautiful **shrubs** offering spring flowers, summer blooms, and eye-catching **winter color** and berries, will keep the site vibrant beyond the typical summer bloom season. The perennials on the list offer **nectar for pollinators**. A substantial planting of ascelpias provides much needed food for **monarchs**.

Approximately 25% of the planting should be made up of bulbs and annuals in order to extend bloom times, and to allow the garden to have some variety from year to year. We expect more annuals to be included when the site is newly planted, a transitional strategy, while the shrubs and perennials mature. By the third year, the perennials should be fully matured and can be divided to expand the plantings, further reducing the need for annuals.



Large Shrubs
1 Hydrangea quercefolia (Hq)
1 Azalea "Golden Lights" (Az)

Small Shrubs
Hydrangea quercefolia "Pee Wee" (Hpw)
Ilex glabra "Compacta" (Ig)
Cornus alba "Red Twig Dogwood" (Ca)
Taxus bacatta "Repandens" (Tb)
Ilex verticillata "Red Sprite" (Iv)

Perennials (P)
Asclepia tuberosa
Asclepia tuberosa "Gay Butterflies"
Coreopsis "Moonbeam" (transplanted from Spencer Street)
Coreopsis "Dwarf Red"
Coreopsis "Mahagony"
Crocosmia
Daylilies (transplanted from Zelkova strip)
Echinacea "Hot Summer"
Echinacea "Fire Bird"
Monarda "Jacob Cline"
Monarda "Grandview Scarlet"
Rudbekia (transplanted from Spencer Street)

Annuals
Other annuals in hot colors (yellows, reds and oranges)
to ensure continuous
bloom and variety, and to fill space
while perennials and shrubs mature.

Bulbs
Spring bulbs start the bloom season in March

Prepared by Yamila Fournier for
The Tompkins Community Beautification Program
February 2015

Zelkova Strip Garden

Since this site gets a large volume of traffic, both from vehicles and pedestrians, the strategy is to have **continuous bright color** bloom from early spring through fall, with **excellent fall color** and strong bones for **winter interest**.

Plants on this **dry site** will need to handle difficult street-side conditions, including salted roads and sidewalks. The plant selection needs to **harmonize** with the plantings in Zelkova Triangle as well as with the plantings in triangle across the street

By relying on **tough shrubs** and **easy care** salt- and drought-tolerant **perennials**, this plan will require less attention after its first year, for long-term **sustainability.** Most of these perennials can be regularly divided after three years, essentially creating **free nursery stock** for more plantings throughout town. Additionally, the plants are favorites of bees, butterflies, and birds - creating beauty as well as **habitat**. This combination of plants is easily replicable and serves as a good **example for homeowners** who wish to beautify their own homes with easy-care plants.

Approximately 20% of the planting (more in the transitional year) should be made up of annuals in order to harmonize with nearby plantings, to extend bloom times, and to allow the garden to have some variety from year to year.

Large Shrubs
1 Black Cutleaf Elderberry (Eb)

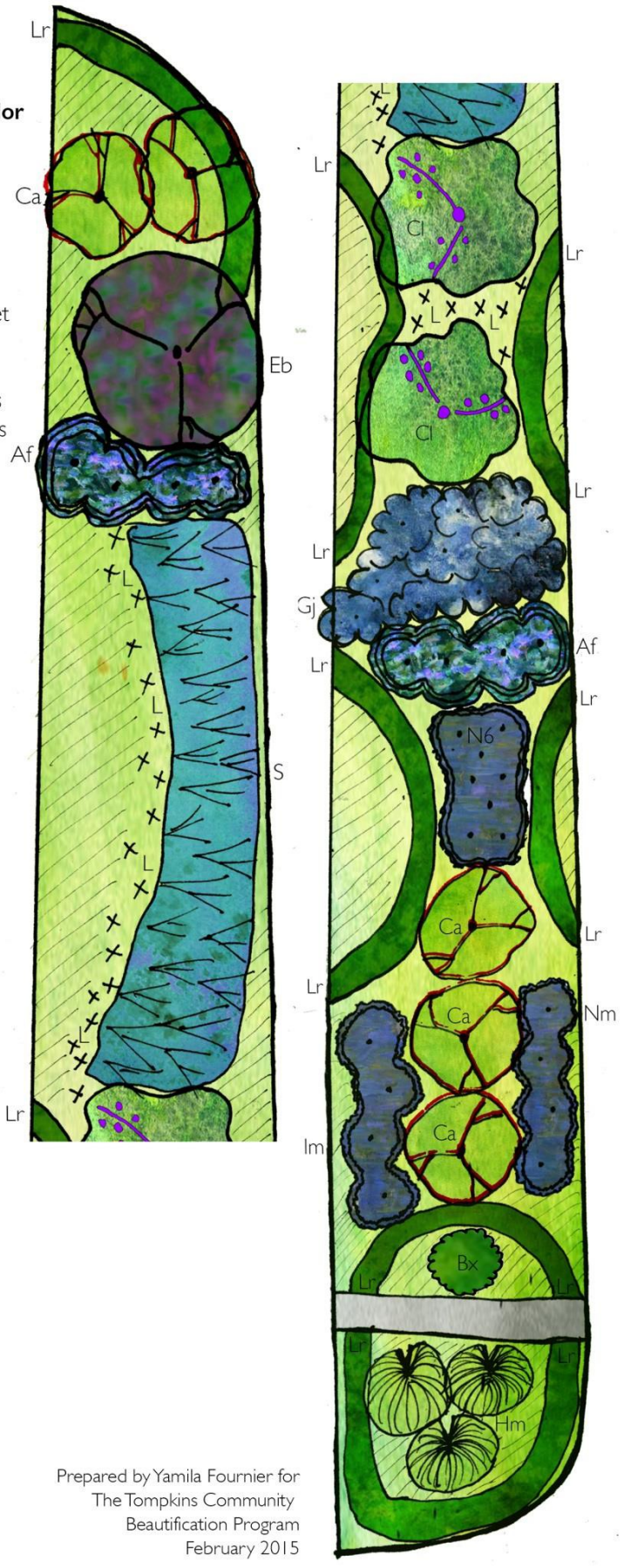
Medium Shrubs
1 Boxwood (Bx)
2 Callicarpa americana "Beautyberry" (Cl)
5 Cornus alba "Red Twig Dogwood" (Ca)

Grasses
3 Hakonechloa macra "Aureola" (Hm)

Perennials
8 Nepeta mussini (Nm)
4 Nepeta "Six Hills Giant" (N6)
6 Aster frikartii (Af)
10 Geranium "Johnson's Blue" (Gj)
Lilies (already on site) (L)
Salvia (already on site) (S)
42 Liriope "Big Blue" (Lr)

Annuals
Other annuals to ensure continuous bloom and variety, and to fill space while perennials and shrubs mature.

Bulbs
Spring bulbs start the bloom season in March



Prepared by Yamila Fournier for
The Tompkins Community
Beautification Program
February 2015

Appendix VII: Selection Criteria for Beautification Sites

Projects funded by the Community Beautification Program are limited to locations and areas that are likely to be visited by tourists and visitors to Tompkins County. This includes all major routes into the county and into and through the City of Ithaca, village and city centers, tourist attractions, historical sites, parks and trailheads.

Municipalities that are applying for funding from the matching beautification grants are required to implement projects at village entrances, main streets, public buildings, parks and other recreational areas. Project sites need to be highly visible from the road. Funding for beautification projects on private property is typically not permitted except under special circumstances, such as a lack of suitable public space. Annual plants are provided to businesses and organizations upon request for planting in containers and hanging baskets in front of their buildings.

Special attention is given by the Beautification Brigade to the Ithaca Commons and surrounding streets (East and West State Streets, Aurora Street, Cayuga Street, Green Street and Seneca Street) as this area is such a prominent tourist destination.

Guidelines for City of Ithaca Plantings

The following guidelines were developed by the Beautification Committee for City of Ithaca plantings:

- Three seasons of color in the plantings as well as a winter season.
    - The spring season should have a good display of color in place for Ithaca College graduation weekend and Cornell graduation/Memorial Day. These should feature yellow spring flowers for Ithaca College, and red spring flowers for Cornell. These can be in the same or different plantings, particularly near the base of State Street hill.
    - The summer plantings should use large areas of single colors of plants, rather than meadow-like plant mixtures. There should be a focus on fewer plant varieties, particularly in the major downtown plantings.
    - The summer season can be particularly challenging because of drought or heavy rain conditions, so it is important to incorporate compost into the plantings for water retention and to mulch and water regularly.
    - The fall season should again focus on bright color using cold-tolerant plants (mums, ornamental kale, pansies, etc.)
    - The winter season should focus on neatness and order of the beds. Spreading or placing cut greens in some places works very well. Mulch can also help project the sense that these spaces are cared for and that the community wants to look great in all seasons.
    - Year round interest can be enhanced by the incorporation of suitable shrubs and ornamental grasses in larger planting areas where visibility is not an issue. These plants provide the backdrop to annuals that are colorful in summer.

- Annuals will provide most of the color, but some areas could use durable longer season perennials (daylilies, liriope, coreopsis) and shrubs should be incorporated into some areas

- Simplicity in design is important especially in places that are mostly seen by people driving by in cars. The height of the plants must be considered because of sight lines.

- The most critical places in the City for beautification efforts are:
    - The 3 triangular traffic medians near the base of State Street hill
    - The Ithaca Commons
    - Streets bordering the Ithaca Commons – Seneca, Cayuga and Aurora streets
    - Seneca Way and Green Street
    - The Purity traffic median on Rt. 13
    - Small triangles off 13/N. Meadow at Clinton and at Hancock Street
    - Route 13 North and South in general
    - Youth Bureau / Stewart Park entrances
    - Dryden Road and College Avenue in Collegetown
    - Traffic rotary on Old Elmira Road
    - City entrances/Welcome signs

- Overall, the goal is to project the message that Ithaca and Tompkins County are beautiful and that the people of the community care about our public spaces.

- The role of volunteers and volunteer supervision by CCE staff is very important to the success of the program.

Appendix VIII: Rural Beautification Grant Guidelines

The Tompkins County Community Beautification Program gives grants to municipalities in Tompkins County, outside of the City of Ithaca, for them to do their own beautification projects. You are strongly encouraged to talk with the Community Beautification Coordinator before you get too far in planning your project.

The application process is informal and does not need to be lengthy. You should

- Write a description of the project
- Include a project budget
- State how much you are asking for from the Community Beautification Program
- Indicate how the project will be maintained

Important points to keep in mind concerning the grants:

- The project should be in an area that is highly visible to the public: along a main road or near a public building such as a Town Hall or school.
- It is a matching grant. The match can be in the form of money, services, supplies, or volunteer labor.
- It is a reimbursement grant. The municipality agrees to front the money for the project and is then reimbursed by our program when the project is done.
- The grant money cannot be used to pay someone who is already on the municipality's payroll.
- The typical range of the grants is $1,000 to $2,000, but each grant is taken on a case by case basis.

For more information, contact Chrys Gardener at 607-272-2292, ext. 241, or email cab69@cornell.edu. More information is available at www.ccetompkins.org/beautification.

Community Beautification
Grant Final Report Form

1. Location of Project: _____

2. Amount of Grant: _____

3. Please list your project expenses and attach copies of the receipts for reimbursement:

Item_____ Cost $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Total to be reimbursed: $_____

4. Please list the matching portion of volunteer time and donations (must equal or exceed the amount of the reimbursement):

5. Value of donated materials (list items and estimated value):

Item_____ Value $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

# of volunteer hours:_____x $21.79 (Federal hourly value of volunteer time) $_____

Total value of matching portion: $_____

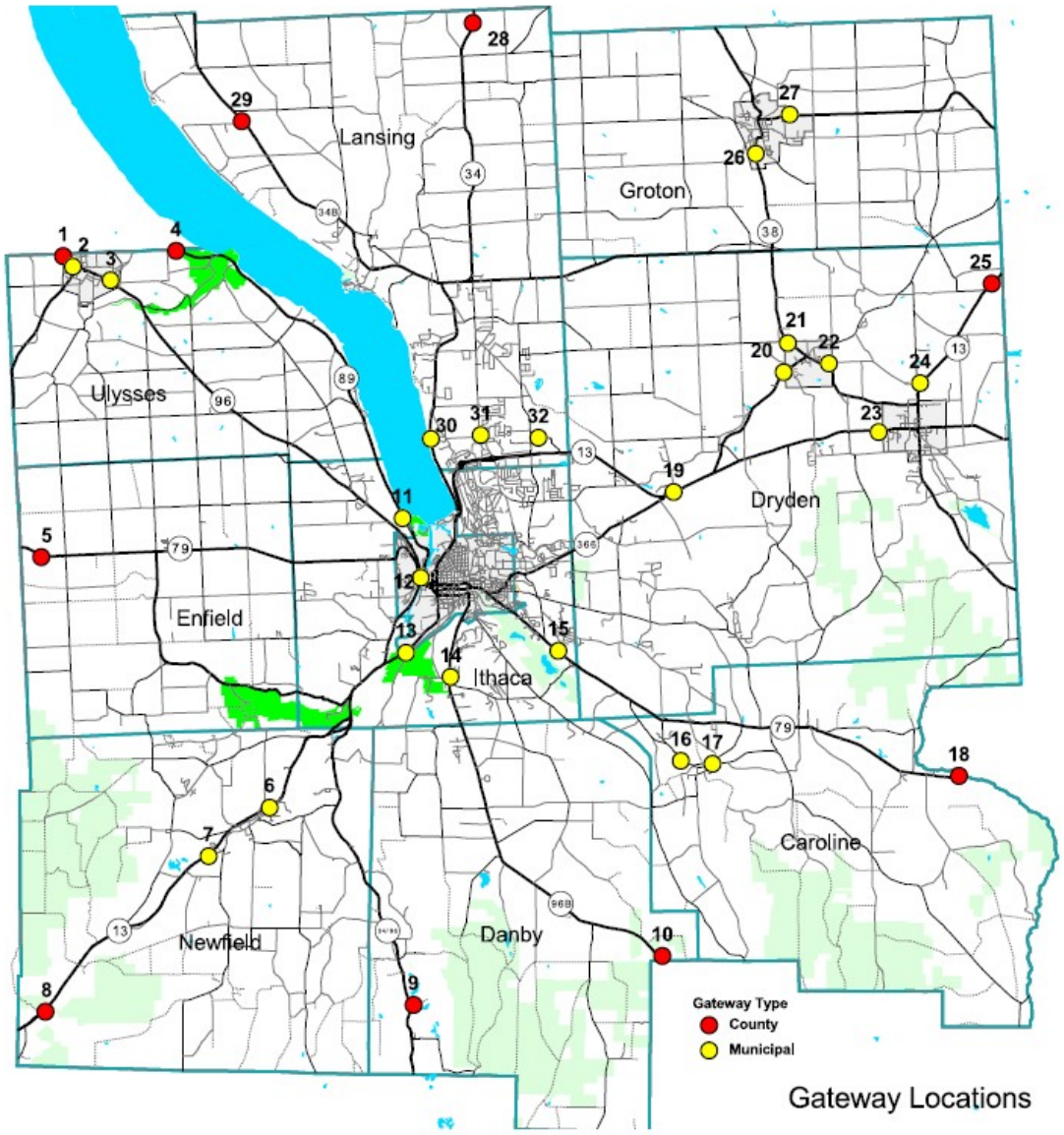
6. Please describe how this project has contributed to increased beautification of your community, and any successes or challenges with this project that you would like to share.

7. Please list the names and contact information of volunteers who helped out with your beautification project. This will help us to create a database of community volunteers who might be interested in working on future beautification projects in Tompkins County.

I_____ testify that to the best of my knowledge the above information is accurate.

Signed:_____ Date:_____

Appendix IX: Municipal Gateway Signage Program Detail



Gateway Locations

Front of Sign





County Gateway

The County Gateway sign is located along identified roads at the county border or at a point near the border that has either a significant view or an existing pull-off area. The Gateway sign indicates arrival/departure and welcomes/thanks the visitor.

Community Gateway

The Community Gateway sign is located at the community's border or at a point where the "center" of the community is perceived to begin. Two sign sizes are shown; the larger sign on right is designed to accommodate longer community names, such as Brooktondale and Trumansburg. The Gateway sign indicates arrival and welcomes the visitor.

Map Example of Municipal Gateway plus trail/tourism feature signage in small communities of Freeville and Dryden:

Blue denotes new signage; yellow denotes gateway signage; red indicates a replacement sign.



Interpretive Kiosk Example:

The project budget currently includes 10 new informational kiosks with interpretive panels, while the plan included 21 in total. The project team hopes to continue adding kiosks over the next few years as funding allows. These kiosks are complementary to a much larger pedestrian wayfinding effort, and are intended to integrate with existing and planned kiosk systems installed by the Cayuga Waterfront Trail, downtown Ithaca, and Cornell University.



Interpretive Kiosk

The Interpretive Kiosk is located (a) where a County Gateway sign is adjacent to an existing pull off area or (b) at a point of cultural interest. It includes a map with county attractions and an interpretive panel on the facing side.

District Directional Signage Examples:



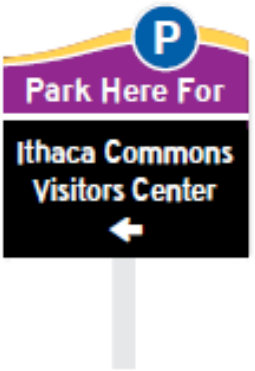
Standard NYS DOT Signage: destination guide signs & recreational and cultural interest area signs





Parking Information Signage:

Includes list of program attractions located nearest to point of installation



All wayfinding signage images provided by Peter J. Smith & Company, Inc. – project consultants

Planning Process & Partners:

The inclusive and comprehensive nature of the planning process for this project is noteworthy. Public comment and focus group sessions were part of the planning process. Consultants worked closely with local municipal and institutional leaders, tourism partners, and a Tompkins Chamber project manager, over the course of several months to ensure that existing signage was properly catalogued, stakeholder groups and community members provided input, and that the plan incorporated the most appropriate group of tourism and community assets. Ultimately, 56 tourism and community assets were included in the plan (though over 500 were discovered as part of the planning process.

The Tompkins County Wayfinding & Interpretive Signage Plan, a project of the county's Strategic Tourism Planning Board and led by the Tompkins County Chamber of Commerce, and was completed in the summer of 2014. The following entities played a direct role in the creation of the plan by participating on the Steering Committee: The Tompkins County Strategic Tourism Planning Board; the Tompkins County Legislature; the City of Ithaca Planning Department; the Ithaca Tompkins County Transportation Council; the Downtown Ithaca Alliance; Cornell University; the Convention & Visitors Bureau; NYSDOT; Tompkins County DSS; TCAT; the Town of Ulysses; and the Tompkins County Highway Division. These stakeholders supported the planning, and ultimately the implementation, of this plan.

Appendix X: Beautification, Art and Signage Surveys

Three different surveys on beautification, art and signage were crafted by the Beautification Committee and distributed in early 2015. One survey was specifically for businesses and organizations – this survey was further divided into two sections, one with questions for City of Ithaca businesses and organizations, and the other for businesses and organizations outside the city. This survey was distributed by the Chamber of Commerce and the Downtown Ithaca Alliance. 61 respondents completed this survey (39 City of Ithaca businesses/organizations + 22 rural businesses/organizations).

The second survey was distributed to tourism stakeholders by the Tompkins County Tourism Program and was completed by 22 respondents. The third survey was sent to representatives from the rural municipalities and was completed by 10 respondents. Shown below is each question from the surveys, immediately followed by a summary of the responses to that question.

Beautification, Art and Signage Survey
For Businesses and Organizations

Part 1: Beautification Questions for Businesses in the City of Ithaca

1. On a scale of 1 to 10, how would you rate the existing aspects of beautification in the City of Ithaca?

	Average Value	Number of Responses
Landscape plantings	5.69	39
Container plantings	5.69	39
Public art	6.64	39
Building maintenance	5.47	38
Tidiness	5.56	39
General aesthetic quality of built environment and public spaces	5.64	39

2. Comments about above ratings:

Comment	Number of Times Repeated
Finish the Commons	4
Too many murals/don't like content or style	3
Not as clean as other cities	1
Space in front of public library on Green St. – make it more appealing, maybe a small market there?	1
Pleased with art and flowers in the City	1
New buildings clash with historic architecture	1
Need more and larger art	1
Empty store fronts on the Commons detract	1
Homeowners don't keep up exteriors – sometimes due to fear of raising assessed value	1

3. Does your business or organization contribute to city beautification in any of the following ways?

	Number of responses	Percentage of responses
Landscape plantings	18	60%
Container plantings	15	50%
Windowboxes or hanging baskets	8	27%
Historic building	8	27%
Unique signage	12	40%
Public art (mural, sculpture etc)	9	30%
Other	1	3%

4. Are you aware of the Business Planting Day organized by the Tompkins County Beautification Program each May? This event takes place every May - businesses and organizations that provide a planter and soil can have annual flowers planted for free by Beautification Brigade Volunteers.

	Number of responses	Percentage of responses
Yes	15	38%
No	24	62%

5. Are you interested in participating in the Business Planting Day in May 2015? If so please provide the name and address of your business or organization and your contact details.

Nine respondents provided their contact info, and were contacted by the Beautification Program Manager in May 2015 to participate in the Business Planting Day.

6. The Beautification Program is considering offering a sponsorship program for public plantings. What sponsor benefits would make this opportunity potentially attractive to you?

Comment	Number of Times Repeated
Advertising	1
Team Building activity	1
On-site recognition with attractive signage	3
Free parking space	1
Reasonable cost	1

7. Do you think that the entrances into the City of Ithaca provide an attractive and welcoming entrance to visitors? (Choose one)

	Number of Responses	Percentage of Responses
Yes, very attractive and welcoming	2	5%
Somewhat attractive and welcoming	15	39%
A little attractive and welcoming	17	45%
Not attractive and welcoming at all	4	11%

8. Please share any positive or negative comments about beautification in the City of Ithaca from customers or clients:

Comment	Number of Times Repeated
Loved herb plantings planted near business by Beautification Brigade	1
Too much construction/tall buildings	1

East State St. medians and traffic rotary – nice plantings	1
Commons construction going on too long	3
Route 13 corridor is unattractive	2
Traffic rotary is unattractive	1
Need more floral color in the city	3
Messiness of the city	1
Don't like graffiti-type public art	1
Use funds for infrastructure – streets and sidewalks	1
The public art is great	1
City tree roots upheaving the sidewalks is a problem	1
Liked the moveable planters on Commons during construction	1
Plantings are overgrown/too tall	2
Give more attention to parks and waterfront areas	1

9. If you could select the three most important potential beautification projects in the City of Ithaca in future years, what would they be?

Comment	**Number of Times Repeated**
Finishing the Commons	13
Rt. 13 corridor	11
East and West State Street	1
Landscape plantings for Cayuga Waterfront Trail	3
Improvements to city and state parks	9
More public art	4
Waterfront area	3
No more big box stores	1
Vacant buildings need to be rented and maintained	3
Clean up litter	3
Improve gateways into city	7
More homeowners planting curbside and front gardens	1
More plantings/better plantings	4
Fix streets and sidewalks	2
Collegetown beautification	1
Hanging baskets and banners	2
Plant more trees	3
Better wayfinding signage	1

10. What do you see as the biggest challenges to beautification efforts in the City of Ithaca?

Comment	Number of Times Repeated
Need to think bigger	1
Better multi-jurisdiction coordination	1
High percentage of renters	1
Funding	14
Empty storefronts	1
More trees needed	1
Historic preservation of buildings	1

Need more uniform mass of color in plantings	1
Vandalism	2
Poor implementation of streetscape standards	1
Need standardized wayfinding signage	1
More awareness/caring about beautification	3
Route 13 corridor – bad first impression	2
Goose droppings in parks	1
Hard to satisfy so many tastes	2
Maintenance	1
Weather/climate	

11. Any other comments or feedback regarding beautification in the City of Ithaca?

Comment	Number of Times Received
Finish the Commons	2
Looking forward to reading strategic plan	1
Have a beautification competition for businesses	1
Homeowners and business owners all need to clean up their properties	1
Homeowners should use the same plants that are used in city plantings	1
Wayfinding signage is needed	2
Look at examples of other communities, for example Niagara-on-the-Lake	1
Develop smart phone app for plantings, art, parks etc	1

12. How many distinct pieces of public art would you say you have noticed in the city of Ithaca?

Comment	Number of Times Repeated
1 – 2	1
3 – 4	2
6 – 8	4
~10	5
~12	5
~15	1
~20	3
~25	5
~30	2
~50	2
~100	2

13. Which of the following mechanisms for funding public art do you agree with: (Check all that apply)

Room-tax funded	18	47%
Artist donated	21	55%
Business sponsorship	26	68%
All of the above	16	42%

14. The Beautification Program is considering offering a business sponsorship program for public art. What sponsor benefits would make this opportunity potentially attractive to your business or organization?

Comment	Number of Times Received
Plaque/recognition signage	8

Free parking space	1
Choice of artist/location of artwork	4
Sponsor preservation/maintenance of artwork	1
Reasonable sponsorship levels, eg. starting at $100	2
Business provides wall space for mural, grant for artist stipend and materials	1
Website about public art with sponsorship recognition	1

15. Which of the following mechanisms for funding signage/wayfinding signage programs do you agree with.

Local government tax revenue	16	43%
Room-tax revenue	20	54%
State/federal grants	24	65%
DOT	18	49%
Private foundation	23	62%
Private business/non-profit	17	46%
Any/all of the above	15	41%

16. The Beautification Program is considering offering a sponsorship program for wayfinding signage. What sponsor benefits would make this opportunity potentially attractive to your business or organization?

Comment	Number of Times Repeated
Recognition/name on signage	5
Budget-friendly sponsorship	2
Free parking space	1

17. Please provide your contact details if you would are interested in more information about beautification, arts or signage in the City of Ithaca:
Four businesses filled in their contact info and were contacted.

(Question 18 asked if their business was located in the City of Ithaca or outside – their response directed them to the appropriate survey questions. Question 19 required City of Ithaca respondents to answer 'yes' to end their portion of the survey.)

Part 2: Beautification Questions for Businesses Outside the City of Ithaca

20. On a scale of 1 to 10, how would you rate the existing aspects of beautification in Tompkins County? (Drag the sliders to rate each element.)

	Average Value	Number of responses
Landscape plantings	5.68	22
Container plantings	5.82	22
Public art	6.64	22
Building maintenance	6.09	22
Tidiness	6.09	22
General aesthetic quality of built environment and public spaces	6.32	22

21. Any comments about the above ratings?

Comment	Number of times repeated
Any art/plantings contribute to beautification	1
Some county areas are very good, others need a lot of work	1
Dryden's beautification is well-done	1
Approaches at the County borders could use significant improvement	1
People don't properly care for their plantings	1
Varna needs more attention – entrance to Cornell	1

22. Does your business or organization contribute to county beautification in any of the following ways?

	Number of responses	Percentage of responses
Landscape plantings	10	83%
Container plantings	4	33%
Windowboxes or hanging baskets	3	25%
Historic building	6	50%
Unique signage	2	17%
Public art (mural, sculpture etc)	2	17%
Other	2	17%

23. The Beautification Program is considering offering a sponsorship program for public plantings. What sponsor benefits would make this opportunity potentially attractive to your business or organization?

Comment	Number of times repeated
Support not-for-profits to beautify their properties	1
Sponsorship implies that plantings are not worthy of proper funding	1
Contests/awards for best plantings	1
Expert site planning and plant advice	1
Brochure, plaque or sign with recognition of sponsorship	8
Involve local youth groups in maintenance of plantings	

24. Do you think that the entrances into Tompkins County provide an attractive and welcoming entrance to visitors?

	Number of responses	Percentage of responses
Yes, very attractive and welcoming	0	0%
Somewhat attractive and welcoming	10	45%
A little attractive and welcoming	7	32%
Not attractive and welcoming at all	5	23%

25. Please share any positive or negative comments about beautification in Tompkins County from customers or clients:

Comment	Number of times repeated
Love the colorful annuals planted on highway	1
Lack of structure/landscape planning/large-scale plantings	1
Cass Park area needs work	1

Public art/mural don't appeal to everyone	1
Beautification Brigade in Dryden does a great job	1
Routes along the lake are scenic and welcoming	1
Entrances to Tompkins County need plantings, better signs	3
Varna is a gateway to Cornell – needs help	1

26. If you could select the three most important potential beautification projects in Tompkins County in future years, what would they be?

Comment	Number of times repeated
General appearance and cleanliness of roads, homes and businesses	4
Gateways into the coun	7
Lakefront Area/Cayuga Waterfront Trail	1
Route 13 in the City of Ithaca	6
Finish the Commons	7
Repaving Streets	1
Signage	4
Public art	3
Park maintenance and enhancement (esp. Stewart and Cass)	10
More public trails	1
More seasonal plantings	2
Help non-profits beautify	1
Preserve green space	1
Address dilapidated buildings/vacant lots	1
Ornamental tree plantings	1
Hanging baskets on businesses	1

27. What do you see as the biggest challenges to beautification efforts in Tompkins County?

Comment	Number of times repeated
Cost	10
Maintenance	4
Open mindedness to updating landscapes to sustainable, environmental, etc	1
Weather	2
Differing definitions of public art and beauty	3
Lack of cleanliness of urban areas	1
Lack of concern/caring/maintenance by population	3
Many personal homes are not well maintained	1

28. Any other comments or feedback regarding beautification in Tompkins County?

Comment	Number of times repeated
Let local landscape companies do paid work to benefit area	1
Huge potential in Tompkins County/Ithaca	2
Master Plan - great idea	1
Sponsorship is a good idea	1

29. How many distinct pieces of public art would you say you have noticed in Tompkins County?

Comments	Number of Times Repeated
5 to 10	7
10 to 15	2
15 to 20	5
20 to 30	3

30. Which of the following mechanisms for funding public art do you agree with.

	Number of responses	Percentage of responses
Room-Tax funded	9	45%
Artist donated	10	50%
Business sponsorship	13	65%
All of the above	8	40%

31. The Beautification Program is considering offering a sponsorship program for public art. What sponsor benefits would make this opportunity potentially attractive to your business or organization?

Comment	Number of times received
Money and supplies	1
Press conference	1
Donation of funds by public	1
Donor plaques/recognition	7
Meet the artist	1
Free artworks to display	1

32. Which of the following mechanisms for funding signage/wayfinding signage programs do you agree with: (Check all that apply)

	Number of responses	Percentage of responses
Local government – tax revenue	9	50%
Room-tax revenue	9	50%
State/federal grants	10	56%
DOT	7	39%
Private foundation	8	44%
Private business/non-profit	5	28%
Any/all of the above	8	44%

33. The Beautification Program is considering offering a sponsorship program for wayfinding signage. What sponsor benefits would make this opportunity potentially attractive to your business or organization?

Comment	Number of times received
Sign for my business	2
Recognition in the form of signage or a plaque	3
Keep advertising off way finding signage	3

34. Please provide your contact details if you would are interested in more information about beautification, arts or signage in Tompkins County.
Six businesses provided contact information for follow-up.

Beautification, Art and Signage Survey For Tourism Stakeholders

1. On a scale of 1 to 10, how would you rate the existing aspects of beautification in Tompkins County?

	Average Value	Number of responses
Landscape plantings	6.73	26
Container plantings	6.50	26
Public art	7.33	27
Building maintenance	6.50	26
Tidiness	5.96	27
General aesthetic quality of built environment and public spaces	6.52	27

2. Optional comment about the above ratings:

Comment	Number of times received
Dirty sidewalks	2
Parking garages are uninviting	1
Finish the Commons	3
Too much effort on downtown – need more focus on rural areas	2
More multicultural art/plantings in diverse neighborhoods	1
Good public art downtown	3

3. Do you think beautification is important for tourism?

	Number of responses	Percentage of responses
Very important	22	79%
Moderately important	6	21%
Somewhat important	0	0%
Low importance	0	0%
Not important at all	0	0%

4. Optional comment about above rating:

Comment	Number of times received
Art and beautification are important	2
Creating community and unique local character are important	3
Many people visit for natural areas rather than city environment	1
Need beautification in winter too	1
Focus on beautification in downtown Ithaca – focal point of city	1

5. Does your business or organization contribute to county beautification in any of the following ways?

	Number of Responses	Percentage of Responses
Landscape plantings	7	30%
Container plantings	9	39%
Windowboxes or hanging baskets	0	0%
Historic building	7	30%
Unique signage	3	13%
Public art (mural, sculpture etc)	7	30%
Other*	9	39%

*Write-in comments for 'other' included rock garden plantings and outdoor park/picnic space

6. Please share any positive or negative comments about beautification in the Tompkins County from customers or clients.

Comment	Number of times received
Love the painted utility boxes	1
Need more effort in Southside area and around GIAC	1
Love the plantings and planters	1
Route 13 properties need beautification	1
Love the murals and public art	1
Hear comments on drabness of downtown Ithaca	1
Positive comments about Cass Park	1
Stewart Park is under used and under maintained	1

7. Do you think that the entrances into Tompkins County provide an attractive and welcoming entrance to visitors?

	Number of responses	Percentage of responses
Yes, very attractive and welcoming	3	11%
Somewhat attractive and welcoming	10	36%
A little attractive and welcoming	11	39%
Not attractive and welcoming at all	4	14%

8. If you could select the three most important potential beautification projects in Tompkins County in future years, what would they be?

Comment	Number of times received
Maintain roads	1
Clean sidewalks	1
Improve entrances into county (county gateways)	7
Bridge over Rt. 13 S – paint the words, plantings, mural on bridge abutments	2
Clean up/tear down dilapidated buildings	2
Improve entrances into city (city gateways)	5
More public art/murals	4
Finish the Commons	7
More bike trails/bike lanes	3
Less sprawl/big box stores	1
Enhance Black Diamond Trail with plantings and signage	1
Beautify TCAT bus shelters	2

Beautify Collegetown/entrance to Cornell	2
Waterfront area improvements	3
Winter beautification	1
Wayfinding/destination signage for visitors	4
Plantings and other improvements at parks	6
Route 13 corridor	5

9. What do you see as the biggest challenges to beautification efforts in the Tompkins County?

Comment	Number of time received
Funding	10
Volunteers	2
Long-term maintenance	3
Lack of comprehensive plan	2
Climate	1
Empty storefronts	1
Aging street trees	1
Lack of caring/awareness	3
Non-local businesses/big box stores/inappropriate development	3
Route 13 corridor	2
Preserving agricultural landscapes in rural areas	1

10. Any other comments or feedback regarding beautification in the Tompkins County?

Comment	Number of times received
Downtown plantings/medians are beautiful	2
Need more art, especially multi-cultural art	2
Residents need to clean up and maintain their properties	1
Label plants in public plantings	1
Need more diversity in beautification projects	2
Control the panhandlers	1

11. How many pieces of public art have you noticed in Tompkins County?

Comment	Number of times received
1 - 5	3
5 – 10	2
10 - 12	3
15+	2
20 – 25	5
30 – 35	3
40+	2
100+	2

12. Which of the following mechanisms for funding public art do you agree with?

	Number of responses	Percentage of responses
Room-Tax funded	15	100%
Artist donated	12	80%
Business sponsorship	13	87%
All of the above	8	53%

13. The Beautification Program is considering offering a business sponsorship program for public art. What sponsor benefits would make this opportunity potentially attractive to you?

Comment	Number of times received
Plaque/acknowledgement of sponsor	3
Sponsor chooses the artwork	1
Sponsor contributes space, materials, volunteers etc	1
Sponsor maintains artwork	1

14. Which of the following mechanisms for funding signage/wayfinding signage programs do you agree with?

	Number of responses	Percentage of responses
Local government – tax revenue	9	60%
Room-tax revenue	8	53%
State/federal grants	10	67%
DOT	10	67%
Private foundation	4	27%
Private business/non-profit	4	27%
Any/all of the above	8	53%

15. The Beautification Program is considering offering a business sponsorship program for wayfinding signage. What sponsor benefits would make this opportunity potentially attractive to you?

Comment	Number of times received
Business name on signage	2
Attractive, creative signs	1
Can't afford to sponsor signs	2

Beautification, Art and Signage Survey
For Rural Municipalities

1. Your municipality:

Enfield	1
Newfield	2
Town of Ithaca	1
Village of Trumansburg	1
Village of Dryden	1
Town of Danby	1
Town of Caroline	1
Town of Ulysses	1

2. On a scale of 1 to 10, how would you rate the following aspects of beautification in your municipality?

	Average Value	Number of Responses
Landscape plantings	5.00	9
Container plantings	4.00	9
Public art	2.56	9
Building maintenance	6.11	9
Tidiness	7.11	9
General aesthetic quality of built environment and public spaces	5.89	9

3. Any comments about the above ratings?

Comment	Number of times received
Improvement in town/village beautification due to availability of rural grants	2
Old buildings and empty storefronts detract	2
Need for more public art, benches and plantings	1
More landscaping (public and private) on state routes	1

4. Are you aware of the rural beautification grants that are available through the Tompkins County Beautification Program?

	Number of responses	Percentage of responses
Yes	7	78%
No	2	22%

5. Has your municipality applied for and received these grants in recent years? Why or why not?

Comment	Number of times received
Yes	6
No	2

6. Do you think that the rural beautification grants are an effective way to improve beautification in your municipality?

	Number of responses	Percentage of responses
Highly effective	3	33%
Somewhat effective	4	44%
Slightly effective	2	22%
Not effective	0	0%
Completely ineffective	0	0%

7. Does your municipality have support for beautification projects from local volunteers, businesses and organizations?

	Number of responses	Percentage of responses
High level of support	4	44%
Some support	4	44%
A little support	0	0%
No support	1	11%

8. Do you think that the gateways into Tompkins County and the rural municipalities provide an attractive and welcoming entrance to visitors?

	Number of responses	Percentage of responses
Yes, very attractive and welcoming	1	11%
Somewhat attractive and welcoming	4	44%
A little attractive and welcoming	2	22%
Not attractive and welcoming at all	2	22%

9. If you could select the three most important potential beautification projects in your municipality in future years, what would they be?

Comment	Number of times received
Entrances from Route 13 into Ithaca need attention	2
Maintain/replace municipal buildings or	2
Need to replace/plant new street trees	4
Town park needs renovation	1
Gateways into Tompkins County	2
Preservation of historic cemeteries	1

10. Any other comments or feedback regarding beautification in your municipality?

Comment	Number of times received
People notice and appreciate town/village beautification	1
Interested in rural grants program	2
Have lost old street trees in village which not been replaced	1
War memorial needs updating	1

11. How many distinct pieces of public art would you say you have noticed in Tompkins County?

Comment	Number of times received
None	1
10 to 12	2
25	2
30	1
Many – mostly downtown; far less in rural areas	2

12. Which of the following mechanisms for funding public art do you agree with?

	Number of responses	Percentage of responses
Room-tax funded	2	22%
Artist donated	2	22%
Business sponsorship	3	33%
All of the above	5	56%

13. The Beautification Program is considering offering a sponsorship program for funding public art. What sponsor benefits do you think would make this potentially attractive to businesses or organizations in your community?

Comment	Number of times received
Advertising for sponsor	2
Businesses display artworks	1
Website/newsletter mention of sponsor	1
Tie-in with other art destinations in Tompkins County	1
Promote ideas that benefit all (eg. Family Reading Partnership banners)	1

14. **Which of the following mechanisms for funding signage/wayfinding signage programs do you agree with: (check all that apply)**

	Number of responses	Percentage of responses
Local government – tax revenue	1	11%
Room-tax revenue	5	56%
State/federal grants	6	67%
Department of Transportation (DOT)	4	44%
Private foundation	6	67%
Private business/not-for-profit	6	67%
All of the above	3	33%

15. The Beautification Program is considering offering a sponsorship program for funding a comprehensive wayfinding signage program. What sponsor benefits do you think would make this potentially attractive to businesses or organizations in your community?

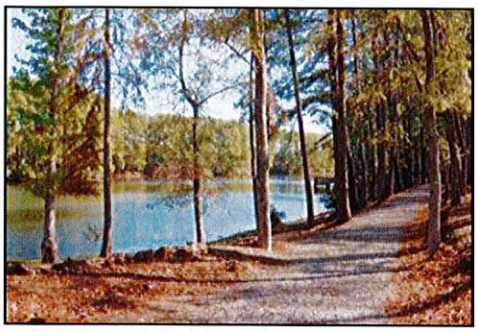
Comment	Number of times received
Advertising	1
Sponsors shown on maps	1
Joint advertising with sponsors listed on wayfinding signage	1
Not enough information to comment	1

16. Please provide your contact details if you would are interested in more information about beautification, arts or signage projects in your municipality.

Six municipality representatives submitted their contact information for follow-up.

PURPOSE AND GOAL

The City of Kilgore Beautification Plan is a comprehensive plan intended to guide the beautification of public and private properties in the city limits of Kilgore, Texas. The plan includes an analysis of the city's beautification needs and recommendations on fulfilling those needs. The plan is developed by the Kilgore City Beautification Plan Committee consisting of the City Manager, Chief of Police, Fire Chief, Director of Planning, Director of General Services, Code Enforcement Officer, GIS Coordinator and President of the Kilgore Improvement and Beautification Association. The City of Kilgore Beautification Plan is a guiding tool to identify areas in need of beautification throughout the City and recommendations on how to achieve an overall beautiful and attractive City of Kilgore.



The overall goal of the Beautification Plan is to identify and implement projects that will beautify our community, increase desirability of commercial and residential real estate, and encourage residential home owners and business owners to invest in landscaping and cleanup of their properties.

BACKGROUND

Since 1930 the City of Kilgore has been known as an oil town. Indeed, Kilgore is known as one of several major oil capitols of Texas, and sits in the heart of the east Texas oil field. With this history, it is no wonder that the city has over the years taken on an industrial look and feel. Over 200 operating wells and tank batteries reside in the city limits, and heavy truck traffic drives the streets each day to service these wells and the oil well companies that are located in Kilgore.

The industrialized character of Kilgore has resulted in an overall city appearance that now demands enhanced beautification efforts. Such beautification will go a long way to attract a diversified economy and residential atmosphere. The City of Kilgore is dedicated to upgrading its quality of life proffering to incentivize home builders and retailers to develop in Kilgore.

The City of Kilgore would like to partner with the community to assist in the beautification initiatives listed below. A beautification program of this magnitude does not happen overnight, and many of these initiatives will take a dedicated commitment of time and resources. As such, the city has estimated construction/project costs for these initiatives and appeal to the community to assist in making these efforts a reality.

8.2 Walking Tour & Camera Survey

A successful method to gain a thorough understanding of the project area was to take a walking tour with the key stakeholders. The consultant team joined County staff, Lake County/City Area Planning Council and interested community members in which they collaborated on identifying key issues, noting existing conditions, and brainstorm ways to improve the Highway 20 Corridor. While on the walking tour participants used disposable cameras and comment sheets to record their thoughts and reasons for taking each image. Participants were asked to photograph ideas and concepts of improvements that they would like to see as well as existing conditions that they felt needed improvement. This outreach effort provided a unique opportunity for participants to identify traffic calming devices, design features, and amenities that they would like to see implemented on Highway 20 through their communities.



Issue Identification in Workshop #1

8.3 Community Advisory Committee

Forming a Community Advisory Committee (CAC) helped to ensure the development of a plan that reflects the needs of the communities and their stakeholders. Such a committee gives a sense of ownership and investment into the process. The RRM team worked with the County to identify members to serve on the CAC; ensuring members were recruited from a broad cross section of all three communities. This committee was charged with providing feedback throughout the life of the project, advocating for public participation, as well as reviewing the final work products.

8.4 Initial Series of Public Workshops

A series of community workshops was used to jump-start the public participation process. This session included Issue Identification, Priority Setting, and Design Charrette exercises which were conducted on Wednesday, March 2, 2005 at the Live Oak Senior Center in Clearlake Oaks; Thursday, March 3, 2005 at the Alpine Senior Center in Lucerne; and Friday, March 4, 2005 at the Robinson Rancheria Casino in Nice.

The workshops each started off with Andy Peterson of the Lake County Redevelopment Agency giving opening remarks and introductions. General explanations of the evening's agenda were presented by RRM Design Group, followed by a brief description of the public design process and the background work done to date. A member of W-Trans staff elaborated the background information with existing traffic conditions including volume and speed information. W-Trans then presented opportunities and constraints for the project area with RRM wrapping up by reviewing an opportunities and constraints map with the audience before moving onto the exercises.



Design charrette in Workshop #1

Section 2.0 - Phase I: Project Guidance and Public Outreach

2.1 Project Steering Committee. It was the desire of City Council that this project receive direction and guidance from a wide variety of stakeholders. A nine-member steering committee was formed to guide the project with representatives from entry corridor businesses, the Idaho Transportation Department (who has jurisdiction over many of the areas under consideration), Moscow Chamber of Commerce, University of Idaho, Latah County (who has jurisdiction outside city limits), Planning and Zoning Commission, Arts Commission, City Council, as well as staff support from Public Works, Parks, Arts and Community Development Departments.

CITY ENTRYWAY BEAUTIFICATION PROJECT STEERING COMMITTEE

Walter Steed, Moscow City Council, Chair
Melanie Zimmer, University Inn, Vice Chair
Michelle Fuson, Latah County
Ken Helm, Idaho Transportation Department
Iris Mayes, Moscow Arts Commission
Jim Miller, Primeland Cooperative/PAWS
Ray Pankopf, University of Idaho
Nels Reese, Planning and Zoning Commission
Gina Taruscio, Moscow Chamber of Commerce

It is understood that those who have lived in a community for a long period of time become accustomed to the community and often do not notice that which is more apparent to someone who has never been to Moscow. Therefore, early in the project development Steering Committee members were asked to drive the corridors and visualize the community through the eyes of a visitor. The members were provided maps of each of the corridors and asked to identify what they liked (assets), areas that could be improved (opportunities), locations they felt were key visual focal points (focal points), and areas in need of general corridor enhancements (corridor enhancements).

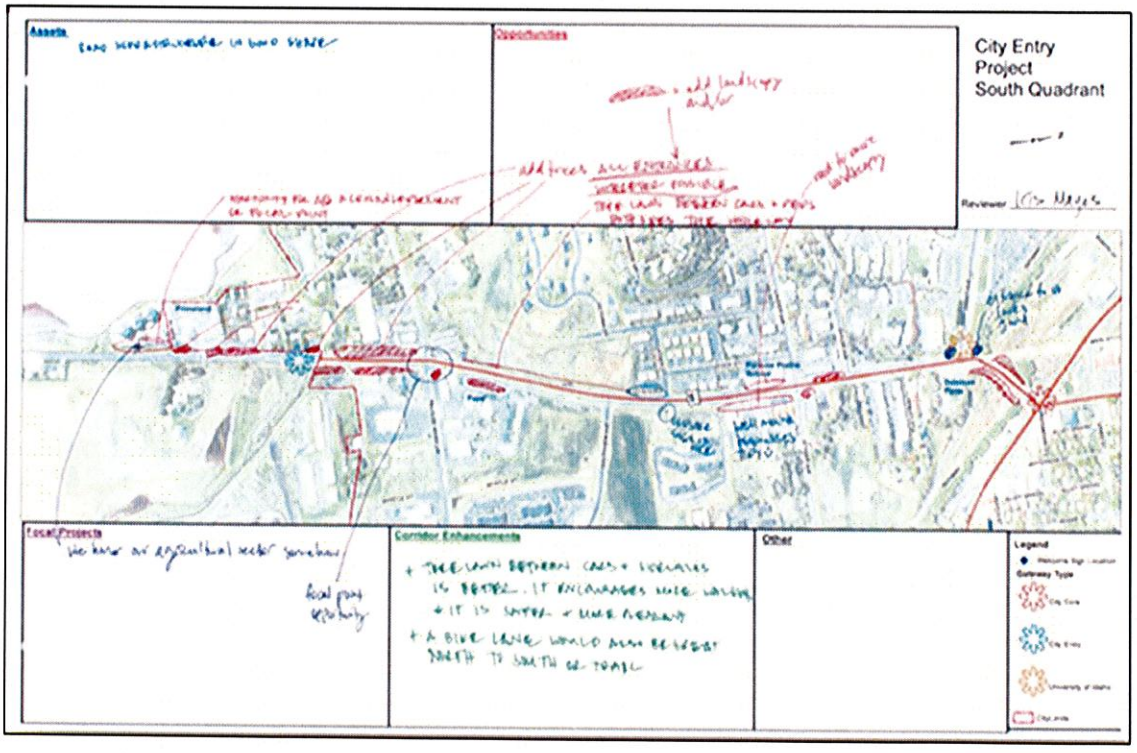


Figure 2: Sample map and comments from Steering Committee Member after driving the south entry corridor.

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 7- Complete Streets Ordinance:

Action Steps:

a) Research and draft a Complete Streets ordinance to be adopted by the City of Joplin; assemble a staff team to review and tailor to Joplin's needs. (In progress)
b) Create an Active Transportation Committee made up of City staff to review new transportation projects for best practices and make recommendations to Public Works and City Council. (In progress)
c) Review the City of Joplin's Comprehensive Plan and Zoning Code for opportunities to implement Complete Streets principles, designs, and practices
d) Assess the City's existing on-road network to identify potential candidates for street redesign projects that promote beautification and alternative modes of transportation. (In progress – in contract review and will be submitting to Council ASAP)
e) Present Complete Streets ordinance to City Council for approval.
f) Conduct staff engagement, education and training specifically tailored to active transportation modes and project development. (In progress – part of Active Transportation Assessment contract with Olsson)
g) Develop phased plan to incorporate street redesigns, low-cost and high impact improvements, and beautification opportunities.
h) Work with community organizations to develop a street art program that could be implemented with street redesigns (e.g. colorful crosswalks, intersection art, temporary installations, etc.).
i) Public and stakeholder involvement and education throughout the initiative.
j)

Resources Required:

1. Staff time to participate in committee, assessment, and training.
2. Funding to implement projects.
3. Dedicated Complete Streets Program manager to oversee effort and implementation (estimate 0.10 FTE Planner average over a year). Could be in-house staff or contracted oversight.

Total Plan Cost:
Total Additional FTE: 0.10
One-Time Costs: $1,000
Staffing Annual Costs: $6,600
Program Annual Costs: TBD

Desired Benefit/Outcome:

- Increase safety for alternative modes of transportation.
- Increase connectivity in the multimodal network in Joplin.
- Improve appearance of public streets.
- Increase community engagement in the planning process.

"We have over-built roads that can easily be retrofitted for road diets and complete streets projects to connect our active transportation system." – Listening Tour Respondent

Smart Growth America
Improving lives by improving communities

National Complete Streets Coalition

Complete Streets Implementation: A Brief Guidebook



Summary

You have a Complete Streets policy: now what? Implementing any policy is challenging and Complete Streets policies add additional layers of complexity, including education to a diverse constituency, selecting projects that address your policy's goals, and ultimately funding and maintaining these projects. The following guide can assist your team as you look to navigate the public process for Complete Street implementation. It includes customizable ideas to help manage culture shift, educational resources to teach different stakeholders best practices, and ideas to continuously provide the best possible Complete Streets through key performance indicators.

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Planning for Implementation

A conscious implementation process identifies all the systems, routines, silos, and assumptions that, together, have created the current transportation system. Communities have found it easier to understand the world of possible activities by assessing and understanding the current procedures and processes; planning for clear next steps; and establishing a person or group of people who can help guide implementation efforts within and across departments and agencies.

Successful Complete Streets implementation should include **strengthening relationships** between city departments; between elected officials and departments; and between citizens and transportation professionals. A first step in this process can be a Complete Streets Implementation Workshop, which brings together people from all departments with some interest in transportation, such as planning, public works/transportation, transit, parks, and health as well as key outside interests, such as concerned elected officials and engaged advocacy groups. This understanding can also come about when people from different agencies, departments, and interest groups meet as part of a committee or advisory board charged with implementing the policy.

The Complete Streets policy document itself should **designate a person or committee to lead implementation**. If it has not, champions should see this as a first order of business.

While most communities have centered their implementation planning on committee activities or on updating specific documents or design guidance, some communities have written **formal implementation plans**. Creating an implementation plan or framework can maintain the momentum picked up during policy adoption, and it can help partners who were active in policy adoption remain engaged as the focus shifts to implementation. The creation of such a plan should involve people across the transportation agency, from planners to engineers to maintenance staff, in the decision-making process. An implementation plan provides the opportunity to assess current practices, to assign responsibility for the following activities in this report, and to create estimated timelines for accomplishing those tasks. The community can use the resulting document as a tool to communicate its work with other agencies, with community leaders, and with supporters.

Possible Activities

- Designate a lead person or “champion” to guide the process.
    - Create a committee to guide the implementation process.
    - Use an “internal” committee with representation from multiple departments within an agency and other city/state departments such as public health, planning, economic development, and transit.
- Use an “external” committee with representation from city agencies, bicycle advocates, pedestrian advocates, older adult groups, and disability groups.
- Task an existing committee to with this task (e.g., bicycle and pedestrian advisory council).
- Conduct an audit of existing policies and procedures within the agency and jurisdiction that should be consistent with the Complete Streets policy. May include:
    - Procedures that do not yet consider all users of all ages and abilities as routine.
    - Current training processes.
    - Design standards and guides.
    - Current performance measures and outcomes.
- Develop an implementation plan, which could include:

    - Designation of a person or committee responsible for implementation.
    - A timeline for updating or revising existing policies or procedures documented in the above preparation step.
    - Assigned responsibilities to specific people or departments.
    - A reporting plan to inform elected officials, public and internal stakeholders about implementation progress.
    - Report when documents listed from above are updated or revised.
- Require annual reports that include Complete Streets progress.

Best Practices

- Build relationships between agencies and stakeholders such as public health, law enforcement, and businesses.
- Having a champion is invaluable; designate a lead person, agency, and/or committee that will move the process forward.
- Formal advisory committees can be an effective catalyst for achieving other implementation steps.

Resources

Strategic & Implementation Plans

- Complete Streets Implementation Work Plan, Minnesota Department of Transportation (October 2014)
- Great Streets for Los Angeles Strategic Plan, Los Angeles
- Sustainable Streets Strategic Plan, New York City
- Complete Streets Implementation Action Plan 2.0, California Department of Transportation (November 2014)
- FY12-13 Status Update, California Department of Transportation
- Complete Streets Guidance Document, Vermont Agency of Transportation
- Complete Streets Implementation Strategy, Regional Transportation Commission of Southern Nevada
- Complete Streets Action Agenda and Design Guidelines, Oakland, California
- Implementation Action Plan, Lee County, Florida
- Complete Streets Plan, Saint Paul, Minnesota

Committees

- Complete Streets Steering Committee Roster (.doc), California Department of Transportation
- Complete Streets Technical Advisory Committee Roster (.doc), California Department of Transportation
- Get Fit Kauai Built Environment Task Force, Kauai County, Hawaii
- Complete Streets Committee, Lawrence, Kansas
- Louisiana Complete Streets Work Group
- Complete Streets Advisory Committee, Boston
- Minnesota Complete Streets Coalition
- Complete Streets Task Force, Hennepin County, Minnesota
- Complete Streets Advisory Council, Kingston, New York

General

- From Inspiration to Action: Implementing Projects to Support Active Living, Walkable and Livable Communities Institute and AARP

Changing Procedure and Process

"Complete Street design should be understood as a process, not a specific product." — *Major and Collector Street Plan, Nashville*

Changing the everyday processes that guide decision-making is at the heart of the Complete Streets movement. Changing the way planners and engineers do their jobs on a day-to-day basis is challenging, but is essential if Complete Streets plans or new design manuals are to do more than collect dust.

Implementing Complete Streets successfully requires **inclusive decision-making processes**. In many communities, Complete Streets implementation is delayed, or even derailed, by 'silos' that have been built within and between agencies. Such silos keep departments working independently from, and sometimes at odds with, each other — meaning the Complete Streets vision is interpreted differently or ignored completely. Simply bringing the right people together to discuss projects in light of Complete Streets is an important procedural step. It requires attention to who is involved with transportation projects as well as who *should* be involved. A committee can become a forum for this collaboration, so long as it includes representation from appropriate agencies and can influence their actions. Such committees are great for specific tasks, such as creating a specific plan or document.

Project-level teams that **bring together many departments** or agencies can also be influential in ensuring major work is done in the spirit of a Complete Streets policy. Such an approach is used in communities such as Seattle and Duluth, Minnesota. More sophisticated public involvement strategies should be employed by project-level teams, including design charrettes and regular interaction with residents and business owners.

To change processes, implementing agencies must **review the rules, procedures, and habits** that have typically guided them. Facilites for bicycling, walking, and taking and operating public transportation are simply not in some plans, codes, manuals, and other guiding documents. They can, and must, be added. Some communities do this systematically by reviewing all documents that might affect transportation. Others work through pilot projects, finding the issues that must be corrected as they work through the project.

Implementing Complete Streets requires that the **maintenance and operation procedures be updated** to look beyond automobile movement. Commonly, the only criteria for selecting and designing these projects is pavement condition and keeping costs low. However, such projects are often the most important — and frequent — opportunities to quickly create change within communities, since larger construction and reconstruction projects may take years to plan. Changes made during maintenance and operations adjustments are often inexpensive and tied to work that is already necessary. Many communities are now *planning ahead* for restriping of roadways following repaving and looking for opportunities to incorporate bicycle lanes, clearer pedestrian crossings, or improved parking. Communities can revise their paving plans so citizen groups and city planners can use the upcoming opportunities to suggest changes.

An agency committed to Complete Streets will need to **make changes to the way it selects its transportation projects**. Communities that rely on automobile Level of Service (LOS) should consider alternatives, such as relaxing LOS standards in some areas or at certain times; creating a different type of LOS that applies to all other modes; or switching to entirely different measurements such as Auto Trips Generated. Communities with mode-specific plans should

coordinate those efforts via an overarching street prioritization map and ensure that small improvements can be made on every project, not just on major routes identified in the documents. Agencies, especially Metropolitan Planning Organizations, can also employ a points system in selecting projects that reward multimodal inclusion. Equity — ensuring projects are distributed across neighborhoods regardless of income or ethnicity — must also be considered so as to avoid building out a great network in one neighborhood but nothing in the next.

Often, the most effective way to overcome barriers is to simply **create new systems**. Broadly, three commonly pursued tactics are: developing a strong exceptions review process; adopting project-specific checklists; and creating a new project development process. Complete Streets policies should spell out specific **exceptions** to the policy's application, and successful implementation requires a system to determine when and how those exceptions are made. **Checklists** remind or require planners and engineers to consider the needs of all users as they go about their work, helping to provide appropriate solutions based on transportation and land use needs; collect and share information between departments; and illuminate the decisions to the public. By themselves, checklists are usually not enough to fundamentally change transportation planning. Communities can bring all the procedural changes together by creating entirely **new step-by-step project development processes**. The best-known example is the six-step process created by the Charlotte Department of Transportation in their Urban Street Design Guidelines. The process starts by evaluating the existing land use and transportation context of the project; moves on to identifying gaps and deficiencies and defining future objectives; and then recommends a street classification and deliberates the tradeoffs that might need to be made.

Possible Activities

- Designate a lead person or "champion" to guide the process
- Create a list of all documents to be updated to be consistent with the Complete Streets policy.
- Modify department procedural documents. May include:
    - Checklists.
    - Decision trees.
    - Standard operating procedures.
    - Project development steps or phases.
- Include non-transportation departments (e.g. planning, environment) that have a role in street planning, design, operations, or maintenance or participates in the updating of:
    - Utilities' street documents.
    - Plans, including neighborhood, area, redevelopment, urban forestry/street tree, and/or comprehensive plans.
    - Transit agency's street and planning documents.
- Prioritize multi-modal projects by:
- Awarding points or otherwise prioritizing multimodal projects in project selection criteria.
    - Formally prioritizing multimodal projects in the capital improvement program (CIP) or transportation improvement program (TIP or STIP).
    - Prioritizing projects that are identified as closing gaps in the multimodal network.
- Change or create new project procedures at the following phases:
    - Planning,
    - Programming (including CIP/TIP decisions),
    - Scoping,
    - Design,
    - Construction,
    - Operation, and

        - Maintenance.
- Ensure changes apply to all project types, including:
    - New construction,
    - Retrofitting/reconstruction,
    - Repair,
    - Resurfacing/restoration/rehabilitation,
    - Bridges,
    - Privately built roads,
    - Master planned neighborhoods and planned unit developments,
    - Infill,
    - Greenfield, and
    - Transit.
- Establish a process for allowing exceptions to the Complete Streets policy.
- Name a specific entity for approving exceptions (e.g., transportation director, city council, other committee or staff).
- Provide staff the decision-making power to be flexible and consider the land use context.
- Adopt or update relevant plans, such as:
    - Bicycle Master Plan,
    - Pedestrian Master Plan,
    - Transit Master Plan,
    - Non-Motorized Network Plan,
    - Transportation Plan,
    - Major Street Plan, and/or
    - General or Comprehensive Plan.
- Adopt or update relevant policies, including:
    - Education policies and activities,
    - Encouragement policies and activities,
    - Enforcement policies and activities, and
    - Multimodal Level of Service guidelines and criteria.
- Require consultants to use Complete Streets approach in project scope and/or consultant contracts.

Best Practices

- Encourage stronger relationships between departments, with citizens, and with elected officials.
- Try easier, smaller projects or those with obvious, visible benefits first.
- Keep a network approach in mind when selecting the first projects. New facilities won't be well used if they don't connect to destinations or other routes.
- Document results of early projects, including before-and-after studies of safety benefits if possible.

Resources

Checklists

- Complete Streets Checklist, *Complete Streets Complete Networks – Chapter 5*, Active Transportation Alliance
- Project Checklist, Seattle
- Complete Streets Project Review Checklist, Philadelphia
- Active Living Design Checklist, Hennepin County, Minnesota
- Complete Streets Checklist for Project Sponsors, Mid-Ohio Regional Planning Commission

(Columbus, Ohio region)
- Complete Streets Checklist, New Jersey Department of Transportation
- Complete Streets Planning Phase Checklist and Design Phase Checklist, Vermont Agency of Transportation
- Complete Streets Checklist, Onalaska, Wisconsin
- Complete Streets Checklist, Saratoga Springs, New York
- Complete Streets Checklist, Metropolitan Transportation Commission (San Francisco region)
- Complete Streets Checklist (draft), Regional Transportation Commission of Southern Nevada
- Complete Street Design Review Checklist (draft), Dallas

Plans
- Transportation Outlook 2040, Mid-America Regional Council (Kansas City, Missouri region)
- Transportation Improvement Program 2012-2016, Mid-America Regional Council (Kansas City, Missouri region)
- 2030 Long-Range Transportation Plan, Nashville Area Metropolitan Planning Organization (Tennessee)
- Sustainable Streets Strategic Plan, New York City
- Active Transportation Plan, Forest Park, Illinois

Funding Priority Systems
- Transportation Project Prioritization Technical Report (draft), Oakland, California
- Project Solicitation & Evaluation: Scoring Criteria, Mid-America Regional Council (Kansas City, Missouri area)
- MPO Project Evaluation & Scoring Documentation, Nashville Metropolitan Planning Organization
- Local Aid Program, New Jersey Department of Transportation
- Transportation Factors for Highway Projects, Ohio-Kentucky-Indiana Regional Council of Governments (Cincinnati, Ohio region)

Process
- Complete Streets Complete Networks, Active Transportation Alliance
- Urban Street Design Guidelines, Charlotte, North Carolina
- Complete Streets Guide, Maricopa Association of Governments (Phoenix, Arizona region)
- Complete Streets Design Manual, New Haven, Connecticut
- Project Development and Review Process, Boston

General
- Complete Streets: Best Policy and Implementation Practices (PAS 559), American Planning Association
- The Role of Transportation Systems Maintenance and Operations in Supporting Livability and Sustainability: A Primer, Federal Highway Administration
- From Policy to Pavement: Implementing Complete Streets in the San Diego Region, Walk San Diego
- Complete Streets Implementation Resource Guide for Minnesota Local Agencies, Minnesota Department of Transportation

Offering Training and Educational Opportunities

A successful Complete Streets initiative requires ongoing education and training — and it is about far more than helping engineers learn how to incorporate bicycle and pedestrian facilities into road projects. Planners, engineers, consultants, and other agencies need a thorough understanding of new procedures. Elected official need ongoing engagement to understand how the general policy goals will be translated into projects on the ground. And communication with the public about what they want out of their streets, and what is happening to their roads, is essential for implementation to be successful.

Many communities employ a workshop approach to help **transportation staff** understand and embrace the intention behind Complete Streets. They need to hear how this approach works in other communities, and how it fits into their professional goals and standards. The best messengers for these sessions are those within the same profession; engineers need to hear directly from other engineers, planners from other planners. Many agencies have also used a more informal, on-the-job training approach that encourages dialogue between departments. Additional technical training should be part of regular professional development.

Work with **elected officials, involved stakeholders, and the general public** must be ongoing. Transportation staff and Complete Streets supporters need to be able to communicate how the proposed projects benefit the community and nearby residents and businesses, and how incomplete streets negatively affect mobility and access to schools, offices, and shops. Regular updates on goals and successes are key. “Experiential” learning, through activities such as walking audits and bicycle tours, has been very helpful in building support and camaraderie among staff, elected officials, and community members. Some have also produced or shared short videos that focus on the health, economic, and safety benefits of changing street design.

Possible Activities

- Leadership sends a formal memo or email to staff about the new Complete Streets Policy.
- Conduct a formal staff training process, potentially through:
- Staff retreats,
- Series of Complete Streets specific training sessions,
- Funded professional development with outside experts, and/or
- On-the-job training.
- Conduct informal mentoring-training within the transportation department.
- Provide training on technical aspects of the policy (e.g. engineering/design).
- Provide training on non-technical aspects of the policy (e.g. process changes within the department to consider all users of all abilities).
- Provide training on non-transportation topics such as environment and public health benefits.
- Provide sensitivity training to learn about all users of the road such as those with disabilities.
- Training includes department heads, managers and program staff.
- Develop systematic training in incorporating all users of all abilities for new staff.
- Include multiple departments in training, such as utilities, public health, transit agencies and economic development.
- Engage with community to explain the importance of Complete Streets policy, when and how it will be applied, from a multi-disciplinary view. Engage through:
- Public meetings,

- Presentations at city council meetings,
- Presentations at district offices that are open to the public,
- Video presentation available online,
- Printed materials such as newsletters, pamphlets, posters, and/or
- Walking and/or biking audits or tours.
- Educational campaigns, which may include information about new road markings and signs, coaching on sharing the road with other users, benefits of walking, biking, and taking public transportation.

Best Practices

- Community engineers and planners must hear from their professional peers.
- Strive to instill a sense that Complete Streets is part of everyone's job.
- Outreach to community members is an on-going process and must not end with a policy's adoption.
- The first projects are the hardest to sell. Communicate on a project-by-project scale as well as in more general terms. Go to the public so they hear about the project and your goals directly from you first.
- Start with temporary or pilot projects, or choose projects with relatively simple implementation; be sure to tie these projects back to the Complete Streets objective.
- Provide regular updates to community and agency elected officials and media on implementation and successes.
- Ask your Metropolitan Planning Organization to provide training for its member jurisdictions.
- Share project successes in the context of overall policy implementation.

Resources

Professional Training: Workshops

- Complete Streets Checklist, *Complete Streets Complete Networks – Chapter 5*, Active Transportation Alliance
- National Complete Streets Coalition Workshops
- Designing Pedestrian Facilities for Accessibility, Association of Pedestrian and Bicycle Professionals
- Designing for Pedestrian Safety, Pedestrian and Bicycle Information Center
- Planning and Designing for Pedestrian Safety, Pedestrian and Bicycle Information Center
- Creating Livable Communities through Public Involvement, Pedestrian and Bicycle Information Center
- Complete Streets Workshops, Massachusetts Department of Transportation
- Complete Streets Training, North Carolina Department of Transportation
- One Bay Area Grant: Complete Streets Policy Development Workshops, Metropolitan Transportation Commission (San Francisco region)/

Professional Training: Web-based

- Webinars, Association of Pedestrian and Bicycle Professionals
- Webinars, State Smart Transportation Initiative
- Webinars, Pedestrian and Bicycle Information Center
- Professional development opportunities, Institute of Transportation Engineers
- Professional development opportunities, American Planning Association

Professional Training: Notable Conferences

- Annual Meeting, Transportation Research Board

- Pro Walk Pro Bike Conference, Project for Public Spaces
- Professional Development Seminar, Association of Pedestrian and Bicycle Professionals
- Technical Conference and Annual Meeting, Institute of Transportation Engineers
- National Planning Conference, American Planning Association
- New Partners for Smart Growth, Local Government Commission

Walking Audit

- Walkability Checklist, Pedestrian and Bicycle Information Center
- Walkability Workbook, Walkable and Livable Communities Institute
- Walkability Audits with Dan Burden, Walkable and Livable Communities Institute
- Walkable Community Workshops with Mark Fenton

Pilot Projects, Demonstration Events, Programs, and Placemaking

- Pavement-to-Parks program, San Francisco
- Make Way for People Initiative, Chicago
- Tactical Urbanism 2: Short Term Action, Long Term Change, Street Plans Collaborative
- City Repair, Portland, Oregon
- The Better Block: Rapid Urban Revitalization Projects
- The Open Streets Guide, Alliance for Biking & Walking and Streets Plans Collaborative
- Resources for Organizers, Open Streets Project
- "20 Is Plenty" program, Hoboken, New Jersey
- "Neighborhood 25" program, Arlington, Virginia
- Sustainable Jersey community certification, New Jersey

Public Information About Projects

- Project webpages, Seattle
- Project webpages, Boston
- Current projects, New York City

General

- Participation Tools for Better Community Planning, Local Government Commission, 2013

Reviewing and Updating Design Guidance

In many agencies, the street design manual is the go-to reference for all transportation projects. If it is not supportive of flexible, context-sensitive, and multi-modal approaches, it can be the largest barrier a community faces. A flexible manual can empower planners and engineers to develop design solutions that balance the needs of many users and support the surrounding neighborhood. Changes to the subdivision codes that apply to private development are also necessary to ensure that all new roadways and planned developments are aligned with the community's Complete Streets goals.

A number of agencies have undertaken **a complete rewrite** of their manuals, usually accompanied by developing new procedures and producing training to staff. The most innovative new manuals go beyond cross-sections to create new ways to tackle the connection between land use and transportation needs. These documents create new street typologies that provide greater nuance than is available through the traditional functional classification system, which defines roads exclusively by their function for automobiles. However, design manual re-writes can be expensive and time-consuming, and they still may not be enough to change the everyday workings of an agency.

Some places do not have their own design manuals, preferring to use a variety of national or state resources. **By referring to outside guidance**, these communities do not need to use significant resources to stay up on best practices and the latest design approaches. Instead, they opt to adapt or adopt the latest resources that best reflect their needs. Even in communities with their own design manuals, transportation staff will refer to national or state resources in addition to their own. **Project-based design decisions** can also be made through collaborative design charrettes, temporary installations, or opportune pilot projects.

Possible Activities

- Create new design guidelines, either as:
    - Entirely new document, or
    - A series of rules or recommended practices to augment existing guidance.
- Adopt or direct use of new standards, including the latest versions of:
    - AASHTO: A Policy on Geometric Design of Highways and Streets ("Green Book"),
    - AASHTO: Guide for Planning, Designing, and Operating Pedestrian Facilities,
    - AASHTO: Guide for the Development of Bicycle Facilities,
    - FHWA: Separated Bike Lane Planning and Design Guide
    - ITE: Designing Walkable Urban Thoroughfares: A Context Sensitive Approach,
    - NACTO: Urban Street Design Guide,
    - NACTO: Urban Bikeway Design Guide,
    - US Access Board: Public Right-of-Way Accessibility Guidelines, and/or
    - 2010 Highway Capacity Manual.
- Update street design standards that apply to:
- Private developers,
    - City-initiated projects, and
    - Contractors working in the right-of-way via permits.
- Provide relevant updates to:
- Land use standards and zoning codes,
    - Subdivision code,

    - Motor vehicle parking policies,
    - Bicycle parking policies,
    - Traffic calming,
    - Streetscape,
    - Transit and station-area plans, and/or
    - Recreation and parks maintenance plans for roads, sidewalks, medians, etc.
- Collaborate across departments to incorporate Complete Streets design guidance into utilities, planning, public transit, and/or other agencies dealing with roads.

Best Practices

- Consider making simple changes to design standards, or adopting templates such as the Model Design Manual for Living Streets or Complete Streets, Complete Networks.
- Take advantage of mill and overlay/repaving projects by planning, and even designing, ahead of time to include bicycle and walking needs in the process.
- Evaluate budgets to support maintenance needs, especially with roadway striping.
- Add an evaluation of bicycle and walking needs to the maintenance and operations review cycle.

Resources

National Guidance

- A Policy on Geometric Design of Highways and Streets, 6th Edition, AASHTO
- Guide for the Development of Bicycle Facilities, 4th Edition, AASHTO
- Guide for the Planning, Design, and Operation of Pedestrian Facilities, 1st Edition, AASHTO
- Separated Bike Lane Planning and Design Guide, Federal Highway Administration
- Manual on Uniform Traffic Control Devices, Federal Highway Administration
- Bicycle Facilities and the Manual on Uniform Traffic Control Devices, Federal Highway Administration
- Public Rights of Way Accessibility Guidelines, U.S. Access Board
- Memorandum: Bicycle and Pedestrian Facility Design Flexibility, Federal Highway Administration
- Designing Walkable Urban Thoroughfares: A Context Sensitive Approach: An ITE Recommended Practice, Institute of Transportation Engineers and the Congress for the New Urbanism
- Urban Bikeway Design Guide, National Association of City Transportation Officials
- Urban Street Design Guide, National Association of City Transportation Officials
- Highway Capacity Manual 2010, Transportation Research Board
- Model Design Manual for Living Streets, Los Angeles County Department of Public Health
- Complete Streets Complete Networks, Active Transportation Alliance

Agency-Specific Guides

- Complete Streets Guidelines, Boston
- Urban Street Design Guidelines, Charlotte
- Complete Streets Guidelines, Chicago
- Implementing Complete Streets: Major & Collector Street Plan, Nashville, Tennessee
- Complete Streets Design Manual, New Haven, Connecticut
- Street Design Manual, New York City
- Complete Streets Design Handbook, Philadelphia
- Better Streets Plan, San Francisco

- Rights-of-Way Improvements Manual, Seattle
- Complete Streets Planning and Design Guidelines, North Carolina Department of Transportation
- Project Development and Design Guide, Massachusetts Department of Transportation
- Complete Intersections: A Guide to Reconstructing Intersections and Interchanges for Bicyclists and Pedestrians, California Department of Transportation
- Complete Streets Manual (draft), Dallas

Measuring Performance

Creating and using new performance measures for transportation projects and the transportation system is essential. It helps agencies ensure if they are on the right track — and helps them celebrate their new way of doing business. Performance data for all modes is not a luxury. Hard figures documenting the performance of Complete Streets implementation can become a powerful selling point for future projects and funding.

The first challenge is **agreeing to a set of performance measures**. Community members, leaders, and staff have varying needs and demands from the transportation system, such as mode shift, decreases in chronic disease, better air quality, retail vacancy rates, and roadway safety. Further, traditional measures can be difficult to change or adapt to multimodal needs. These challenges have meant that very few communities have tackled the creation of new performance measures in any systematic way.

Yet, there are relatively easy ways to demonstrate Complete Streets success. Communities can **measure progress by simply counting the facilities** they are building, such as blocks of new or repaired sidewalks; number of bus stops with shelters; miles of new bicycle facilities; and installation of pedestrian countdown signals. Communities can also account for maintenance activities such as repairs to curb ramps and repainted bicycle lanes or crosswalks. Tracking such facilities demonstrates that the community is making on-the-ground changes each year. If packaged and made publicly available at the close of each year, these numbers can add to a community's efforts in improving education and awareness of Complete Streets.

A growing number of communities are **counting the number of people walking and bicycling**. Such counts have not traditionally been taken in most communities on a regular basis, though new tools and techniques have made this a more common activity today. Monitoring non-motorized data allows jurisdictions to monitor trends across the network and along key corridors. Another simple step toward performance measurement is at the project level, where data collection can show the **direct and immediate benefits of a transportation investment**. Such information can be especially powerful with road conversions, which typically show an immediate reduction in speeding, a dramatic reduction in crashes and crash severity, and, sometimes, an increase in non-motorized use or even user satisfaction.

Once a community has established transportation-oriented performance measures, transportation staff can **work with other agencies and departments** to link them to larger goals such as long-term changes to public health, economic growth, and the physical environment. Such measures require collaboration with and leadership from other departments, sectors, and often universities.

Possible Activities

- Track multi-modal projects by:
    - Counting facilities or miles of facilities such as sidewalks, bike lanes, and street trees,
    - Counting intersections improved by signal timing, medians, count down timers, bulb outs, and other improvements,
    - Tracking dollar amounts or percentage of funds used for each mode, and
    - On-road transit performance such as the percentage of buses running on time and average speed
- Track (or work with another agency to track) broader community performance measures

such as:
    - Air quality improvement as measured by ground-level ozone, particulate matter, carbon monoxide, sulfur dioxide, and nitrogen dioxide,
    - Health indicators such as incidence of chronic disease or rates of physical activity,
    - Housing + transportation affordability,
    - Response time of emergency responders,
    - Transit operating costs and farebox recovery ratio,
    - Economic impact, such as the decreases in vacancies, changes in revenue, and the number of new jobs created in proximity of multimodal streets and near transit.
- Adopt or revise transportation performance measures. New performance measures may include:
- Deaths and injuries by mode,
    - Crashes by mode and type, including 'doorings' and pedestrians accessing transit,
    - Mode shift, such as bike, walk and transit trips over time,
    - Percentage of children walking and bicycling to school,
    - Corridor impact analysis,
    - Travel times and delays for all modes,
    - Automobile Trips Generated (ATG),
    - Vehicle Miles Traveled (VMT) or Single Occupancy Vehicle (SOV) trip reduction, and/or
    - Multimodal Level of Service, Pedestrian Level of Service, or Bicycle Level of Service.
- Provide regular reports to the public on the data being tracked or the agency progress on Complete Streets performance measures.
- Changed philosophy and attitude to implement Complete Streets and stop primarily building and maintaining 'incomplete' streets.

Best Practices

- Transportation departments should not be the only ones to track performance. They can collobarate with others to collect and analyze data, including the health department and public health organizations; law enforcement agencies and emergency responders; and advocacy groups, including those focused on equity.
- Use rates, rather than straight numbers, to show changes in safety and mode shift over time.
- Establish baseline data so as to better illustrate successes.
- Be clear about measuring outputs (such as blocks of sidewalks built or repaired) versus outcomes (such as increases in walking rates).
- Create metrics that are specific to community goals.

Resources

Counts

- National Bicycle and Pedestrian Documentation Project
- Standard Manual Bicycle and Pedestrian Screenline Count Form, Minnesota Department of Transportation
- 2012 Bike Walk Twin Cities Pedestrian and Bicycle Count Report, Minneapolis and its surrounding communities
- Pedestrian Counts, Seattle
- Bicycle and Pedestrian Counts, Minneapolis

Health Impact Assessments and Environmental Audits

- Community Transportation Plan Health Impact Assessment, Decatur, Georgia

- Pedestrian Environmental Quality Index, San Francisco
- Bicycle Environmental Quality Index, San Francisco
- Vehicle-Pedestrian Injury Collision Model, San Francisco
- Bicycling Environmental Audit Tool, Philadelphia
- Walkability Assessment Tool, Philadelphia
- Planning & Health Indicator List & Assessment Tool, Philadelphia
- Bottineau Transitway Health Impact Assessment, Hennepin County, Minnesota

Performance Goals

- Pedestrian Master Plan Performance Measures and Targets, Seattle
- Sustainable Communities Index Transportation Objectives and Indicators, San Francisco
- Active Transportation Monitoring Plan, Capital Area Metropolitan Planning Organization (Austin, Texas region)
- 2012 Long Range Transportation Plan Report Card, Champaign Urbana Urbanized Area Transportation Study, Illinois
- Boston Indicators Project

Adopted Performance Goals

- Transportation Performance Measures and CEQA Thresholds, Pasadena, CA (2014)

Citizen Surveys and Travel Diaries

- Citizen Attitude Surveys, Corvallis, Oregon
- Employee Surveys, Boulder, Colorado
- Trip Diary Survey, Flagstaff, Arizona

Before and After Studies

- Summary Report: Evaluation of Lane Reduction "Road Diet" Measures and Their Effects on Crashes and Injuries, Federal Highway Administration
- Nickerson Street Rechannelization: Before and After Report, Seattle
- Valencia Street Road Diet — Creating Space for Cyclists, Pedestrian and Bicycle Information Center
- 25th Avenue Road Diet Project: A One Year Evaluation, San Francisco
- Edgewater Drive Before & After Re-Striping Results, Orlando, Florida
- Making Safer Streets, New York City
- The Economic Benefits of Sustainable Streets, New York City

Multimodal Level of Service (MMLOS)

- MMLOS Toolkit, Fehr & Peers
- Highway Capacity Manual 2010, Transportation Resource Board
- Multimodal Level of Service at Signalized Intersections, Charlotte, North Carolina
- Pedestrian and Bicycle Level of Service at Signalized Intersections, Charlotte, North Carolina
- Transit Service – Level of Service Guidelines, Pedestrian Facilities - Level of Service Guidelines, and Bicycle Facilities - Level of Service Guidelines, 2030 Regional Transportation Plan, Flagstaff, Arizona
- Auto Level of Service Reform, San Francisco
- Expanded Transportation Performance Measures to Supplement Level of Service (LOS) for Growth Management and Transportation Impact Analysis, Florida Department of Transportation

Annual Reports

- Measuring the Street: New Metrics for 21st Century Streets, New York City
- Sustainable Streets Index, New York City
- Annual Reports, Seattle
- 2013 Benchmarking Report, Billings, Montana
- 2012 Transportation Report on Progress, Boulder, Colorado
- 2011 Mobility Report Card, Redmond, Washington
- 2012-13 Annual Report, Connecticut Bicycle and Pedestrian Advisory Board
- Annual Report 2012, Michigan Complete Streets Advisory Council
- Implementation Reports, Lee County, Florida
- 2012 State of Cycling Report, San Francisco

Trip Generation

- Trip Generation Tool for Mixed-Use Developments, U.S. EPA and Institute of Transportation Engineers, 2011
- Auto Trip Generation Study, San Francisco County Transportation Authority, 2008
- Getting Trip Generation Right: Eliminating the Bias Against Mixed Use Development, Jerry Walters, Brian Bochner, and Reid Ewing, American Planning Association PAS Memo, May 2013

Resources

- Decisions, Values, and Data: Understanding Bias in Transportation Performance Measures, Eric Dumbaugh, Ph.D., AICP, Jeffrey Tumlin, and Wesley E. Marshall, Ph.D., PE, *ITE Journal*, August 2014
- Counting Bicyclists and Pedestrians to Inform Transportation Planning, Active Living Research, a National Program of the Robert Wood Johnson Foundation, February 2013
- Performance Measures for Complete, Green Streets: A Proposal for Urban Arterials in California, University of California Transportation Center
- Traffic Monitoring for Non-Motorized Traffic, Federal Highway Administration
- Performance Measures, Urban Streets Design Guide, National Association of City Transportation Officials
- Measuring Active Transportation: Recommendations for Colorado, Kaiser Permanente Colorado
- Driven Apart: How Sprawl is Lengthening Our Commutes and Why Misleading Mobility Measures are Making Things Worse, Joe Cortright, CEOs for Cities
- Toward More Comprehensive and Multi-modal Transport Evaluation, Todd Litman, Victoria Transport Policy Institute
- Evaluating Complete Streets: The Value of Designing Roads For Diverse Modes, Users and Activities, Victoria Transport Policy Institute
- Greenroads Rating System, Greenroads Foundation

Priority Area:
Improve Community Appearance

Goal/Objective:
Improve general appearance of city.

Strategy 8- Incentivize inclusion of Public Art in new and existing development projects including both public and private initiatives:

Action Steps:

a. PDNS and Parks Department staff to conduct research into similar projects developed in other communities.
b. Inform community stakeholders (C2C, Downtown Joplin, developers, etc.) to receive input into project development.
c. Develop program processes and procedures and possible code enhancements. This could include a Public Art Fee assessed as a percentage of new development or building permit fees. Fees generated to be utilized on development project or deposited in a Public Art Fund for use in future Public Art projects.
d. Create a secondary option of a not for profit public art fund in which artists and community donors could apply and contribute.

Resources Required:

1. Staff time to research and develop project.
2. Funding for 0.50 FTE in Planning, Zoning and Neighborhood Services for staff personnel to oversee the program.

Total Plan Cost:
Total Additional FTE: 0.50
One-Time Costs: $1,000
Staffing Annual Costs: $28,000
Program Annual Costs: $3,000

Desired Benefit/Outcome:

- Visually enhance areas of Joplin that are undesirable to the public.
- Provides the appreciate of all aspects of art at the same time educating our community.

Priority Area:

Improve Community Appearance

Goals/Objectives:

Improve general Appearance of City.

Strategy 1 – Develop and Implement a Limb Drop-Off Project:

Action Steps:

a. Form working group of staff to research numbers of patrons using the existing drop-off site.

Resources Required:

1. Staff time to research and develop a plan.
2. Funding for additional staffing needs for manning the site to be determined by frequency. Minimum staffing of 1.00 Equipment Operator and FTE 1.00 Laborer I required.

Total Plan Cost:

Total Additional FTE: Existing staff time

One Time Costs: $0.00

Staffing additional cost: $440.00 per additional day/TST

Program Annual costs: TBD based on number of days added

Desired Benefit/Outcome:

- Improved appearance of community through reduction of limbs cluttering neighborhoods.
- Increased pride of neighborhoods.
- City is more attractive to new residents and visitors.

Addressing Neighborhood Blight

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Revitalize housing options

Strategy 1- Housing Revitalization Plan:

Action Steps:

- Using a portion of the general fund reserve balance, create a new revitalization fund with an initial funding of $1.0m
- Form a JHAP oversight committee comprised of city staff and citizens
- Incentivize the replacement of declining housing options at outlined by the following table:

MARKET VALUE		ASSESSED VALUE		AMOUNT OF INCENTIVE AVAILABLE
$ 274,999	$ 250,000	$ 52,249	$ 47,500	$ 40,000
$ 249,999	$ 225,000	$ 47,499	$ 42,750	$ 35,000
$ 224,999	$ 200,000	$ 42,749	$ 38,000	$ 30,000
$ 199,999	$ 175,000	$ 37,999	$ 33,250	$ 25,000
$ 174,999	$ 150,000	$ 33,249	$ 28,500	$ 20,000

a. Key Program Details:
   i. ~~Must~~ Must replace an existing single-family home ~~within the designated boundary. (see map)~~
   ii. Home design must complement existing neighborhood aesthetics
   iii. Incentive will be paid once the new home receives initial assessment by the County. The amount of incentive available will be determined by the assessed value. (Assessed Value is determined by the County Assessor)
   iv. Homes utilizing this incentive will be prohibited from becoming rental property for a 10 year period.
   v. The program will end once initial funds have been depleted or, after 3 years, whichever occurs first.

- Seek partnerships with construction companies/builders to allow for in kind contributions of resources to reduce property acquisition costs, demolition costs, and building costs
- Explore the use of the City's sales tax exemption to procure building materials at a lower cost.

Resources Required:

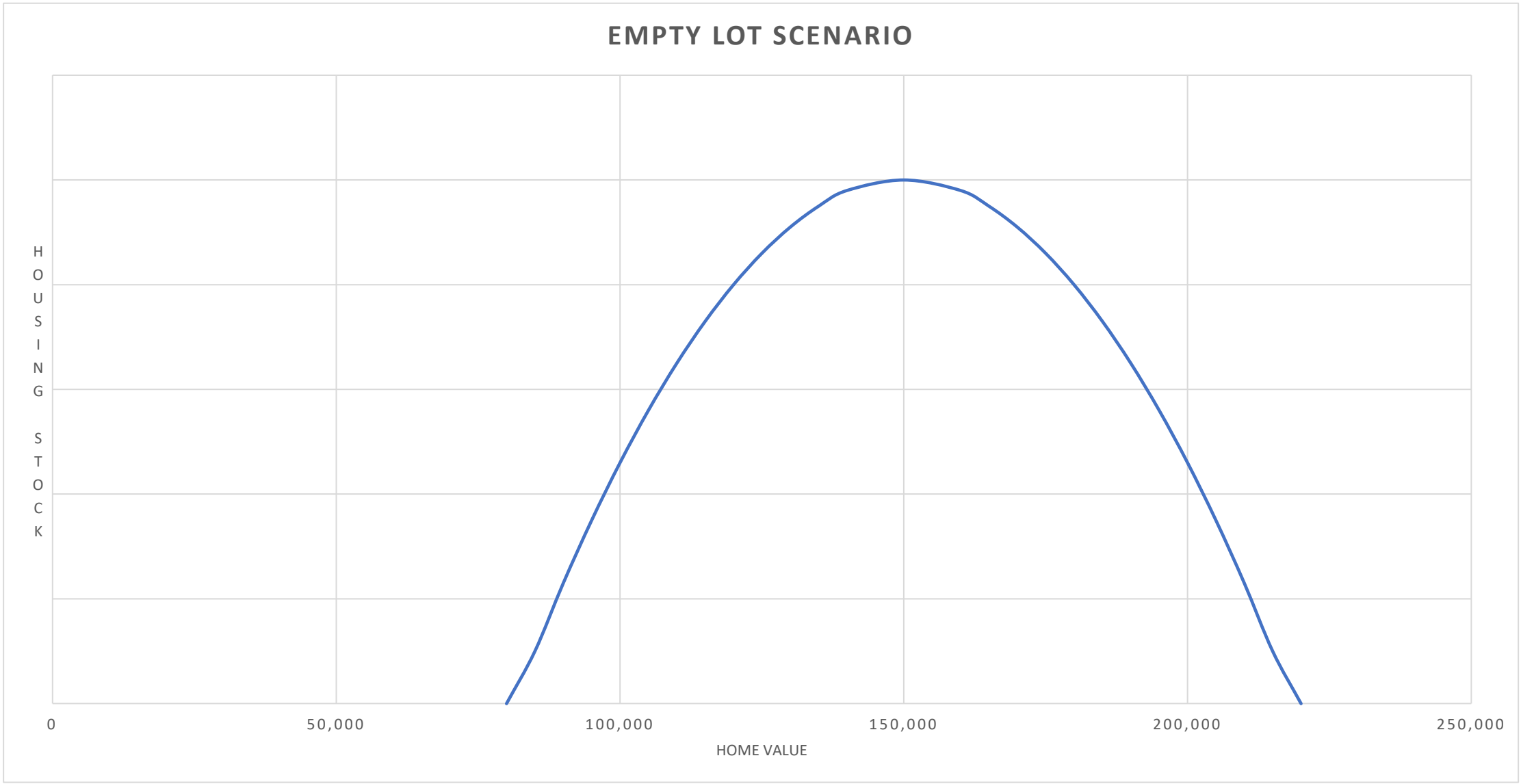
1. Program Manager: 0.5 FTE ($33,500)
2. Administrative Support: 0.5 FTE ($25,000)
3. Funding for one-time start-up costs (vehicles, office furniture, phones, etc.). ($2,000)
4. Funding for the incentive: $1.0m (general fund balance) TBD.

"The city could focus on infrastructure improvement, specifically empty houses and buildings. These degrade the whole quality of the community." – Listening Tour Respondent

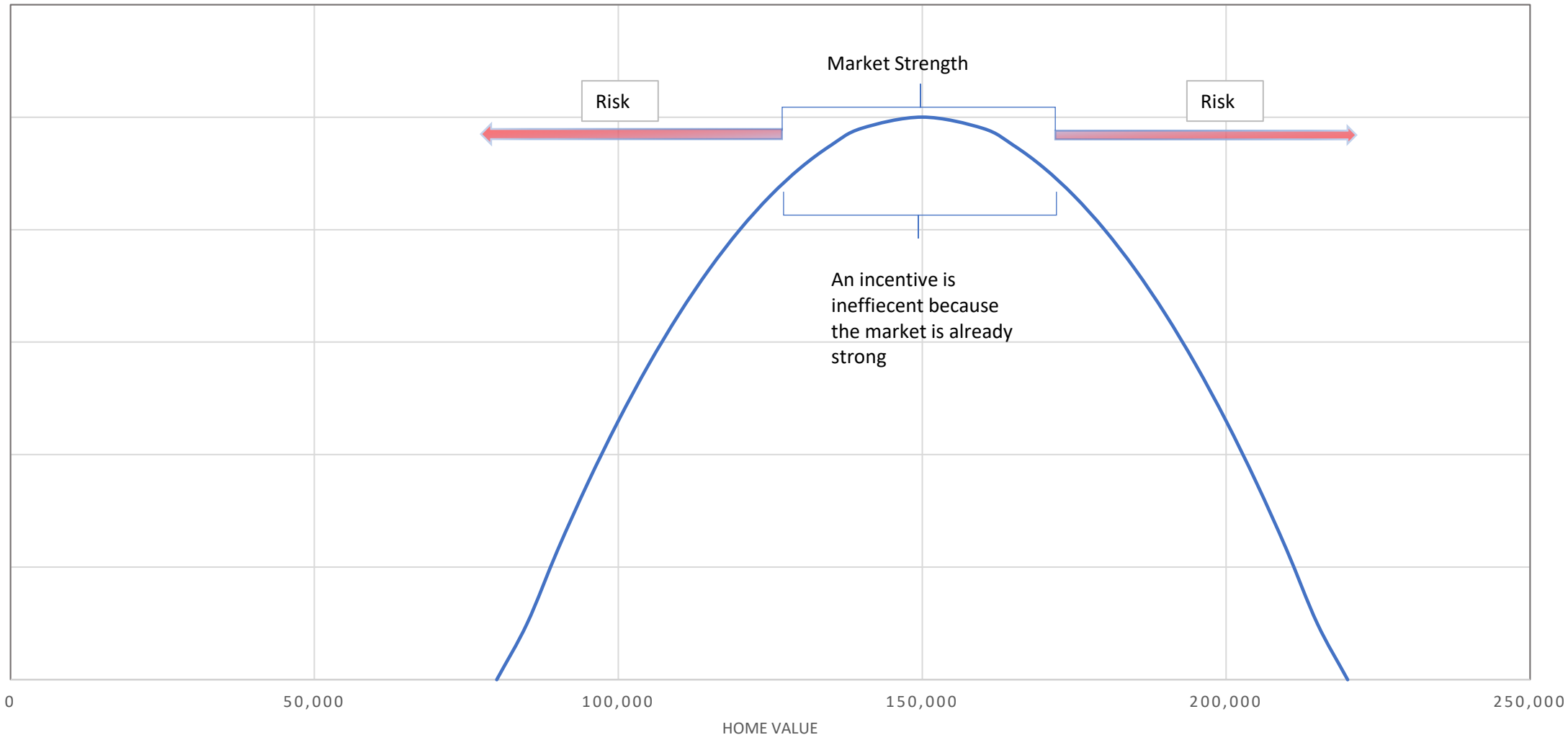
Total Plan Cost:
Total Additional FTE: 1.0
One-Time Costs: $2,000
Staffing Annual Costs: $58,500
Program Annual Costs: $5,000

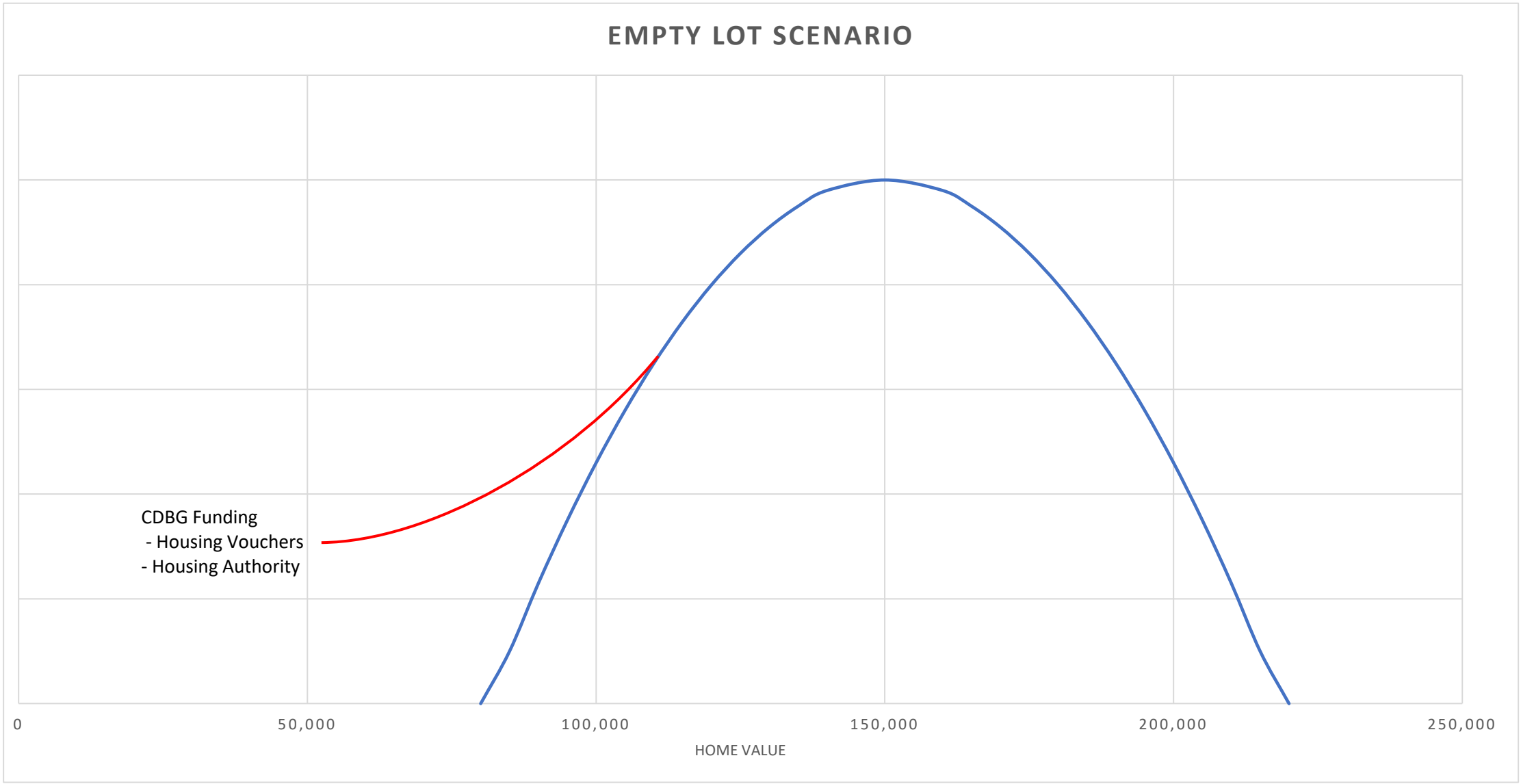
Desired Benefit/Outcome:

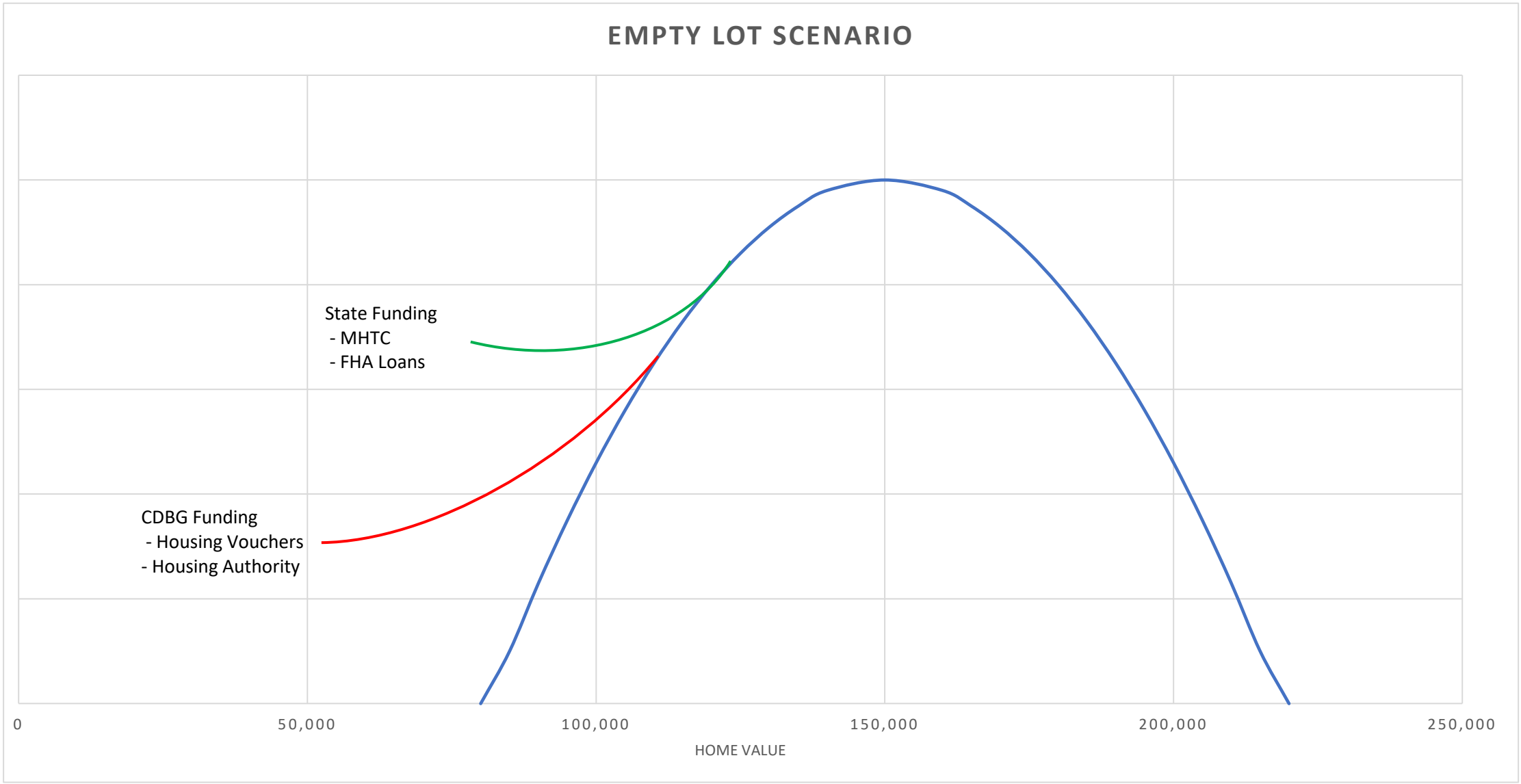
- Minimizes the long-term negative impact of underperforming real estate.
- Strengthens tax base to benefit local taxing jurisdictions.
- Improves housing supply
- Limits the amount of homes that could be controlled by predatory landlords.

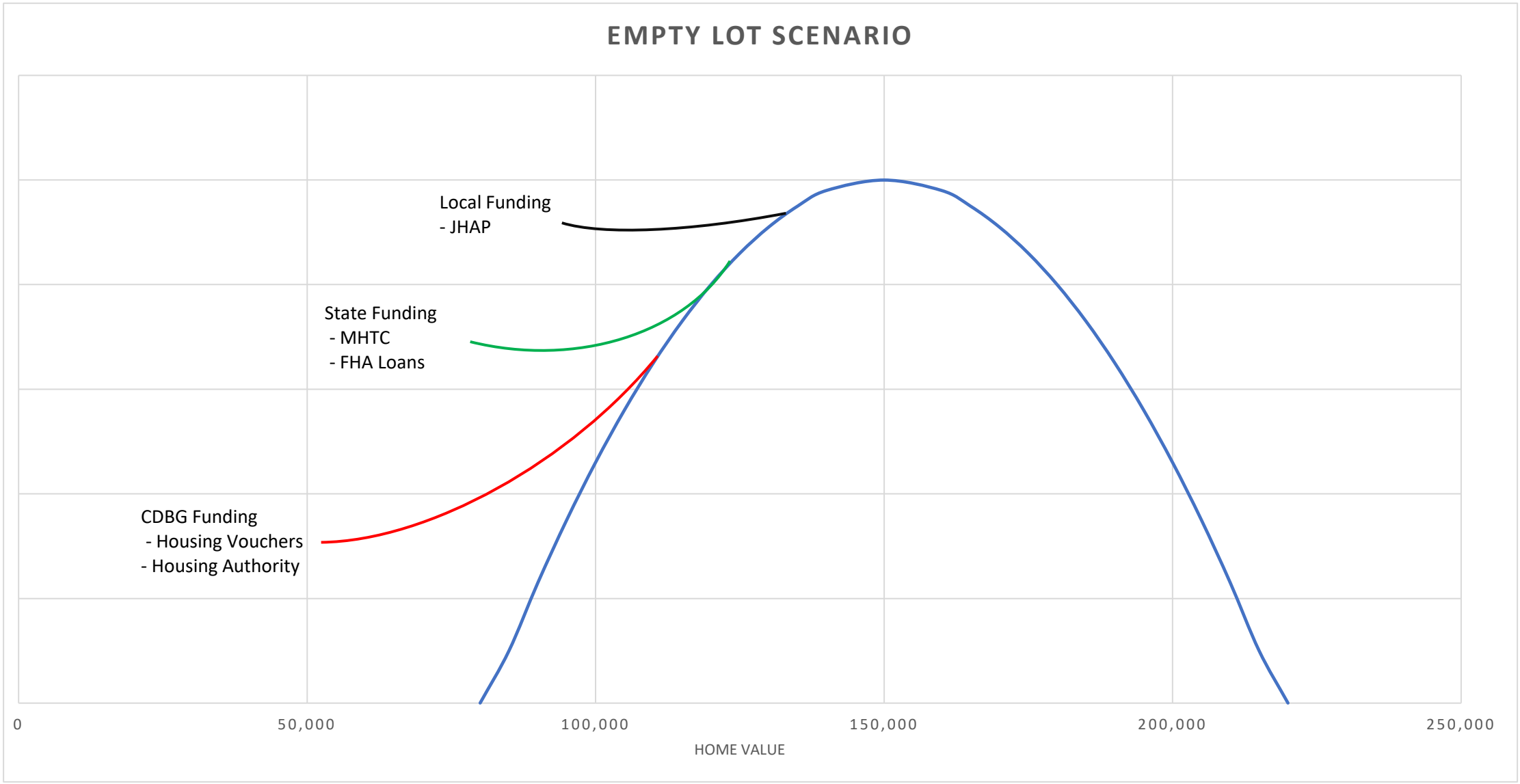

EMPTY LOT SCENARIO
HOUSING STOCK
0
50,000
100,000
150,000
200,000
250,000
HOME VALUE

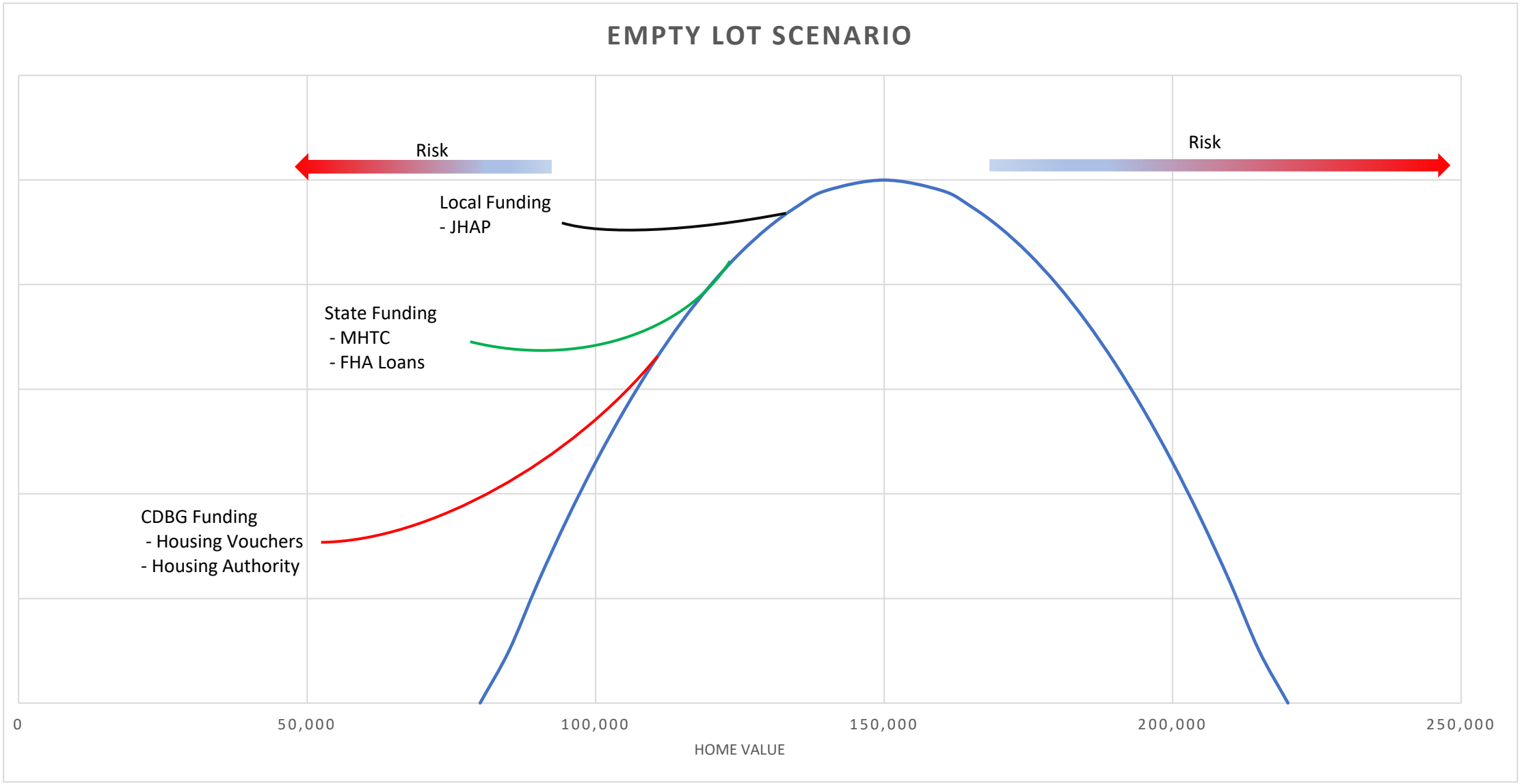
EMPTY LOT SCENARIO




EMPTY LOT SCENARIO
CDBG Funding
- Housing Vouchers
- Housing Authority
0
50,000
100,000
150,000
200,000
250,000
HOME VALUE


EMPTY LOT SCENARIO
State Funding
- MHTC
- FHA Loans
CDBG Funding
- Housing Vouchers
- Housing Authority
0
50,000
100,000
150,000
200,000
250,000
HOME VALUE


EMPTY LOT SCENARIO
Local Funding
- JHAP
State Funding
- MHTC
- FHA Loans
CDBG Funding
- Housing Vouchers
- Housing Authority
0
50,000
100,000
150,000
200,000
250,000
HOME VALUE


EMPTY LOT SCENARIO
Risk
Risk
Local Funding
- JHAP
State Funding
- MHTC
- FHA Loans
CDBG Funding
- Housing Vouchers
- Housing Authority
0
50,000
100,000
150,000
200,000
250,000
HOME VALUE

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Improve appearance of neighborhoods through maintenance of properties.

Strategy 2- Neighborhood Improvement Zone Project:

Action Steps:

a. Form workgroup of city staff to conduct research of program(s) for possible implementation. Review former program as well as conduct new research of similar programs to determine best program parameters to include in new initiative. Establish new processes and procedures for new project to include how to determine zones for focused efforts, neighborhood engagement meetings to receive citizen input into neighborhood concerns and possible solutions, etc. Ensure process design includes required continued dialogue with neighborhoods after new neighborhood zones are selected for focus (staying connected with neighborhoods already in program).
b. Re-establish relationships with neighborhood by working with One Joplin, churches, schools, and other neighborhood anchors active in neighborhood improvement.
c. Work with neighborhood councils to identify new initiatives to positively impact neighborhood ownership and pride (beautification initiatives i.e. house or yard of month, neighborhood clean up days, etc.).
d. Work with neighborhoods to identify city infrastructure needs to improve neighborhood appearance (street lights, sidewalks, street and curb/gutter improvements, etc.)
e. Work with neighborhoods to identify other neighborhood issues requiring city assistance (crime, animal control, etc.).
f. Expand existing and create new relationships with local non-profit and faith-based organizations active in homeowner assistance with home repairs and improvements (Habitat For Humanity, Fuller Housing, etc.). Work with these organizations to target home repairs in declining neighborhoods. Explore additional shared relationships with these organizations to leverage resources (see Action Plan 4- Strengthen Home Repair Program).

Resources Required:

1. Staff time for research of program and program needs.
2. Funding for annual cost (personnel, fringe) of employment of 2 staff (Neighborhood Improvement Officer and Neighborhood Improvement Supervisor)
3. Funding for annual operational costs $25,000.
4. Funding for one-time start-up costs (vehicles, office furniture, phones, etc.).
5. Funding for 0.25 FTE additional court/prosecutor staff.

Total Plan Cost:
Total Additional FTE: 2.25
One Time Costs: $5,000
Staffing Annual Costs: $165,000
Program Annual Costs: $25,000

Desired Benefit/Outcome:

- Stabilize property values.
- Enhance neighborhood pride.
- Improve communication between the City of Joplin and residents.

Improve maintenance of structures and yards.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Improve appearance of neighborhoods through maintenance of properties.

Strategy 3- Review City Codes to identify corrections that would aid in code compliance:

Action Steps:

a. Form workgroup of city staff to review building, housing, health and fire codes for improvements that can be recommended to improve code compliance in neighborhoods to reflect changing trends and to address unique needs. Examples include the growing Airbnb market, and review of issues with deficient lodging establishments located in the city. Some of these reviews are already occurring (see Action Plans for review of Zoning Code, Non-Residential Property Maintenance Code, etc.).
b. Review codes and research other codes.
c. Discuss changes being considered with applicable stakeholders.
d. Present suggested changes to city council.

Resources Required:

1. Staff time to conduct research/review of existing codes.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Eliminate possible code contradictions.
- Align adopted codes with neighborhood improvement vision.
- Update codes to improve efficiency, health and safety.

"Joplin build and rental codes, tenant rights need to be addressed. There are too many slum-lords permitted to profit from unsuitable and unsafe homes, often rented or leased at unreasonable cost, often to desperate families and single people." – Listening Tour Respondent

City of Joplin

Property Maintenance Codes

City of Joplin Current Codes

- 1971 Basic Housing Code – Addresses Residential Structures
- Chapter 26 Article XIII of City of Joplin Code of Ordinances – Addresses Commercial Structures
- Chapter 26 Article X of City of Joplin Code of Ordinances – Addresses Dangerous Buildings

2018 International Residential Code

- This code applies to new work only such as remodels, additions, renovations and new construction.
- This code is enforced through the permitting process and required inspections.
- 2020 was one of the best years on record with over $245 Million in construction projects which included over 8,000 individual inspections performed by the Building Division.

Neighborhood Improvement Division

- Current enforcement of property maintenance is handled through the Neighborhood Improvement Division on a complaint basis.
- In 2020 there were 2,559 cases processed by the Neighborhood Improvement Division. Of these, 52 cases were specifically regarding property maintenance issues, while the remaining cases dealt with other assorted nuisance violations.
- The City of Joplin contains approximately 23,500 individual properties. The goal is for each property to be inspected at least 4 separate times throughout a year. With a staff of three officers, each officer would need to inspect 120 properties per day.

Enforcement of Current Code

- A violation is discovered by either a routine inspection or in response to a complaint.
- A written notice is sent to property owner, tenant, or both, explaining the violation and giving a re-inspection date when the violation must be corrected by.
- If the violation continues and no reasonable attempt to comply has been made, then a ticket is issued, and a case is held at the municipal court level. This is followed by a municipal hearing with the code officers present and may result with either an extension of time to comply, an order to abate, a fine, or possible jail time.

City of Joplin Housing Survey 1993

- Survey included 6,643 of the 23,500 properties in the City.
- The study encompassed 4 census tracts that contained approximately 7.5 square miles.
- Included 5,555 residential dwellings.

Ratings of the survey

- Excellent – No structural deficiencies. Structure appears to be in excellent condition and well maintained.
- Good – Only one structural defect observed. The structure is in good condition with the exception of maintenance needs.
- Questionable – Structural maintenance and some repair is needed.
- Substandard – The structure is habitable but is in need of significant rehabilitation and/or redevelopment.
- Unsound – The structure is in serious need of repair and may be uninhabitable. Demolition of the structure may be necessary.

Survey Results – Nearly 25% of homes were rated either Questionable, Substandard, or Unsound

Condition	Count	Percentage of Total
Excellent	2,941	53.0%
Good	1,317	23.7%
Questionable	627	11.2%
Substandard	532	9.6%
Unsound	138	2.5%
Total	5,555	100%

2005 Adoption of New International Property Maintenance Code

- Several public “City Hall In The Park” events were held.
- The topic was on City Council Meeting Agendas for nearly six months with some sessions lasting well past midnight.
- City Council passed Ordinance #2005-125 on August 15, 2005 adopting the 2000 International Property Maintenance Code with the effective date of November 1, 2005.
- On October 17, 2005 Ordinance #2005-125 was repealed after a referendum petition was collected and validated.

SOUTHWEST MISSOURI RENTAL HOUSING ASSOCIATION

MAY 2005

S.W. MISSOURI RENTAL HOUSING ASSOCIATION Since 1984 P.O. Box 1801 • Joplin, MO 64802

MONTHLY MEETING:
TUESDAY 5/17/05
GRANNY SCHAFFER'S-NORTH RANGELINE ROAD
5:30 DINNER-6:15 GUEST SPEAKER

"2000 INTERNATIONAL PROPERTY MAINTENANCE CODE"
MARK ROHR, CITY MANAGER, CITY OF JOPLIN

THE MOST IMPORTANT MEETING CITY OF JOPLIN PROPOSES TO TAKE AWAY YOUR RIGHTS!

Inside this issue:

WINNER'S CIRCLE AND MEETING SCHEDULES	2
PUSHING BACK HOME OWNERSHIP	2
IMPORTANT DUTIES OF THE LANDLORD	2
2000 PROPERTY MAINTENANCE CODE CONTINUED	3
JOINING OUR ASSOCIATION	3
FORMS AND CREDIT REPORTS	3
DIRECTORS, CODE OF ETHICS, & PURPOSE	4

FAMOUS QUOTES

So long as there are men there will be wars
Albert Einstein

I know not with what weapons World War III will be fought, but World War IV will be fought with sticks and stones.
Albert Einstein

Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty.
John F. Kennedy Inaugural Address Washington, D.C. January 20, 1961

City of Joplin
2000 International Property Maintenance

City of Joplin 4/4/05 Ordinances–First Reading COUNCIL BILL NO. 2005-011 - AN ORDINANCE amending the Joplin City Code by repealing Article XII Housing Code and Article XIII Nonresidential Property Maintenance. of Chapter 26 of the Joplin City Code and enacting a new Article XII, Property Maintenance, of Chapter 26 of the Joplin City Code by adopting the 2000 Edition of the International Property Maintenance Code; making certain revisions thereto; and setting a date when this ordinance shall become effective.

Simplified Partial Summary of the 2000 International Property Maintenance Code

EXTERIOR

The yard area shall be maintained free of accumulations; the yard shall be mowed so that at no time shall the grass exceed 10 inches in height; trees and shrubs must not encroach upon any City right-of-way.

Roof shingles, sheathing and flashing must be weather-tight to eliminate entry of water. Any damaged or missing areas must be replaced.

Gutters and downspouts must be intact and complete and able to carry storm water away from exterior walls and the foundation.

Chimneys must be intact and without missing block, brick or stucco - caps must be in place and properly secured to the chimney.

Wall siding, fascia, soffit, trim boards or other surfaces exposed to the elements must be intact, complete, secure and be properly painted or otherwise protected against deterioration from weathering.

Window glass must be intact and without breaks or cracks and be properly glazed. Frames and sashes must be intact and without rot or other deterioration and sashes must be capable of being held in the open position with hardware designed for such purpose.

Between April 1st and November 1st windows must be supplied with insect screens and exterior doors must be supplied with screen doors with automatic closures.

Exterior doors must be sound, without defects, weather-tight and complete with knobs and security lock.

Porch roofs, ceilings, support columns, floors, steps, handrails, guardrails (if needed) and foundations or piers must be intact, sound and plumb.

Main foundation walls shall be without breaks, faults, missing pieces or out of plumb. Mortar joints shall be complete and intact. Trees growing against the foundation shall be removed.

Address numbers must be on all structures - all numbers shall be Arabic numerals or letters at least 3 inches high and ½ inch stroke.

INTERIOR

All accumulations must be removed from within the structure and properly disposed of.

Ceilings and walls shall be without holes, gaps, cracks or water damage. Plaster patching finish must not be rough. Surfaces must be painted or otherwise protected. Floors must not have holes, gaps, weak or uneven areas. Floor coverings must be complete and undamaged.

CONTINUED ON PAGE 3

Area adoption of the International Property Maintenance Code

- Missouri

Bella Vista, Bethany, Cameron, Clayton, Cuba, Fenton, Farmington, Florissant, Hannibal, Hazelwood, Herculaneum, Hinesville, Hollister, Knob Noster, Lebanon, Loch Lloyd, Mexico, Neosho, Nixa, O'Fallon, Olivette, Pacific, Platte City, Raytown, Rolla, St. Clair, St. Louis, St. Peters, Sikeston, Springfield, Washington

Area adoption of the International Property Maintenance Code

- Kansas

Arkansas City, Beloit, Coffeyville, Fairway, Iola, Kansas City, Lawrence, Manhattan, Mulvane, Olathe, Ottawa, Overland Park, Russell, Topeka, Wichita

- Oklahoma – Statewide

A few things the current code does not include.

- The 1971 Code has no provision regarding the transfer of ownership of a property subject to a violation. However, current ordinance (Article XIV) requires that every structure owned by an out-of-town party, must register that structure (residential and commercial) with the city along with the name and contact information of the selected property agent.

A few things the current code does not include.

- The IPMC has a separate publication that provides guidance regarding the enforcement of the Code and the proper interpretation of the individual provisions, as well as inspectors certifications with required CEU'S. The 1971 has nothing like this.

A few things the current code does not include.

- The IPMC is reviewed by attorneys and is constitutionally up to date in regard to the most recent pronouncements relating to search and seizure. The 1971 Code is now 49 years old.

Housing Characteristics (1990, 2000, 2010)

	Total Housing Units	Occupied Units	Owner Occupied	Renter Occupied	Vacant
1990	19,403	17,488	54.5%	35.6%	9.9%
2000	21,328	19,101	51.5%	38.0%	10.5%
2010	23,336	20,339	57.2%	37.2%	5.6%

ARTICLE XIII. - NONRESIDENTIAL PROPERTY MAINTENANCE[13]

Footnotes:

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Note— See the editor's note to Art. XII of this chapter.

DIVISION 1. - GENERALLY

Sec. 26-711. - Purpose of article.

The purpose of this article is to promote the health, safety, convenience, comfort, morals, prosperity and general interest, and welfare of the citizens of the city by establishing minimum standards and requirements for the maintenance of the exterior of nonresidential buildings and the premises they occupy.

(Code 1977, § 9-200)

Sec. 26-712. - Scope of article.

(a) The provisions of this article shall apply to every building and its premises used in whole or in part for nonresidential occupancy.

(b) This article establishes minimum standards for the maintenance of the exterior of buildings and grounds surrounding such buildings. This article does not replace or modify standards otherwise established by law for construction, replacement or repair of buildings and their grounds, but is cumulative of such standards and shall apply in addition to them.

(Code 1977, § 9-201)

Sec. 26-713. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building or structure means a detached building or structure used in a secondary or subordinate capacity to the main or principal building or structure on the same premises.

Approved means approved by the director, or his predecessor, as defined in rules and regulations.

Automobile establishment means any business dealing exclusively with the servicing, maintenance, repair, storage, wrecking or salvaging of motor vehicles.

Board means the building board of appeals.

Department means the department of public works of the city.

Deterioration means the condition of a building or part thereof characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive wear.

Director means the director of public works or an authorized subordinate representative.

Extermination means the control and extermination of insects, rodents or other pests by any legal pest elimination method.

Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking, serving and nonconsumption of food.

Nonresidential property means any land or structure, whether public or private, that is adapted, used or occupied for purposes other than residential use.

Operator means any person who owns or has charge, care, control or management of a nonresidential property, or part thereof, and shall include a lessee.

Owner means any person who, alone or jointly or severally with others:

(1) Shall have legal title to nonresidential property, with or without accompanying actual possession thereof;

(2) Shall have charge, care or control of any nonresidential property as owner or as agent or personal representative of the owner; or

(3) Shall have possession or right to possession under a contract for deed.

Premises means a lot, plot or parcel of land, including all buildings or structures thereon.

Refuse means unwanted or discarded waste materials, in a solid or semisolid state, consisting of garbage, rubbish or a combination thereof.

Rubbish means solid wastes consisting of combustible and noncombustible waste materials from apartments and commercial, industrial and institutional establishments, including wastes and items commonly referred to as trash.

Weathering means deterioration, decay or damage caused by exposure to the elements.

(b) The definitions contained in sections 26-91 and 26-92 shall apply equally to this article, insofar as the context of this article may require.

(Code 1977, § 9-202)

Cross reference— Definitions generally, § 1-2.

Sec. 26-714. - Violations.

(a) It shall be unlawful for any person to:

(1) Use, occupy, operate, maintain, rent or let to another for occupancy any premises which fail to comply with the requirements of sections 26-791 through 26-793, 26-801 and 26-802, or cause or permit such acts to be done.

(2) Permit a building which has been temporarily closed to remain vacant and unrepaired for more than 180 days after the date of issuance of the closing or for more than 90 days after the expiration of any permit issued pursuant to section 26-627 of the Joplin City Code.

(3) Fail, neglect or refuse to obey any subpoena or final order of the building board of appeals.

(b) Every day that a violation continues shall be considered a separate offense, for which the violator may be arrested, tried and convicted without necessity for further notice.

(Code 1977, § 9-203; Ord. No. 2003-023, § 3, 2-17-03)

Sec. 26-715. - Penalty.

(a) Any person convicted of a violation of this article shall be punished for that violation by a fine of not less than $25.00, but not more than $500.00, or by imprisonment for not more than 100 days, or by

both such fine and imprisonment. All fines imposed shall be in accordance with the minimum fine schedule set out in subsection (c) of this section.

(b) Every day that a violation continues shall be considered a separate offense, for which the violator may be arrested, tried and convicted without necessity of further notice.

(c) Whenever the penalty is to be a fine or a fine and imprisonment, the fine shall be no less than the minimum amount set out in the following schedule:

First offense ..... $ 25.00

Second offense 50.00

Third offense 250.00

Fourth offense 400.00

Fifth offense 500.00

In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded or been found guilty of violating the same minimum standard at the same location.

(Code 1977, § 9-204)

Sec. 26-716. - Authority to prescribe additional regulations.

The director is authorized to make and promulgate reasonable and necessary rules and regulations to carry out provisions of this article. All such rules and regulations shall be filed in the office of the city clerk.

(Code 1977, § 9-205)

Secs. 26-717—26-730. - Reserved.

DIVISION 2. - ENFORCEMENT

Sec. 26-731. - Generally.

The director is hereby authorized and directed to administer and enforce all the provisions of this article. He shall cause periodic inspections to be made of premises to secure compliance with the requirements of this article.

(Code 1977, § 9-228)

Sec. 26-732. - Consent required for entry by enforcement officer; exceptions.

Whenever necessary to make an inspection or enforce any of the provisions of this article, the director may enter the premises at any reasonable time after consent for such entry has been requested and obtained from an owner, tenant or lessee of adult age. The director is authorized to enter the premises without consent to make an inspection or enforce any of the provisions of this article only when an emergency exists as prescribed by section 26-733 or when the premises are abandoned.

(Code 1977, § 9-229)

Sec. 26-733. - Emergency orders.

Whenever an emergency exists which requires immediate action to protect the public health, safety or welfare, the director may issue an immediate order directing the owner, occupant or other person in charge of the building to take such action as is necessary to correct or abate the emergency; or, if circumstances warrant, the director may act to abate or correct it. An emergency order shall be in lieu of the notice and order.

(Code 1977, § 9-230)

Sec. 26-734. - Inspection report.

In areas designated by the city for systematic code enforcement, the owner or occupant may first be given an inspection report listing the deficiencies found on the premises and requesting that the deficiencies be eliminated within a stated period of time, not to exceed 180 days. Such an inspection report shall also state that, if the deficiencies are not eliminated, a notice and order will be issued.

(Code 1977, § 9-231)

Sec. 26-735. - Service of notice and order.

Except in emergency cases, the director shall issue a notice and order stating the deficiencies found on the premises, identifying them as violations of this article and ordering the owner or occupant to correct such violations. This notice and order shall:

(1) Be in writing;

(2) Set forth the alleged violations of this article;

(3) Describe the premises where the violations are alleged to exist or to have been committed;

(4) Specify a period of 30 days for the correction of any violation alleged and advise the owner or occupant of his right to appeal;

(5) Be served upon the owner or occupant of the premises by delivery of a copy of the notice and order to him personally or by leaving such a copy at his usual place of abode with a member of the family over the age of 15 years, or by mail addressed to the owner or occupant or agent thereof. If one or more persons to whom such notice and order is addressed cannot be found after diligent effort to do so, service may be made upon such persons by posting the notice and order in or about the premises described in the notice and order and by causing such notice and order to be published in a newspaper of general circulation.

(Code 1977, § 9-232)

Sec. 26-736. - Extension of time for compliance.

If evidence of repair or improvements which will eliminate the deficiencies listed in the notice and order provided for in this division is found by the director at the time of the re-inspection, he may allow an extension of time not to exceed 120 days, provided he determines the extension of time will not create or perpetuate a situation imminently dangerous or deteriorating to life or property.

(Code 1977, § 9-233)

Sec. 26-737. - Failure to comply with order.

At the end of the period of time allowed for the correction of any violation alleged, the director shall re-inspect the premises. If, upon re-inspection, the violations are determined by the director not to have been corrected, the director shall initiate legal proceedings in municipal court or shall order the premises vacated within 30 days, or both, unless a valid extension of time has been granted.

(Code 1977, § 9-234)

Secs. 26-738—26-750. - Reserved.

DIVISION 3. - TEMPORARY CLOSING OF BUILDINGS

Sec. 26-751. - Issuance of order to vacate.

Whenever the director finds that any occupied building or structure contains a condition which may endanger or materially impair the health, safety or well-being of an occupant and which violates this article, he may declare such structure unfit for human occupancy and order it to be vacated immediately and remain so until its certificate of reoccupancy is issued. Such order shall list the conditions which render the premises unfit for human occupancy and establish a time within which the building shall be repaired.

(Code 1977, § 9-235)

Sec. 26-752. - Violations rendering structure unfit for human occupancy.

Any one or more violations of division 5 of this article may be considered as conditions which may endanger or materially impair the health, safety or well-being of an occupant.

(Code 1977, § 9-236)

Sec. 26-753. - Service of order to vacate.

An order to vacate shall be served upon the owner and the occupants of the premises. Service of an order to vacate shall be in the same manner as provided in division 2 of this article for service of the notice and order.

(Code 1977, § 9-237)

Sec. 26-754. - Posting of order to vacate.

(a) Every order to vacate issued in accordance with this article shall be posted at or upon each exit of the building or structure and shall include the list of conditions which render the premises unfit for human occupancy. The order shall be substantially in the following form:

DO NOT ENTER
UNSAFE TO OCCUPY

The following conditions render these premises unfit for human occupancy:

It is a misdemeanor to occupy or permit any person to occupy this building or to remove or deface this notice.

Director of Public Works of City of Joplin, Missouri

(b) Such order shall not be removed or defaced after it is posted except with the knowledge and consent of the director.

(Code 1977, § 9-238)

Sec. 26-755. - Compliance with order to vacate; occupancy of posted structure.

(a) The building or structure shall be repaired within the time specified by the director, or it shall be temporarily closed in accordance with this article. No person shall occupy, remain in or enter any building which has been so posted, or allow or permit such entry or occupancy by any other person, until conditions necessitating the posting have been remedied; except that entry may be made to repair, demolish or remove such building under permit.

(b) Upon repair of any building or structure which has been posted by the director under section 26-754, an inspection shall be requested of and made by the director. If such building is determined to be fit for human occupancy, a certificate of reoccupancy so stating shall be issued.

(Code 1977, § 9-239)

Sec. 26-756. - Standards for closing building.

(a) *Temporary closing.*

(1) All buildings and structures which are temporarily closed as a result of an order of vacation by the director shall be closed and kept closed until the building or structure complies with the building code and this article or is demolished, in accordance with the following standards:

a. All exterior openings are to be closed.

b. Materials missing or broken shall be replaced by similar construction or may be replaced by solid wood construction of exterior grade plywood at least one-half inch thick.

c. Materials approved by the director may be used which provide equivalent protection to the building from those attempting to gain entrance.

d. Any materials used to close openings in exterior walls or open buildings shall be neatly installed in a manner substantially in accordance with recognized levels of workmanship for the building construction industry.

e. The roof shall be made watertight.

f. All loose and hanging exterior parts shall be removed.

g. All debris from the interior and exterior of the premises shall be removed.

(2) No building temporarily closed shall remain vacant and unrepaired for more than 150 days.

(3) If a building, temporarily closed as the result of an order of vacation by the director, remains closed in excess of one hundred fifty (150) days, a dangerous building case shall be initiated against the structure to determine whether the structure should be demolished or the owner of the structure may make application for a permit as provided by section 26-627 of the Joplin City Code subject to the conditions therein.

(4) If a building, temporarily closed as a result of an order of vacation by the director, is not closed and kept closed in accordance with the standards set forth in this subsection, a dangerous building case may be initiated against the structure to determine whether the structure should be demolished.

(b) *Voluntary indefinite closing.* All buildings and structures that do not meet the criteria for a permit as provided by section 26-627 of the Joplin City Code and that are voluntarily closed for an indefinite period shall be closed and kept in accordance with the following standards:

(1) A permit shall be obtained before commencement of work.

(2) All exterior openings are to be closed.

(3) Materials missing or broken shall be replaced by similar construction or may be replaced by solid wood construction of exterior grade plywood at least one-half inch thick.

(4) Materials approved by the director may be used which provide equivalent protection to the building from those attempting to gain entrance.

(5) Any materials used to close openings in exterior walls or open buildings shall be neatly installed in a manner substantially in accordance with recognized levels of workmanship for the building construction industry.

(6) All plywood shall be painted with two coats of exterior paint.

(7) The building or structure shall be baited for roaches and rodents.

(8) The roof shall be made watertight.

(9) All loose and hanging exterior parts shall be removed.

(10) All debris from the interior and exterior of the premises shall be removed.

(Code 1977, § 9-240; Ord. No. 2003-023, § 4, 2-17-03)

Secs. 26-757—26-770. - Reserved.

DIVISION 4. - APPEALS

Sec. 26-771. - Generally.

Any person entitled to be served with a notice and order under section 26-735 shall have the right to appeal in writing to the building board of appeals from any order or action of the director taken in the enforcement of this article. An appeal shall be in such form and shall contain such information as the board may by regulation require.

(Code 1977, § 9-241)

Sec. 26-772. - Scope of appeal.

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of an appeal under this division.

(Code 1977, § 9-242)

Sec. 26-773. - Filing of appeal.

Every appeal under this division shall be in writing and shall be filed by delivery to the office of the director within ten days from the date of the service of the order or the action appealed from.

(Code 1977, § 9-243)

Sec. 26-774. - Failure to appeal.

Failure of a person entitled to appeal under this article either to make appeal or to timely file his appeal shall constitute a waiver of his right to an administrative hearing and adjudication of his complaint, and such person shall be estopped to deny the validity of any order or action of the director which could have been timely appealed.

(Code 1977, § 9-244)

Sec. 26-775. - Stay of order pending appeal.

Except for orders to vacate and emergency orders, the timely filing of an appeal to the board under this division shall stay enforcement of the order appealed from until the appeal is finally determined by the board.

(Code 1977, § 9-245)

Secs. 26-776—26-790. - Reserved.

DIVISION 5. - MINIMUM ENVIRONMENTAL REQUIREMENTS

Subdivision I. - In General

Sec. 26-791. - Sanitation.

(a) All exterior property areas shall be maintained in a clean and sanitary condition and free from any accumulation of rubbish, trash, garbage or other noxious or offensive materials. The storage, collection and disposal of refuse shall be in accordance with chapter 102, pertaining to solid waste.

(b) Every operator shall furnish and maintain approved devices, equipment or facilities necessary to keep his premises safe and sanitary.

(Code 1977, § 9-206)

Sec. 26-792. - Insect and rodent control.

(a) Building and exterior property areas shall be kept free from insect and rodent infestation. Where insects or rodents are found, they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

(b) All nonresidential property shall be in compliance with chapter 62, article VI, pertaining to vector control.

(Code 1977, § 9-207)

Sec. 26-793. - Dock areas, stairs, porches and handrails.

(a) Every dock area, stair and porch shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected. They shall be maintained in sound condition and good repair. Treads and risers that evidence excessive wear or are broken, warped or loose shall be replaced. Where required for safety, an approved handrail shall be installed.

(b) All dock areas, stairs, porches and handrails shall be in compliance with all requirements, including prescribed loads, of article IV of this chapter.

(Code 1977, § 9-208)

Secs. 26-794—26-800. - Reserved.

Subdivision II. - Exterior Property Areas

Sec. 26-801. - Grading and drainage.

All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon.

(Code 1977, § 9-209)

Sec. 26-802. - Sidewalks, driveways and parking spaces.

Sidewalks and driveways shall be maintained in a safe and approved condition, and parking spaces shall be maintained in accordance with chapter 114 and the city zoning ordinance.

(Code 1977, § 9-210)

Sec. 26-803. - Noxious weeds.

All exterior property areas shall be subject to the requirements of chapter 54, article II, division 2, pertaining to weeds.

(Code 1977, § 9-211)

Sec. 26-804. - Hazardous or unsanitary conditions.

The exterior of the premises and all structures thereon shall be kept free of all hazards to the safety of occupants, pedestrians and other persons utilizing the premises, and free of unsanitary conditions.

(Code 1977, § 9-212)

Sec. 26-805. - Storage of wrecked or unlicensed motor vehicles.

Except where permitted by the terms of another law or ordinance, no wrecked or unlicensed motor vehicles shall be stored in the open on any nonresidential property, nor shall any such vehicle at any time be in any state of major disassembly or disrepair, nor shall it be in the process of being repaired, stripped or dismantled except in an automobile establishment. Emergency repairs to any currently licensed vehicle shall be permitted in order to permit such vehicle to be removed from the premises.

(Code 1977, § 9-213)

Sec. 26-806. - Accessory structures.

Accessory structures on the premises shall be structurally sound, and be maintained in good repair, or such structure shall be removed from the premises. The exterior of such structure shall be made weather resistant.

(Code 1977, § 9-214)

Sec. 26-807. - Fences and retaining walls.

All fences and retaining walls on the premises shall be structurally sound and constructed of approved materials. They shall be maintained so that they do not constitute a blighted influence or an element leading to the progressive deterioration and downgrading of neighborhood property value.

(Code 1977, § 9-215)

Secs. 26-808—26-820. - Reserved.

Subdivision III. - Building Exteriors

Sec. 26-821. - Foundations, walls and roofs.

Every foundation, exterior wall and roof and all other exterior surfaces shall be maintained in an approved state of maintenance, and all exterior surface materials must be protected against weathering and must be kept in repair. The foundation element shall adequately support the building at all points.

(Code 1977, § 9-216)

Sec. 26-822. - Exterior walls.

Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building.

(Code 1977, § 9-217)

Sec. 26-823. - Roof.

The roof shall be structurally sound and tight, and shall not admit rain, and drainage shall be sufficient to carry water away from the roof. All downspouts and gutters shall be kept in good repair.

(Code 1977, § 9-218)

Sec. 26-824. - Windows, doors and hatchways.

(a) *Generally.* Every window, exterior door and basement hatchway shall be tight and maintained in sound condition and good repair and prevent the entrance of rodents, rain and surface drainage water into the structure.

(b) *Windows.* Every window shall be maintained in good condition, and fit tightly within its frame so as to exclude wind and rain as completely as possible from entering the structure. All windows shall be fully supplied with glass windowpanes, or an approved substitute, without open cracks or holes. Every other opening located within four feet of ground level shall be protected against the possible entry of insects and rodents.

(c) *Doors.* Every exterior door shall be maintained in good condition, and when closed shall fit well within its frame so as to exclude wind and rain as completely as possible from entering the dwelling or structure. Every door hinge and door latch shall be maintained in good condition.

(Code 1977, §§ 9-219—9-221)

Sec. 26-825. - Obstruction of exits.

There shall be no obstructions to or of fire escapes, stairs or ladders which may be used as escapes likely in the event of fire to interfere with the operation of the fire department or of the safety and ready egress of the occupants.

(Code 1977, § 9-222)

Sec. 26-826. - Permanent signs.

(a) All permanent signs and billboards exposed to public view, together with their supporting members, shall be maintained in good repair. Any signs which have excessively weathered or faded, or those upon which the paint has excessively peeled or cracked, shall, with their supporting members, be removed forthwith or put into a good state of repair.

(b) The provisions of this section shall apply in addition to the requirements of any other ordinance or law relating to permanent signs and billboards, and shall be cumulative thereof.

(Code 1977, § 9-223)

Sec. 26-827. - Display windows.

All display windows or storefronts constructed of plate glass or other transparent material shall be kept clean and free of cracks, and no storage other than organized displays shall be permitted therein unless shielded from public view.

(Code 1977, § 9-224)

Sec. 26-828. - Storefronts.

All storefronts shall be kept in good repair, shall be protected from weathering and shall not constitute a safety hazard or nuisance. If repairs to a storefront become necessary, such repairs shall be made with the same or similar materials used in the construction of the storefront in such a manner as to permanently repair the damaged areas. Any cornice visible above a storefront shall be protected from weathering and kept in good repair.

(Code 1977, § 9-225)

Sec. 26-829. - Awnings and marquees.

Awnings and marquees, including all fascias and soffits and structural overhangs or canopies, and their accompanying structural members shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. If such awnings or marquees are made of cloth, plastic or similar materials, they shall be maintained in good condition and shall not show evidence of excessive weathering, discoloration, ripping, tearing or other holes. Nothing in this section shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

(Code 1977, § 9-226)

Sec. 26-830. - Temporary signs.

Except for "For Rent" and "For Sale" signs, and except as otherwise provided in chapter 6, pertaining to advertising and signs, any temporary sign or advertising material glued or otherwise attached to a window or otherwise exposed to public view shall be removed:

(1) At the expiration of the event or sale for which it is erected; or

(2) Within 60 days after erection, whichever shall occur first.

(Code 1977, § 9-227)

Secs. 26-831—26-850. - Reserved.

CODE COMPARISON SHEET



Basic Housing Code 1971 VS. International Property Maintenance Code

	H-101 Title: For dwellings and multi-family dwellings. This code shall be known as the Minimum Housing Standards Code for dwellings and multi-family dwellings and is herein referred to as the Housing Code or "this code"	**101.1 Title:** These regulations shall be known as the *Property Maintenance Code* of (NAME OF JURISDICTION), hereinafter referred to as "this code"
	The Basic Housing Code of 1971 does not include a transfer of ownership section. However, City of Joplin ordinance (Article XIV) requires that every structure owned by an out of town owner must be registered along with a local property manager with the City of Joplin.	**107.5 Transfer of Ownership:** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

	H-101.1 Purpose: The purpose of this code is to protect for the public health, and safety welfare in buildings used for dwelling purposes. 1- Establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and location; and for safe and sanitary maintenance; for cooking equipment in all dwellings and multi-family dwellings now in existence; 2- Fixing the responsibilities of owners, operators, and occupants of dwellings and multi-family dwellings; 3- Providing for administration, enforcement and penalties.	**101.2 Scope:** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. **101.3 Intent:** This code shall be constructed to secure its expressed intent, which is to ensure public health, safety, and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.
	H-120.12 Administrative Liability: Except as may otherwise be provided by statute or local laws or ordinance, no officer, agent or employee of the municipality charged with the enforcement of the housing code shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this code. No person who institutes, or assists in the prosecution of, a criminal proceeding under this code shall be liable to damages hereunder unless he acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any suit brought against any officer, agent, or employee of the municipality as a result of any act required or permitted in the discharge of his duties under this code, shall be defended by the legal representative of the municipality until the final determination of the proceedings therein.	**103.5 Liability:** The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. **103.6 Fees:** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. (JURISDICTION TO INSERT APPROPRIATE SCHEDULE)

	H-130.2 Structures Unfit for Human Occupancy: Whenever the building official finds that any dwelling or multi-family dwelling constitutes a hazard to the safety, health, welfare of the occupants or to the public because it lacks maintenance; or is in disrepair, unsanitary, vermin-infested or rodent-infested; or because it lacks the sanitary facilities or equipment, or otherwise fails to comply with the minimum provisions of this code, but has not yet reached such state of complete disrepair as to be condemned as a dangerous structure as hereinbefore provided, he may declare such dwelling or multi-family dwelling as UNFIT FOR HUMAN HABITATION and order it to be vacated. If any dwelling or multi-family dwelling or any part thereof is occupied by more occupants than permitted under this code, or was erected, altered or occupied contrary to law, such dwelling or multi-family dwelling shall be deemed an unlawful structure and the building official may cause such dwelling to be vacated. It shall be unlawful to again occupy such dwelling until it or its occupation, as the case may be, has been made to conform to the law.	**108.1.1 Unsafe Structures:** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible. **108.1.2 Unsafe Equipment:** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.
	H-130.32 Form of Notice: Whenever the building official has declared a dwelling of multi-family dwelling as unfit for human habitation, he shall give notice to the owner of such declaration and placarding to the dwelling or multi-family dwelling as unfit for human habitation. Such notice shall: 1- Be in writing; 2- Include a description of the real estate sufficient for identification; 3- Include a statement of the reason or reasons why it is being issued; 4- State the time to correct the conditions; 5- State the time occupants must vacate the dwelling units.	**108.4 Placarding:** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the work “Condemned” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. **108.5 Prohibited Occupancy:** Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

229 - Cases processed in 2020	**H-310.1 Sanitation:** All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage.	**302.1 Sanitation:** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
0 - Cases processed in 2020	**H-310.2 Grading and Drainage:** All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon.	**302.2 Grading and Drainage:** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.
Not Currently Enforced	**H-323.9 Sidewalk:** Every dwelling shall have a hard surfaced, dust proof, walk at least 30" wide from the property line to the residence, or connecting the residence to a hard-surfaced drive.	**302.3 Sidewalks and Driveways:** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
1687 – Cases processed in 2020	**H-310.3 Noxious Weeds:** All exterior property areas shall be kept free from species of weeds or plant growth which are noxious or detrimental to the public health.	**302.4 Weeds:** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided: however, this term shall not include cultivated flowers and gardens.
Currently Handled Through Health Department	**H-310.4 Insect and Rodent Harborage:** Every owner of a dwelling or multi-family dwelling shall be responsible for the extermination of insects, rodents, vermin, or other pests in all exterior areas of the premises; except that the occupant shall be responsible for such extermination in the exterior areas of the premises of a single-family dwelling. Whenever infestation exists in the shared or public parts of the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.	**302.5 Rodent Harborage:** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
11 – Cases processed in 2020	**H-310.5 Accessory Structures:** All accessory structures including detached garages shall be maintained structurally sound and in good repair.	**302.7 Accessory Structures:** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

134 – Cases Processed in 2020	**Sec.54-35** The maintaining using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive. **(20) Abandoned objects or equipment:** Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers etc….	**302.8 Motor Vehicles:** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. **Exception:** A vehicle of any type is permitted to undergo major overhaul, including body of work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
1 – Case Processed in 2020	**Sec. 82-233 Graffiti as nuisance:** (A) The existence of graffiti on public or private property in violation of this article is expressly declared to be a public nuisance and, therefore, is subject to the removal and abatement provisions specified in this article. (B) It is the duty of both the owner of the property to which the graffiti has been applied and any person who may be in possession or who has the right to possess such property to at all times keep the property clear or graffiti.	**302.9 Defacement of Property:** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.
Not currently enforced	**H-320.1** All exterior wood and metal surfaces not inherently weather resistant shall be protected with an approved protective coating free of blisters, cracks, or peeling.	**303.2 Protective Treatment:** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion an all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

Not currently enforced	**H-321.0 Foundations, Walls and Roof:** Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude rodents.	**303.4 Structural Members:** All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.
Not currently enforced	**H-321.1 Foundations:** The foundation elements shall adequately support the building at all points.	**303.5 Foundation Walls:** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.
Not currently enforced	**H-321.2 Exterior Walls:** Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, or any other conditions which might admit rain or dampness to the interior portions of the walls.	**303.6 Exterior Walls:** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Not currently enforced	**H-321.3 Roofs:** The roof shall be structurally sound, tight, and have no defects which might admit rain; and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building.	**303.7 Roofs and Drainage:** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. **303.8 Decorative Features:** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition
Not currently enforced	**H-322.0 Stairs, Porches and Railings:** Stairs and other exit facilities shall be adequate for safety as provided in the building code and shall comply with the following subsections.	**303.10 Stairways, Decks, Porches and Balconies:** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
Not currently enforced	**H-322.2 Handrails:** A protective railing shall be required on any unenclosed structure, such as, a stair landing on porch 5' or more above the ground and every exterior stair containing 4 risers or more must have a handrail properly installed and sufficiently anchored to safely serve the purpose for which it is installed. Where any occupant of a residence is etc…	**303.12 Handrails and Guards:** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

Not currently enforced	**H-323.0 Windows, Doors and Hatchways:** Every window, exterior door and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.	**303.13 Windows, Skylights and Door Frames:** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Not currently enforced	**H-323.1 Windows to be Glazed:** Every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware. **H-323.2 Windows to be tight:** Every window sash shall be in good condition and fit reasonably tight within its frame.	**303.13.1 Glazing:** All glazing materials shall be maintained free from cracks and holes.
Not currently enforced	**H-323.3 Windows to be Openable:** Every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware.	**303.13.2 Openable Windows:** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
Not currently enforced	**H-323.4 Door Hardware:** Every exterior door, door hinge, and door latch shall be maintained in good condition. **H-323.5 Doors to Fit in Frame:** Every exterior door, when closed, shall fit reasonably well within its frame. **H-323.6 Window and Door Frames to Fit in Wall:** Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from etc….	**303.15 Doors:** All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.
Not currently enforced	**H-323.7 Basement or Cellar Hatchways:** Every basement or cellar hatchway shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage water.	**303.16 Basement Hatchways:** Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.
Not currently enforced	**H-324.0 Screening:** Guards and screens shall be supplied for protection against rodents and insects in accordance with the following requirements. **H-324.2 Insect Screens:** From June 1st to October 15th of each year every door opening directly from any dwelling or multi-family dwelling to the outdoors, and every window or other outside opening used for ventilation purposes, shall be etc…..	**303.14 Insect Screens:** During the period from (Date) to (Date), every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good etc…

Not currently enforced	**H-324.1 Guards for Basement Windows:** Every basement or cellar window which is openable shall be supplied with corrosion perforated steel sheets, or No. 20 B&S gage aluminum, or No. 16 U.S. gage expanded metal or wire mesh screens, with not more than one-half (1/2) inch mesh openings; or with other material affording equivalent protection against the entry of rodents, including storm windows.	**303.17 Guards of Basement Windows:** Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.
Not currently enforced	**H-330.0 Interior Structure** No person shall occupy as owner-occupant or let to another for occupancy, any dwelling, multi-family dwelling, dwelling unit, rooming house, rooming unit, or portion thereof, for the purpose of living therein which does not comply with the following requirements.	**304.1 Interior Structure** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.
Not currently enforced	**H-332.0 Structural Members:** The supporting structural members of every dwelling and multi-dwelling used for human habitation and every structure on the premises shall be maintained structurally sound, showing no evidence of deterioration which would render them incapable of carrying the imposed loads in accordance with the provisions of the building code.	**304.2 Structural Members:** All structural members shall be maintained structurally sound and be capable of supporting the imposed loads.
Not currently enforced	**H-333.0 Interior Stairs and Railings** Stairs shall be provided in every dwelling, multi-family dwelling, rooming and boarding house as required by the building code.	**304.4 Stairs and Walking Surfaces:** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.
Not Currently Enforced	**H-333.1 Maintained in Good Repair:** All interior stairs of every structure used for human habitation shall be maintained in sound condition and good repair by replacing treads and risers that evidence excessive wear or are broken, warped or loose. Every inside stair shall be so constructed and maintained as to be safe to use and capable of supporting a load as required by the provisions of the building code.	**304.3 Interior Surfaces:** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

Not Currently Enforced	**H-333.2 Interior Handrails:** Every stairwell and every flight of stairs, which is more than two (2) risers high, shall have handrails or railings located in accordance with the provisions of the building code. Every handrail or railing shall be firmly fastened and must be maintained in good condition. Properly balustraded railings, capable of bearing normally imposed loads as required by the building code, shall be placed on the open portions of stairs, balconies, landings and stairwells.	**304.5 Handrails and Guards:** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
Not Currently Enforced	**H-333.3 Interior Walls, Floors, Ceilings, Doors and Trim:** Every interior wall, ceiling, and floor or parts of shall be maintained in sound condition and good repair, free of any holes, cracks, loose plaster or other defects that would provide access for insects or rodents. All interior surfaces shall be finished with wallpaper, paint or other accepted material so as to be easily cleaned, reasonably smooth, clean and tight. Etc….	**304.6 Interior Doors:** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.
Currently Handled Through Health Department	**H-336.0 Insect and Rodent Harborage:** All buildings shall be kept free from rodent infestation, and where insects or rodents are found they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation. **H-336.1 Extermination from Buildings:** Every owner of a dwelling or multi-family dwelling, shall be responsible for the extermination of insects, rodents, vermin, or other pests whenever infestation exists in two (2) or more of the dwelling units. Or in the shared or public parts of the structure.	**306.1 Infestation:** All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.
Currently Handled Through Health Department	**H-336.3 Responsibility of Owner:** Notwithstanding the foregoing provisions, whenever infestation of rodents is caused by a failure of the owner to maintain any dwelling or multi-family dwelling in a rodent-proof condition, extermination of such rodents shall be the responsibility of the owner.	**306.2 Owner:** The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

Not currently enforced	**H-401.0 Sanitary Facilities:** The following minimum sanitary facilities shall be supplied and maintained in sanitary, safe working condition.	**403.2 Bathrooms and Toilet Rooms:** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be re-circulated. **403.3 Cooking facilities:** Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.
Not currently enforced	**H-401.1 Water Closet:** Every dwelling unit shall contain within its walls, a room, separate from the habitable rooms, which affords privacy, and which is equipped with a water closet. **H-401.2 Lavatory** Every dwelling unit shall contain a lavatory, which, when a closet is required, shall be in the same room with said water closet.	**404.4.3 Water Closet Accessibility:** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.
Not currently enforced	**H-402.1 Water Heating Facilities:** Every dwelling unit shall be supplied with water heating facilities which are installed connected with hot water lines to the fixtures required to be supplied hot water under section H-402. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, and laundry facility or other similar units, at a temperature of not less than one hundred thirty (130) degrees Fahrenheit at any time needed.	**505.4 Water Heating facilities:** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120 Degrees Fahrenheit. A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Not currently enforced	**H-403.0 Heating Facilities:** Every dwelling and multi-family dwelling shall have heating facilities and the owner of the heating facilities shall be required to see that they are properly installed, safely maintained and in good working condition at all times, and that they are capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms located therein so that an even, comfortable temperature may be maintained at not less than 70 degrees Fahrenheit at 3' above the floor in subzero weather. From November 1, until June 1, and from 6:00 A.M. until midnight in every dwelling unit and/or rooming until when the control of supplied heat is the responsibility of a person other than the occupant, a temperature of at least 70 degrees Fahrenheit shall be maintained in all habitable rooms, bathrooms, and water closet compartments at a distance of three feet above the floor level. **H-403.1 Operation of Heating Facilities and Incinerators:** Every heating or water heating facility and incinerator shall be installed and shall operate in accordance with the requirements of the building code or the air pollution control ordinances of the municipality.	**602.2 Residential Occupancies:** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees Fahrenheit in all habitable rooms, bathrooms and toilet rooms based on winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section. **602.3 Heat Supply:** Every owner and operator of any building who rents leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from (Date) to (Date) to maintain a temperature of not less than 65 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. **Exception:** When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
Not currently enforced	**H-414.0 Electrical Outlets and Fixtures:** All outlets and fixtures shall be installed, maintained and connected to the source of electric power in accordance with the **provisions of the building code** or the electrical code of the municipality, providing for adequate service, proper fusing, and sufficient outlets. All improper wiring or insulation deterioration or damage or any other hazardous condition shall be corrected. **H-434.0 Electrical Outlets Required:** Where there is electric service available, within 150 feet of the premises on which there is located a building or structure designed or intended to be used for residential purposes, every habitable room of a dwelling or multi-family dwelling etc…	**605.1 Installation:** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. **605.2 Receptacles:** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle o a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

Not currently enforced	**H-421.0 Minimum Ceiling Heights:** Habitable rooms in existing buildings, except as provided in section H-112, shall have a clear ceiling height of not less than seven and one-third (7 1/3) feet, except that in attics or top half-stories the ceiling height shall not be less than seven (7) feet over not less than one-third (1/3) of the area when used for sleeping, study, or similar activity. In calculating the floor area of such rooms only those portions of the floor area of the room having a clear ceiling etc…	**404.3 Minimum Ceiling Heights:** Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms, habitable basement areas shall have a clear ceiling height of not less than 7 feet. **Exception:** 1- In one- and two-family family dwellings, beams or girders spaced not less than 4 feet on center and projecting not more than 6 inches below the required ceiling height. Etc…. 2- Basement rooms etc…
Not currently enforced	**H-422.0 Required Space in Dwelling Units:** Every dwelling unit shall contain a minimum gross floor area of not less than one hundred (100) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.	**404.2 Minimum Room Widths:** A habitable room, other than a kitchen, shall not be less than 7 feet in any plan dimensions. Kitchens shall have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.
Not currently enforced	**H-423.0 Required Space in Sleeping Rooms:** In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall have a minimum gross floor area of at least seventy (70) square feet. Every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor are for each occupant thereof.	**404.4.1 Area for Sleeping Purposes:** Every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof. **404.4.2 Access from Bedroom:** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
Not currently enforced	**H-431.0 Natural Light in Habitable Rooms:** Every habitable room shall have at least one (1) window of approved size facing directly to the outdoors or to a court. The minimum total window area measured between stops, for every habitable room shall be ten (10) percent of the floor area of such reem, except in kitchens when artificial light may be provided in accordance with the provisions of the building code. When ever walls or other portions of a structure face window of any room and such obstructions are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to etc….	**402.1 Habitable Spaces:** Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. **Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided etc…..

Not currently enforced	**H-433.0 Light in Common Halls and Stairways** Every common hall and inside stairway in every dwelling, other than one family dwellings, shall be adequately lighted at all times with an illumination of at least etc…	**402.2 Common Halls and Stairways:** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet of floor area etc…
Not Currently Enforced	**H-441.0 Storage of Flammable Liquids Prohibited:** No dwelling, multi-family dwelling, dwelling unit, or rooming unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a multi-family dwelling or rooming house shall store more than five (5) gallons of flammable liquid. This may be in one (1) approved can or in separate one-gallon approved cans. Cans must be of metal with either a screw covered lid with a pressure relief valve or a spring self-closing lid. The location of such storage must be approved by the fire inspector of the municipality. The five (5) gallons may be in addition to gasoline contained in automobiles in attached garages provided the fire separation between the house and garage is approved by the building official.	**603.2 Removal of Combustion Products:** All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. **Exception:** Fuel-burning equipment and appliances with are labeled for un-vented operation. **603.3 Clearances:** All required clearances to combustible materials shall be maintained.
Not Currently Enforced	**H-441.1 Two Means of Egress:** Every dwelling shall provide two (2) means of egress, a front door and a rear door. In existing residences with one exit door, at least one window in each bedroom shall be a double hung window maintained in good working condition no higher than twenty-eight (28) inches above the floor with removable screen or storm screen to be used as a means of exit.	**(C) 702.4 Emergency Escape Openings:** Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the *International Building Code* and such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates, or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 740.

ENVIRONMENTAL REQUIREMENTS

Section H-300.0. Scope

The provisions of this article shall govern the minimum conditions of property and buildings to be used for human occupancy. Every building or structure occupied by humans, except as exempted by section H-112.0, and the premises on which it stands, shall comply with the conditions herein prescribed as they may apply thereto.

Section H-310.0. Exterior Property Areas

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit for the purpose of living therein, or premises, which does not comply with the following requirements. The building official of the municipality shall cause periodic inspections to be made of dwelling premises to secure compliance with these requirements.

H-310.1 Sanitation: All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage.

H-310.2 Grading and Drainage: All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon.

H-310.3 Noxious Weeds: All exterior property areas shall be kept free from species of weeds or plant growth which are noxious or detrimental to the public health.

H-310.4 Insect and Rodent Harborage: Every owner of a dwelling or multi-family dwelling shall be responsible for the extermination of insects, rodents, vermin, or other pests in all exterior areas of the premises; except that the occupant shall be responsible for such extermination in the exterior areas of the premises of a single-family dwelling. Whenever infestation exists in the shared or public parts of the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.

H-310.5 Accessory Structures: All accessory structures including detached garages shall be maintained structurally sound and in good repair.

Section H-320.0. Exterior Structure

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or multi-family dwelling, dwelling unit, rooming house, rooming unit, or portion thereof for the purpose of living therein; which does not comply with the following requirements.

H-320.1 All exterior wood and metal surfaces not inherently weather resistant shall be protected with an application of paint or other approved protective coating free of blisters, cracks or peeling.

H-321.0 Foundations, Walls and Roof: Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude rodents.

H-321.1 Foundations: The foundation elements shall adequately support the building at all points.

H-321.2 Exterior Walls: Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls.

H-321.3 Roofs: The roof shall be structurally sound, tight, and have no defects which might admit rain; and roof drainage shall be adequate to prevent rain water from causing dampness in the walls or interior portion of the building.

H-322.0 Stairs, Porches and Railings: Stairs and other exit facilities shall be adequate for safety as provided in the building code, and shall comply with the following subsections.

H-322.1 Structural Safety: Every outside stair, every porch, and every appurtenance attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected as required by the building code; and shall be kept in sound condition and good repair.

H-322.2 Handrails: A protective railing shall be required on any unenclosed structure, such as, a stair landing or porch 5' or more above the ground and every exterior stair containing 4 risers or more must have a handrail properly installed and sufficiently anchored to safely serve the purpose for which it is installed. Where any occupant of a residence is 62 years of age or older or is physically handicapped, the building official may require handrails where there are two or three risers or protective enclosures on porches 24" above the ground.

H-323.0 Windows, Doors and Hatchways: Every window, exterior door and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.

H-323.1 Windows to be Glazed: Every window sash shall be fully supplied with glass windowpanes or an approved substitute which are without open cracks or holes.

H-323.2 Windows to be Tight: Every window sash shall be in good condition and fit reasonably tight within its frame.

H-323.3 Windows to be Openable: Every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware.

H-323.4 Door Hardware: Every exterior door, door hinge, and door latch shall be maintained in good condition.

H-323.5 Doors to Fit in Frame: Every exterior door, when closed, shall fit reasonably well within its frame.

H-323.6 Window and Door Frames to Fit in Wall: Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling or multi-family dwelling.

H-323.7 Basement or Cellar Hatchways: Every basement or cellar hatchway shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage water.

H-323.8 Exit Doors: Every exit door, leading directly to or from common halls, stairways, or other means of egress in rooming houses, multi-family or two-family dwellings, shall be capable of being opened from the inside easily and without the use of a ke

H-323.9 Sidewalk: Every dwelling shall have a hard surfaced, dust proof, walk at least 30" wide from the property line to the residence, or connecting the residence to a hard surfaced drive

H-324.0 Screening: Guards and screens shall be supplied for protection against rodents and insects in accordance with the following requirements.

H-324.1 Guards for Basement Windows: Every basement or cellar window which is openable shall be supplied with corrosion-resistive rodent-proof shields of not less than No. 22 U.S. gage perforated steel sheets, or No. 20 B & S gage aluminum, or No. 16 U.S. gage expanded metal or wire mesh screens, with not more than one-half (½) inch mesh openings; or with other material affording equivalent protection against the entry of rodents, including storm windows.

H-324.2 Insect Screens: From June 1st to October 15th of each year every door opening directly from any dwelling or multi-family dwelling to the outdoors, and every window or other outside opening used for ventilation purposes, shall be supplied with a screen of not less than sixteen (16) mesh per inch and every swinging screen door shall have a self-closing device in good working condition; except that no such screens shall be required for a dwelling unit on a floor above the fifth floor.

Section H-330.0 Interior Structure

No person shall occupy as owner-occupant or let to another for occupancy, any dwelling, multi-family dwelling, dwelling unit, rooming house, rooming unit, or portion thereof, for the purpose of living therein which does not comply with the following requirements.

H-331.0 Free from Dampness: Every family dwelling, dwelling unit, rooming house, and rooming unit, cellars, basements and crawl spaces shall be maintained reasonably free from dampness to prevent conditions conducive to decay or deterioration of the structure as required by the building code.

H-332.0 Structural Members: The supporting structural members of every dwelling and multi-family dwelling used for human habitation and every structure on the premises shall be maintained structurally sound, showing no evidence of deterioration which would render them incapable of carrying the imposed loads in accordance with the provisions of the building code.

H-333.0 Interior Stairs and Railings: Stairs shall be provided in every dwelling, multi-family dwelling, rooming and boarding house as required by the building code.

H-333.1 Maintained in Good Repair: All interior stairs of every structure used for human habitation shall be maintained in sound condition and good repair by replacing treads and risers that evidence excessive wear or are broken, warped or loose. Every inside stair shall be so constructed and maintained as to be safe to use and capable of supporting a load as required by the provisions of the building code.

H-333.2 Handrails: Every stairwell and every flight of stairs, which is more than two (2) risers high, shall have handrails or railings located in accordance with the provisions of the building code. Every handrail or railing shall be firmly fastened and must be maintained in good condition. Properly balustraded railings, capable of bearing normally imposed loads as required by the building code, shall be placed on the open portions of stairs, balconies, landings and stairwells.

H-333.3 Interior Walls, Floors, Ceilings, Doors and Trim: Every interior wall, ceiling, and floor or parts thereof shall be maintained in sound condition and good repair, free of any holes, cracks, loose plaster or other defects that would provide access for insects or rodents. All interior surfaces shall be finished with wallpaper, paint or other accepted material so as to be easily cleaned, reasonably smooth, clean and tight. Floors shall also be reasonably true and level, free of any fixed, irregular or broken surface material that would create a tripping hazard or retain dirt.

H-334.0 Bathroom and Kitchen Floors: Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

H-335.0 Sanitation: The interior of every dwelling and multi-family dwelling used for human habitation shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. Rubbish, garbage, and other refuse shall be properly kept inside temporary storage facilities as required under section H-404.0 and H-405.0 of this code.

H-336.0 Insect and Rodent Harborage: All buildings shall be kept free from insect and rodent infestation, and where insects or rodents are found they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

H-336.1 Extermination from Buildings: Every owner of a dwelling or multi-family dwelling shall be responsible for the extermination of insects, rodents, vermin, or other pests whenever infestation exists in two (2) or more of the dwelling units, or in the shared or public parts of the structure.

H-336.2 Extermination from Single Dwelling Units: The occupant of a dwelling unit in a dwelling or multi-family dwelling shall be responsible for such extermination within the unit occupied by him whenever his dwelling unit is the only unit in the building that is infested.

H-336.3 Responsibility of Owner: Notwithstanding the foregoing provisions, whenever infestation of rodents is caused by failure of the owner to maintain any dwelling or multi-family dwelling in a rodent-proof condition, extermination of such rodents shall be the responsibility of the owner.

H-336.4 Accessory Structure Maintenance: All accessory use structures or buildings whether attached to the main building or detached therefrom shall be properly maintained in a clean and sanitary condition and shall not create a blighting effect on the neighborhood or they shall be removed from the premises.

ARTICLE 4

SPACE AND OCCUPANCY REQUIREMENTS

Section H-400.0. Basic Facilities

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling unit for the purpose of living, sleeping, cooking, or eating therein which does not comply with the following requirements.

H-401.0 Sanitary Facilities: The following minimum sanitary facilities shall be supplied and maintained in sanitary, safe working condition.

H-401.1 Water Closet: Every dwelling unit shall contain within its walls, a room, separate from the habitable rooms, which affords privacy and which is equipped with a water closet.

H-401.2 Lavatory: Every dwelling unit shall contain a lavatory, which, when a closet is required, shall be in the same room with said water closet.

H-401.3 Bathtub or Shower: Every dwelling unit shall contain a room which affords privacy to a person in said room and which is equipped with a bathtub or shower.

H-401.4 Kitchen Sink: Every dwelling unit shall contain a kitchen sink apart from the lavatory required under section H-401.2.

H-402.0 Water and Sewer System: Every kitchen sink, lavatory basin, bathtub or shower and water closet required under the provisions of section H-401 shall be properly connected to either a public water and sewer system or to an approved private water and sewer system. All sinks, lavatories, bathtubs and showers shall be supplied with hot and cold running water.

H-402.1 Water Heating Facilities: Every dwelling unit shall be supplied with water heating facilities which are installed in an approved manner, properly maintained, and properly connected with hot water lines to the fixtures required to be supplied with hot water under section H-402. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, and laundry facility or other similar units, at a temperature of not less than one hundred thirty (130) degrees Fahrenheit at any time needed.

H-403.0 Heating Facilities: Every dwelling and multi-family dwelling shall have heating facilities and the owner of the heating facilities shall be required to see that they are proper installed, safely maintained and in good working condition at al times, and that they are capable of safely and adequately heatin all habitable rooms, bathrooms and toilet rooms located therein so that an even, comfortable temperature may be maintained at no less than 70 degrees Fahrenheit at 3' - 0" above the floor in su zero weather. From November 1, until June 1, and from 6:00 A.M. until midnight in every dwelling unit and/or rooming unit when t control of supplied heat is the responsibility of a person other than the occupant, a temperature of at least 70 degrees Fahrenhe shall be maintained, in all habitable rooms, bathrooms, and water closet compartments at a distance of three feet above the floor level.

H-403.1 Operation of Heating Facilities and Incinerators: Every heating or water heating facility and incinerator shall be installed and shall operate in accordance with the requirements of the building code or the air pollution control ordinances of the municipality.

H-404.0 Rubbish Storage Facilities: Every multi-family dwellin and dwelling unit shall be supplied with approved containers and covers for the storage of rubbish and the owner, operator or agent in control of such multi-family dwelling shall be responsi ble for the removal of the rubbish. It shall be the responsibil ities of occupants of all types of units to place rubbish and garbage in the containers provided by the person in control. It shall be the responsibility of the person in control to place the containers in an appropriate location as required by the Sanitation Department of the City for the proper disposal. This Code does not attempt to control the responsibility of maintena to built in garbage disposals. However, they must be properly installed and properly maintained or disconnected and removed.

Section H-410.0 Installation and Maintenance

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling, multi-family dwelling, dwelling un rooming house, or rooming unit for the purpose of living, sleep cooking, or eating therein which does not comply with the follo requirements.

H-410.1 Facilities and Equipment: All required equipment and building space and parts in every dwelling and multi-family dwel shall be constructed and maintained so as to properly and safel perform their intended function in accordance with the provisio of the building code.

H-410.0 Maintained Clean and Sanitary: All housing facilities shall be maintained in a clean and sanitary condition by the occupant, if not otherwise designated in section H-500, so as not to breed insects and rodents or produce dangerous or offensive gasses or odors.

H-411.0 Plumbing Fixtures: In buildings and structures used for human habitation, water lines, plumbing fixtures, vents, drains, plumbing stack, waste and sewer lines shall be properly installed, connected and maintained in working order and shall be kept free from obstructions, leaks and defects and capable of performing the function for which they are designed. All repairs and installations shall be made in accordance with the provisions of the Building Code or Plumbing Code of the Municipality.

H-413.0 Heating Equipment: Every space heating, cooking, water heating device and incinerator located in a dwelling shall be properly installed, connected, and maintained, in accordance with the building code, the plumbing code and the air pollution control of the municipality and shall be capable of performing the function for which it was designed. Every space heating unit shall have the heating capacity to heat every dwelling unit to a temperature of 70 degrees Fahrenheit 3' above the floor in subzero weather.

H-414.0 Electrical Outlets and Fixtures: All outlets and fixtures shall be installed, maintained and connected to the source of electric power in accordance with the provisions of the building code or the electrical code of the municipality, providing for adequate service, proper fusing, sufficient outlets. All improper wiring or insulation deterioration or damage or any other hazardous condition shall be corrected.

Section H-420.0. Occupancy Requirements

No person shall occupy or let to another for occupancy, any dwelling unit for the purpose of living therein which does not comply with the following requirements.

H-421.0 Minimum Ceiling Heights: Habitable rooms in existing buildings, except as provided in section H-112, shall have a clear ceiling height of not less than seven and one-third (7 1/3) feet, except that in attics or top half-stories the ceiling height shall not be less than seven (7) feet over not less than one-third (1/3) of the area when used for sleeping, study or similar activity. In calculating the floor area of such rooms only those portions of the floor area of the room having a clear ceiling height of five (5) feet or more may be included.

H-422.0 Required Space in Dwelling Units: Every dwelling unit shall contain a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant, and one hundred (100) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

H-423.0 Required Space in Sleeping Rooms: In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall have a minimum gross floor area of at least seventy (70) square feet. Every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant thereof.

H-424.0 Access Limitation of Dwelling Unit to Commercial Uses No habitable room, bathroom or water closet compartment which is accessory to a dwelling unit shall open directly into or shall be used in conjunction with a food store, barber shop, doctor's or dentist's examination or treatment room, or similar room used for public purposes.

H-425.0 Location of Bath and Second Sleeping Room: No residence building or dwelling unit containing two (2) or more sleeping rooms shall have such room arrangement that access to a bathroom or water closet compartment intended for use by occupants of more than one (1) sleeping room can be had only by going through another sleeping room; nor shall the room arrangement be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment. Existing one-family dwellings where no lodgers are occupants may be exempt from the requirement concerning access through a first sleeping room.

H-426.0 Occupancy of Dwelling Units Below Grade: No dwelling unit partially below grade shall be used for living purposes unless:

1-Floors and walls are watertight;
2-Total window area, total openable area and ceiling height are in accordance with this code; and
3-Required minimum window area of every habitable room is entirely above the grade of the ground adjoining such window area.

Section H-430.0. Light and Ventilation

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling, multi-family dwelling, dwelling unit, rooming house or rooming unit for the purpose of living therein which does not comply with the following requirements.

H-431.0 Natural Light in Habitable Rooms: Every habitable room shall have at least one (1) window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable room shall be ten (10) percent of the floor area of such room, except in kitchens when artifical light may be provided in accordance with the provisions of the building code. Whenever walls or other portions of a structure face a window of any room and such obstructions are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

H-433.0 Light in Common Halls and Stairways: Every common hall and inside stairway in every dwelling, other than one-family dwellings, shall be adequately lighted at all times with an illumination of a least five (5) lumens per square foot in the darkest portion of the normally traveled stairs and passageways.

H-434.0 Electrical Outlets Required: Where there is electric service available, within 150 feet of the premises on which there is located a building or structure designed or intended to be used for residential purposes, every habitable room of a dwelling or multi-family dwelling shall contain a least two separate and remote outlets, one of which may be a ceiling or wall type electric light fixture. In kitchen, three separate and remote wall type, grounded, electric convenience duplex outlet or two such convenience outlets and one ceiling or wall type electric light fixture shall be provided. The refrigerator outlet shall be on an individual circuit. Every public hall, water closet compartment, bathroom, laundry room or furnace room or similar non-habitable work space shall contain at least one electric light fixture. In addition to the electric light fixture in every bathroom and laundry room there shall be provided at least one grounded electric duplex outlet. There shall be a lighting fixture in halls and stairways of all single-family dwellings.

H-434.1 Extension Cords: Extension cords shall not exceed twelve (12) feet in length or be fastened to any surface with nails, staples, or other fasteners nor shall they be run through a wall. Additional duplex electric convenience outlets may be required to power electrical equipment located more than twelve (12) feet from an outlet.

H-434.2 Electric Space Heaters: Every electric space heater shall comply with the applicable standards of Underwriters Laboratory and be connected with a source of electric power of sufficient capacity with approved wire or cable to safely energize the heater in accordance with the electrical code.

H-435.0 Adequate Ventilation: Every habitable room shall have least one (1) window which can be easily opened or such other vice as will adequately ventilate the room. The total openabl window area in every habitable room shall be equal to at least percent of the minimum window area size required in Section H- except where mechanical ventilation is provided in accordance the provisions of the building code.

H-436.0 Ventilation and Light in Bathroom and Water Closet: E bathroom and water closet compartment shall comply with the li and ventilation requirements for habitable rooms as required b Sections H-431 & H-434, except that no window shall be require in bathrooms or water closet compartments equipped with an api ventilation system.

Section H-440.0 Minimum Requirements for Safety from Fire:

No person shall occupy as owner-occupant, or shall let to another for occupancy, any dwelling, multi-family dwelling, dwelling unit, rooming house, rooming unit, lodging house or lodging unit which does not comply with the applicable provisions of the fire prevention sections of the building code ordinances of the municipality and the following additional requirements for safety from fire.

H-441.0 Storage of Flammable Liquids Prohibited: No dwelling, multi-family dwelling, dwelling unit, or rooming unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a flash point of 110 degrees Fahrenheit or lower. No dwelling multi-family dwelling or rooming house shall store more than five (5) gallons of flammable liquid. This may be in one (1) approved can or in separate one gallon approved cans. Cans must be of metal with either a screw covered lid with a pressure relief valve or a spring self-closing lid. The location of such storage must be approved by the fire inspector of the municipality. The five (5) gallons may be in addition to gasoline contained in automobiles in attached garages provided the fire separation between the house and garage is approved by the building official.

H-441.1 Two Means of Egress: Every dwelling shall provide two (2) means of egress, a front door and a rear door. In existing residences with one exit door, at least one window in each bedroom shall be a double hung window maintained in good working condition no higher than twenty-eight (28) inches above the floor with removable screen or storm screen to be used as a means of exit.

H-442.0 Cooking and Heating Equipment: All cooking and heating equipment, components, and accessories in every heating, cooking, and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health, and accident hazards. All installations and repairs shall be made in accordance with the provisions of the building code, or other laws or ordinances of the municipality applicable thereto. Portable cooking equipment employing flame is prohibited. No cooking or eating shall be permitted in any sleeping room in any dwelling or dwelling unit and no cooking facility or appliance shall be permitted in any sleeping room.

ARTICLE 5

RESPONSIBILITIES OF PERSONS

Section H-500.0 Scope

Occupants of dwellings, multi-family dwellings, and dwelling units, and owners or operators of rooming houses shall be repsonsible for maintenance thereof as provided in this articl

H-500.1 A contract effective as between owner and operator, operator and occupant shall not relieve any party of his direct responsibility under this code. No owner and/or operator or occupant shall cause any service facility, equipment or utilit which is required by this code to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him except for such temporary interruption as may be necess while actual repairs or alterations are in process.

H-501.0 Cleanliness: Every occupant of a dwelling unit shall keep that part of the dwelling unit and premises thereof which he occupies or controls in a clean and sanitary condition.

H-503.0 Disposal of Garbage: Every occupant of a dwelling un shall dispose of his garbage in a clean and sanitary manner by placing it in the garbage disposal facilities, or if such facilities are not available, by removing all nonburnable matt and securely wrapping such garbage and placing it in tight met garbage storage containers as required by Section H-405 of thi code; or by such other disposal method as may be required by applicable laws or ordinances of the municipality.

H-504.0 Use and Operation of Supplied Plumbing Fixtures: Ever occupant of a dwelling unit shall keep the supplied plumbing fixtures therein clean and sanitary and shall be responsible f the exercise of reasonable care in their proper use and operat

Section H-510.0 Rooming Houses

Every person who operates a rooming house, or who occupies or to another for occupancy any rooming unit in any rooming house shall comply with the provisions of every section of this code except as provided in the following sections.

H-511.0 Water Closet, Hand Lavatory and Bath Facilities: At l one (1) water closet, lavatory basin, and bathtub or shower pr connected to an approved water and sewer system and in good wo condition, shall be supplied for each four (4) rooms within a ing house whereever said facilities are shared. All such faci shall be located within the residence building served and shal directly accessible from a common hall or passageway and shall not more than one (1) story removed from any of the persons sha such facilities. Every lavatory basin and bathtub or shower s be supplied with hot & cold water at all times. Such required fixtures shall not be located in a cellar.

H-512.0 Minimum Floor Area for Sleeping Purposes: Every room occupied for sleeping purposes by one (1) occupant shall contain at least 70 square feet of floor area. Every room occupied by more than one occupant for sleeping purposes shall contain at least 50 square feet of floor area for each occupant thereof.

H-513.0 Bed Linen and Towels: The operator of every rooming house shall supply bed linen and towels therein at least once each week, and prior to the letting of any room to another occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

H-514.0 Shades, Drapes, etc.: Every window of every rooming unit shall be supplied with shades, draw drapes, or other devices or material which, when properly used, will afford privacy to the occupant of the rooming unit.

H-515.0 Sanitary Conditions: The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for the sanitary maintenance of every other part of the rooming house; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

H-516.0 Sanitary Facilities: Every water closet, flush urinal, lavatory basein and bathtub or shower required by section H-511.0 shall be located within the rooming house and within a room or rooms which:

1 - Afford privacy and are separate from the habitable rooms;
2 - Are accessible from a common hall and without going outside the rooming house or through any other room therein.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Improved appearance of neighborhoods through maintenance of properties.

Strategy 4 – Strengthen home repair program for income eligible home homeowner:

Action Steps:

a. Reallocate HUD HOME funds for the existing program with ESC to $200,000.00. Currently $110,000 (4-6 Substantial Rehabs per year). Increase in HOME commitment will increase projects to 7- 11 substantial Rehabs per year. *Note: this is HOME Consortium funding and many projects will be located outside the City of Joplin.
b. Allocate additional funds from the City that are not associated with federal HUD Funds to be used for more flexible and parallel home repair program used just inside of the city.
    i. Utilize these more flexible funds to address relatively small dollar improvements currently ineligible in the federally funded HUD HOME program. Program can be structured as a revolving fund with high degree of forgiveness to maximize available resources while still improving as many properties as possible including those unable to make repayment at time of loan or during term of homeowner agreement. The existing model for this program may be provided by Joplin Area Fuller Center for Housing. Average repair for Fuller program (identified highest need to improve homeowner quality of life) is approximately $1,000.00. Adding exterior improvement and landscaping would bring average costs to $2,500 to $3,000 per home participating.
    ii. Enter into agreement with existing non-profit homeowner repair provider, such as Habitat For Humanity, etc... Agreement allows for repairs to homes with income eligible homeowners in defined low-income areas of community. *Note: All expenditures resulting from this agreement will be located within the City of Joplin.
c. Investigate possible property tax abatement (Section 353 of state statutes) program as an option to incentivize property owners to invest in home repairs.

Resources Required:

1. Utilize existing staff to oversee program in Planning, Development and Neighborhood Services.
2. Additional funding for expansion of program.

Total Plan Cost:
Total Additional FTE: Existing staff time.

One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $400,000 (half HOME Consortium fund, half general fund)

Re-occurring Costs: $400,000.00 *revolving fund with high degree for forgiveness.
This level of funding would result in approximately 65 property improvements which can be targeted to specific neighborhoods.
Increased HOME commitment of $90,000 reducing new construction allocation in favor of rehabilitation.

Desired Benefit/Outcome:

- Assist homeowners in identifying and repairing vulnerable properties.
- Establish revolving fund for home repairs.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Improved appearance of neighborhoods through maintenance of properties.

Strategy 5 - City to do better job maintaining city properties to set tone for improvement.

Action Steps:

a. Parks Dept. to fully implement all aspects of the Parks and Recreation Maintenance Plan/Standards in all parks and other public properties. Will require a dedicated beautification crew as well as utilizing targeted contracted landscape services. These activities to include parks, Main Street Planters (downtown and South Main), City Entryway Signs, city parking lots, etc.
b. Re-start Adopt-A-Park program. This program will be administered by a park caretaker whose is already in this role. So, no additional resources needed.
c. Public Works Dept. to adequately maintain all public properties under their care (frequent vacant lot mowing, cleaning ditches, etc.

Resources Required:

1. Funding for 4.0 staff and operational costs for new beautification crew in Parks Department (included in Parks Master Plan List for Parks/Stormwater sales tax renewal).
2. Ability to fully staff Public Works laborer positions or outsource mowing.

Total Plan Cost:
Total Additional FTE: 4.0
One Time Costs: Minimal
Staffing Annual Costs: $170,000
Program Annual Costs: $80,000

Desired Benefit/Outcome:

- Provides a continuous and timely effort of quality maintenance in parks and green spaces around the city.
- Provides community ownership in our park system.
- Enhances each park and green space for the community to enjoy.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Reduce vacant and unsecured buildings in neighborhoods.

Strategy 6.1 – Develop vacant building inventory, tracking system (GIS System layer), and registry to use to monitor buildings:

Action Steps:

a. Identify method to be used for identifying vacant buildings.
b. Identify information to be collected and inventory vacant residential and commercial buildings.
c. Create a layer in city GIS mapping system for vacant structures.
d. Investigate code options requiring registration of vacant structures, and possible permit fees to cover costs of the inventory and registry. Code options to include maintenance of vacant structures (doors, windows, other exterior features), and property maintenance (yard, fences, etc.) while structure remains vacant.
e. Seek input into possible code options from community stakeholders.
f. Bring code option suggestions to council for consideration.

Resources Required:

1. Staff time to identify and inventory vacant structures.
2. Staff time to create GIS map layer.
3. Staff time to research code options and develop local code suggestions.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Strategy 6.2 – Review Existing Legal Dangerous Building Ordinance for enhancements to improve property maintenance:

Action Steps:

a. Form work group for review.
b. Review ordinance for potential enhancements to incentivize property owners to maintain buildings and place them back in active use (code changes, increased dang. building fee,

dang. building bond, special assessment, impact fee, etc.). Fees may be additional source of funds for Building Board of Appeals related building demolition requirements. Current Dangerous Building code includes a section allowing certain dangerous buildings to remain if the owner applies for and receives a permit for a "Legal Vacant Dangerous Building". The permit includes a $200 semi-annual permit fee that can be renewed up to 3 additional 6 month periods.

c. Bring code changes to city council for consideration.

Resources Required:

1. Staff time for code review.
2. Funding for staff to implement vacant building inspection/monitoring program. 0.5 FTE Building Inspector.

Total Plan Cost:
Total Additional FTE: 0.50
One Time Costs: $1,000
Staffing Annual Costs: $35,000
Program Annual Costs: $3,000

Desired Benefit/Outcome:

- Removing vacant and dangerous structures could enhance the community's attractiveness and contribute to a safer community.
- Create a process to identify and track vacant and potentially dangerous structures.
- Stabilize identified properties to minimize the need for demolition.

IAAI/USFA
Abandoned Building Project

Managing Vacant and Abandoned Properties in Your Community

2006 Revision

Foreword

Shortly after the tragic fire in Worcester, Massachusetts that took the lives of six firefighters in an vacant building, the leadership of the International Association of Arson Investigators, Inc. began planning a program that would increase awareness of the hazards that vacant and abandoned buildings pose within communities. In October of 2000, the United States Fire Administration awarded a grant to assist the IAAI in this effort.

The objective of the project was, the development of materials to assist public officials in dealing with vacant or abandoned buildings within their jurisdictions. Materials developed as part of the project were targeted toward the safety of fire suppression forces involved in fighting fires in vacant or abandoned buildings and the reduction of incendiary fires involving these properties. Materials developed as part of the project were to become a "Tool Box" that community leaders could select from to address vacant and abandoned buildings and the hazards they represent.

To accomplish the objectives of the project a Technical Advisory Committee was established, and two demonstration communities, Worcester, Massachusetts and Lewiston, Maine were selected.

The Technical Advisory Committee provided project staff with input regarding the vacant/abandoned building problem. The committee helped to focus the objectives of the project and assisted in the development and review of the materials developed for the "Tool Box".

A significant component of the project was to provide support to the demonstration communities and to take the lessons learned from this effort and develop the "Tool Box" materials. The assistance was provided by the Project Manager and two fire protection students serving as Technical Assistants to the project. Support provided the communities included the development of an evaluation form to assist in evaluation vacant and abandoned buildings in the communities; assistance in identifying vacant and abandoned properties and locating owners; training fire department personnel to perform building evaluations and develop pre-plan documents based on the evaluation; and supporting public awareness efforts in both communities.

The information contained in this background paper and the project support materials found on Tool Box CD, make up the Abandoned Building Tool Box that the project set out to develop. These materials have been reviewed by the Technical Advisory Committee and field tested in the demonstration communities. Users are free to use those components of the "Tool Box" that are appropriate to their communities.

Project staff would like to thank the Technical Advisory Committee for their hard work and thoughtful guidance through out the project. Additional thanks go out to Fire Marshal Stephen Coan and the staff of the Massachusetts Department of Fire Services for the assistance they provided through out the project.

PHASE II

Phase II of this project involved working with two additional demonstration communities. Wilson, North Carolina and Champaign, Illinois. The city of Wilson provided insights into the use of GIS in the management of vacant and abandoned properties . In addition, the Wilson Fire Department provided the IAAI with the opportunity to field test the first edition of the Tool Box materials. This effort led to many of the revisions and additions found in the current version.

Champaign, IL provided the project staff with the opportunity to look at a growing Midwestern community. With an active Neighborhood Services Department actively enforcing property management codes, Champaign is a community that takes a proactive approach to property management. The ability to review the Tool Box materials with representatives of Neighborhood Services, the Police and Fire Departments and Code enforcement provided a different prospective on the management of vacant and abandoned properties. The development of the Building Evaluation Field manual was a direct result of the site visit in Champaign.

Another initiative during Phase II of the project was a summit meeting with representatives of volunteer fire departments from several mid-Atlantic states held in Newark, Delaware. IAAI Past President Gerald Naylis presided over this session. The input from this segment of the fire service was incorporated into the Phase II revisions. The insights of the attendees provides a new perspective on the issue of vacant and abandoned properties from public safety professionals in our smaller communities.

The project staff would like to thank IAAI president Kirk Hankins, Past President Naylis, Wilson Fire Chief Donald Oliver and Property Maintenance Supervisor, Susan Salzman in Champaign for their assistance in this project.

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Introduction

Vacant and abandoned structures are unsightly, attract criminal activity, and are a threat to public safety wherever they exist. The National Fire Protection Association (NFPA) estimates that more than twenty civilians die and 6000 firefighters are injured while fighting fires in these properties every year. Recent NFPA statistics estimate that there are more than 11,000 fires in vacant or idle properties annually. These fires result in hundreds of millions of dollars in direct property loss and a significant expense for suppression and mitigation after the fire. NFPA statistics also show that more firefighters are injured while operating at fires involving vacant or abandoned properties than in any other property classification. The loss of six firefighters operating in a vacant property in Worcester, Massachusetts, in December of 1999 was a tragic example of the hazards these buildings pose to communities.

While no census data is available on vacant or abandoned buildings, researchers at Ohio's Miami University and the University of South Carolina conducted a survey of 100 cities and estimate that more than 18 percent of urban structures are unused. This estimate equates to thousands of building nationwide in communities both large and small. Another source, the Insurance Services Office, estimates there are 21,000 idle properties of 15,000 square feet or more in the United States.[1] After the Worcester fire, many communities began exploring just how many buildings were vacant in their jurisdiction. The results are startling: Philadelphia reported more than 27,000 at-risk structures; in Worcester over 250 vacant structures were identified; smaller cities like Lewiston, Maine, identified nearly 60 vacant structures.

The terms "vacant" and "abandoned" are often used interchangeably when talking about these buildings. There is, however, a subtle difference in the terms. Black's Law Dictionary defines **vacant** as "empty; unoccupied". The word **abandon** is defined as "to desert, surrender, forsake or cede. To relinquish or give up with intent of never again resuming one's right or interest." For buildings, the difference between vacant and abandoned is primarily related to the availability of an owner. Unoccupied buildings where there is a viable owner, i.e. one that is interested in the property and easily contacted, are considered vacant. Where there is no viable owner or an absentee landlord, the property is generally considered abandoned.

Unoccupied properties that are secure and well maintained do not pose the threat to public safety that properties that are unoccupied and open to unauthorized access do. Where there is no viable owner, the property is considered abandoned. In research done on urban residential fires, Charles Jennings describes the issue in residential neighborhoods as follows:

> Abandonment of property is the most striking indication of neighborhood decline. Large-scale abandonment threatens the stability of neighborhoods and undermines the value of investments made by other property owners. The literature indicates that abandonment and decline of property can be considered as a contagious phenomenon. Fire is intertwined with abandonment as both a cause and an undesired side effect.

> Abandonment usually signals the end of a building's productive life. Real estate market conditions, difficulty in obtaining financing for renovation or repair, withdrawal of fire insurance, and declining economic fortunes of tenants all contribute to abandonment. In declining areas, the use value of a building will frequently exceed its market value. Any damage to the building sufficient to vacate it can lead to abandonment by the owner.[2]

The issues that Jennings describes are those that resulted in significant fire problems in cities such as Detroit; Houston; New Haven, Connecticut; Utica, New York; and Lawrence, Massachusetts. (See Appendix D for case studies of communities that have successfully addressed the issue.) For commercial or industrial properties the issue may be that the building has reached the end of its useful lifecycle and that it would cost more than the building is worth to improve it for continued use. Many industrial buildings in the Northeast fit this category. Environmental pollution and the high cost of mitigation are also factors in the abandonment of commercial properties. Whatever the cause, these rapidly deteriorating buildings in communities become havens for the homeless and vandals, as well as magnets for criminal activity.

The relationship between abandonment and crime can be described as the "Broken Windows theory of social disorder". This relationship is discussed by James Wilson in the Forward to *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities*[3]:

> If a factory or office window is broken, passersby observing it will conclude that no one cares or no one is in charge. In time, a few will begin throwing rocks to break more windows. Soon all the windows will be broken, and now passersby will think that, not only is no one in charge of the building, no one is in charge of the street on which it faces.
>
> Only the young, the criminal, or the foolhardy have any business on an unprotected avenue, and so more and more citizens will abandon the street to those they assume prowl it. Small disorders lead to larger and larger ones, and perhaps even to crime.

Uninhabited buildings that are not secure - open to unauthorized entry - have a very high probability of intentionally set fires. When fires occur in these buildings, they present a host of unusual problems to firefighters. Since the buildings are uninhabited, fires may develop for significant periods of time before they are detected and reported. The buildings may contain unprotected hazardous materials and fuel packages that would not be found in occupied buildings. The removal of equipment or structural components and deterioration due to age or weather can weaken the structure causing rapid failure early in a fire. Firefighters may encounter open shafts, stairways, pits or holes in floors that would not be found in occupied structures. All of these factors contribute to the danger these structures pose to firefighters operating in vacant or abandoned structures.

An emerging issue in communities large and small across the nation is the number of vacant or under performing commercial properties or *greyfields*[4]. These properties, typically with a large floor area are left vacant and unwanted when the tenant store moves to a larger more modern property. This issue was observed in the demonstrations cities visited during the second phase of the project and was identified as an issue in the discussion held with volunteer firefighters (appendix E). Many of these large underutilized structures are provided with modern fire protection systems including sprinklers.

The burden on the community is to monitor the properties to ensure that the systems remain serviceable and that any new occupants do not attempt to store materials or perform tasks that would be beyond the capacity of the installed protection. Large parking areas and receiving docks are also easy targets for disposal of unwanted vehicles and waste that may add to the deterioration of the property and the potential for intentional fires.

At first glance, the prevention of fires in vacant or abandoned properties appears to be relatively simple. Prevent unauthorized access in the short term, and then rehabilitate or demolish the structure in the long term. In practice, however, it is much more complex. One of the major obstacles to preventing fires and other crime in these buildings is the cost of security and demolition of abandoned structures. The major building and fire codes used in the United States provide the jurisdiction with the authority to order these actions for buildings that are hazards to public safety. Where there is a viable owner, this action may be successful. However, where the building is abandoned and no viable owner is available, the responsibility reverts to the community.

Codes and Ordinances

For any program aimed at reducing fires in vacant/abandoned properties to be successful, the community must have the power to act when vacant or abandoned properties are determined to pose a public safety risk. This power comes from the codes and ordinances that are adopted by the jurisdiction, either at the community or state level. In most cases the primary authority comes from the building and fire codes that are in force in the community. There may also be anti-blight ordnances that are adopted at the community level.

The key elements of an effective ordinance aimed at addressing vacant/abandoned buildings include

- Criteria defining proper security
- Requirements for the removal of combustible contents and hazardous waste
- Establishing an inspection/evaluation process
- Requirements for posting of no trespassing signs
- Establishing a marking system to alert emergency responders that a property is hazardous
- Requirements for the maintenance of existing fire suppression and protection systems
- Defining the responsibilities of the property owner
- Establishing an enforcement process
- Defining penalties and fines for noncompliance
- Establishing requirements for the posting of a performance bond by the owner

A guide for communities developing vacant and abandoned property ordinances is as Appendix H of this document. The guide, *Developing Vacant Property Ordinances*, includes sample anti-blight ordinances in the reference section.

Interdepartmental Cooperation

With the power to act in place, the next step is cooperation between the various departments within the community. The fire department responds to the fires when they occur but may not have the authority to intervene prior to that response. The building and health code officials are usually the primary code enforcement authorities. Surveillance of at-risk properties is usually a function of the police department. Funding for security measures and the demolition or rehabilitation of abandoned properties will normally be a function of the community development official or department. If these individual departments in the community are not working together to deal with the issues presented by vacant and abandoned properties, it is unlikely that the community will be successful in dealing with the problem. Departments or offices normally included are

- Mayor or City Manager
- Assessor
- Tax Collector
- Treasurer
- Development Director
- City Attorney (Solicitor)
- Police Department
- Fire Department
- Public Works
- Building Inspector
- Health Inspector

Interdepartmental cooperation is also critical in the development and dissemination of data regarding vacant and abandoned buildings. Cooperation between departments and access to available data will assist in the handling of individual properties as well as dealing with community planning and overall mitigation. One very useful tool in the collection and analysis of a wide variety of data are geographic information systems (GIS). As many communities or jurisdictions begin to establish these powerful systems thought should be given to their use in the management of vacant and abandoned properties. Appendix I of this document discusses this important tool and looks at how several communities, including Wilson, NC are using GIS to great advantage.

Identification

When many properties are involved, the cost of dealing with the problem can be beyond the capability of most communities. Thus, one of the key components of programs aimed at preventing fires in uninhabited properties is the identification of an owner or responsible party early in the vacancy cycle. While it is apparent that a community has to know the magnitude of the problem before it can effectively deal with it, the research from Miami University and the University of South Carolina cited above indicates about one-third of the cities responding to the survey were unable to provide estimates of the number of vacant or abandoned properties. In many communities the problem is just not addressed.

Communities must know which buildings in their jurisdiction are vacant or abandoned to take action. A more proactive approach is to begin to track properties that are at-risk of becoming vacant while a viable owner is still known. One such program was initiated in the early 1980's by the city of New Haven, Connecticut. Using funds from public and private grants, the Arson Warning and Prevention Strategy (AWAPS) was developed. This program allowed the community to identify properties that were at risk of becoming vacant and intervene before abandonment.[5]

The risk factors that triggered action in New Haven were

- A history of back taxes
- Previous structural fires
- Unabated housing code violations
- Unreleased liens and attachments

At-risk properties were then targeted for action while the owner was still available and the property occupied. This type of action reduces the cost to the community and places the responsibility for rehabilitation of the property or proper security on the owner early in the cycle of deterioration. Additional indicators identified during this project include:

- Building owners with a history of abandoning property
- Decreasing utility usage
- Increasing vacancy in multi-tenant properties

The first step in dealing with vacant and abandoned buildings in a community is the development of a comprehensive list of properties that fit the criteria discussed above for vacant and abandoned. Buildings that are at-risk of becoming vacant should also be added to this list. Data for compiling the list may be available from the Assessors Office, the Tax Collector, Fire Prevention and the Building Official. Once the list is compiled the information should be verified by sending inspectors or fire department companies to the addresses to conduct a visual inspection from the exterior of the building. This initial inspection should provide verification that the building is on the property and that it appears to be vacant. Additional information regarding the condition of the building and if it is secure or not should also be gathered.

When the list is compiled, an attempt should be made to identify the current owner of the property. This information may be available from the Tax Collector or Assessor. If a viable owner is not readily found, an attempt at determining the last owner should be made at the Registrar of Deeds serving the jurisdiction. This effort may be relatively easy if the information is computerized. If the search requires using paper files, it becomes more time consuming. A flow chart developed for the "paper chase" in Worcester is provided in Appendix E as an example of the process. It is important that an owner be located so that the community can attempt to pass on the cost of mitigation or recover expenses.

Building Evaluation

Once at-risk buildings are identified and the community has adopted codes and ordinances to regulate them, what can the community do to stop the fires? An effective program includes provisions for the inspection and evaluation of the property early in the vacancy cycle; properly securing the building; and determining a long term strategy for mitigation. The courses of action available for long-term mitigation are re-use or demolition. An evaluation can assist officials in making a determination about the proper

handling of the property. An evaluation instrument that was developed as part of this project is provided as Appendix A. The evaluation form is intended to assist communities in the inspection and evaluation of vacant and abandoned properties. The form was developed to guide the evaluator through the potential hazards commonly found in vacant and abandoned properties. A Field Manual that guides inspectors through the evaluation process is also available as part of the Tool Box materials developed for this program. The Field Manual is intended for training of inspectors and as a guide in the field as the evaluation is being conducted. The IAAI/USFA Abandoned Building Project has also developed an on-line training program to assist in training firefighters and other personnel in building evaluation. This program is available on the Public Safety Education Network.

The data developed during the evaluation can easily be incorporated into pre-plans for the buildings as well as a tool for prioritizing properties in need of immediate action when funding is limited.

Communities may choose to use this form or develop one of their own that addresses the specific needs of the jurisdiction. The objective, however, should be to gather sufficient information on known vacant and abandoned properties so that informed decisions can be made regarding the properties under both emergency and non-emergency circumstances. Consideration should be given to including the requirement for evaluation into the local jurisdictions ordinances or regulations regarding vacant and abandoned properties. For instance, the provisions of 527 CMR, the Massachusetts Comprehensive Fire Safety Code include a provision for inspecting buildings deemed to be unsafe prior to being placarded:

10.13(7)(f) Prior to receiving a mark, all buildings shall be inspected thoroughly by the head of the fire department.

Building Security

While a vacant property is waiting for demolition or re-use, it must be properly secured to prevent unauthorized entry. The importance of proper security is demonstrated by National Fire Protection Association's estimates that more than 72 percent of fires reported in vacant or abandoned structures are of incendiary or suspicious origin. An additional 5 percent of the fires result from children playing with matches.[6]

Security measures for properties that are intact and able to be locked may be as simple as regular surveillance by police and the owner. Where properties are open to unauthorized entry, they must be secured. The most common method of securing vacant and abandoned buildings is boarding them up. While many methods and materials are used, one of the most effective and secure methods is detailed in the United States Fire Administration's National Arson Prevention Initiative Board Up Procedures[7]. Specifications and installation details are provided as Appendix C of this document.

The intent of boarding up a property is the prevention of unauthorized entry. Thus, to be effective all openings in a building must be secured. That includes doors, windows and openings in walls that could be used to gain access. Materials used must be strong enough to prevent access and must be weather resistant. A surveillance program should also be coupled with the board up process to monitor building security. Regular visual inspections of boarded up properties by police, fire department, or neighborhood watch

groups will determine if security measures have been damaged and need repair. To assist in enforcement, all secured properties should be posted with NO TRESPASSING signs.

Security and surveillance measures become key elements in providing for firefighter safety in the event of a fire in the structure as they reduce the possibility of the building being occupied. As discussed in the firefighting operations section below, where there is no known life safety hazard, firefighters should not generally enter known vacant and abandoned structures to attack fires.

In some communities, regular high visibility surveillance is used as the short term method of fire and crime prevention rather than boarding up the properties. While these measures do not require the labor intensive and costly board up process, they do require a significant commitment on the part of the police and community groups involved in the patrol and surveillance activities.

Marking Vacant and Abandoned Buildings

Two of the thirteen recommendations of the NIOSH report on the 1999 cold storage building fire in Worcester, Massachusetts[8], related to the evaluation and marking of vacant and abandoned buildings.

> Recommendation #1:
>
> > Fire departments should ensure that inspections of vacant buildings and pre-fire planning are conducted which cover all potential hazards, structural building materials (type and age), and renovations that may be encountered during a fire, so that the Incident Commander will have the necessary structural information to make informed decisions and implement an appropriate plan of attack.
>
> Recommendation #10 :
>
> > Fire departments should identify dangerous vacant buildings by affixing warning placards to entrance doorways or other openings where firefighters may enter.

Many communities also use a marking system for vacant properties that are considered to be a risk to firefighters under fire conditions. Marking of vacant and abandoned buildings is used to alert fire suppression personnel to the potential hazards the buildings pose should a fire occur. The evaluation of the building is an opportunity to rate the potential hazards and determine if the building should be marked. For buildings that pose significant hazards such as holes in floors, deteriorating structural members and combustible interior finish, firefighters may be directed to operate from the outside in a defensive mode in all cases except were there is known life hazard.

The system adopted in Worcester and the Commonwealth of Massachusetts after the Worcester Cold Storage Fire was one adapted from the City of New York. In this system a sign with a white **X** on a red background is used to indicate that the placarded structure is extremely hazardous and interior firefighting operations should be conducted only when there is a known life hazard and with specific consent of the incident commander and extreme caution. A white **** on a red background is used to indicate that interior operations can be conducted with extreme caution. Additional information regarding the system can be found in Appendix F and in the Reference List in Appendix H.

Long Term Solutions

Once a building is secured and marked, the process of seeking a long-term solution must begin. As discussed above there are generally two routes that can be taken. The first is re-use. If the structure is viable, it may be a candidate for rehabilitation and sale. Another considerations for rehabilitation might be the historical significance of the structure. To facilitate this process, some communities publish lists of vacant properties that are available for reuse or rehabilitation[9]. Organizations such as Habitat for Humanities, church or civic groups, or private developers have stepped forward in communities to rehabilitate residential properties. In Lewiston, Maine, the community used a combination of federal, local and private funds to rehabilitate a portion of a vacant shoe mill in the center of the community. This property now has a variety of tenants and is a productive, viable property in a prime location within the community. The reuse of old factories for residential, commercial, or manufacturing occupancies is a popular trend in many old industrial communities. In most cases these efforts are the result of a public/private partnership.

Dealing with vacant and abandoned biddings in communities is a time-consuming and costly undertaking. To be effective a community must address the issue from several perspectives so that they are identified, evaluated, secured, and finally demolished or rehabilitated. To accomplish this, requires cooperation between governmental departments, the public and, in many cases, private developers. Where a cooperative effort is not the case, the problem of vacant and abandoned buildings cannot be adequately addressed, and the community will be faced with the significant hazards that these properties pose to the safety of the public and firefighters.

At the national level organizations such as Smart Growth America provide forums for both the public an private sectors regarding land use and reclamation of vacant and abandoned properties. Smart Growth America is a coalition of national, state and local organizations working to improve the ways that towns, cities and metro areas are planed and built. The coalition includes many of the best-known national organizations advocating on behalf of historic preservation, the environment, farmland and open space preservation, neighborhood revitalization and more. State- and regional-level members include community-based organizations working to save treasured landscapes while making towns and cities ever more livable and lovable.

The National Vacant Property Campaign is a project of Smart Growth America (SGA), Local Initiatives Support Corporation (LISC), and the Metropolitan Institute at Virginia Tech. The campaign is supported by grants from the Fannie Mae Foundation; the U.S. EPA, the Ford Foundation, the C.S. Mott Foundation, the Surdna Foundation, and the National Endowment for the Arts. Effective vacant property reclamation efforts involving environmental advocates who see property reclamation as a way to offset urban sprawl, to housing groups seeing to create affordable homes, to those interested in preserving a community's history are supported by the campaign.

Firefighting Operations

The most important concept that firefighters must understand when responding to fires involving vacant and abandoned buildings is that the building themselves are inherently dangerous. Hazards commonly found in these buildings include

- Open shafts
- Pits and holes due to removal of equipment
- Structural degradation due to weather and vandalism
- Exposed structural members
- Penetrations in barriers such as walls, floors and ceilings that allow abnormal fire travel
- Combustible contents
- Maze-like configuration
- Blocked or damaged stairs
- Potential for delay in discovery of a fire
- Potential for multi-room fire on arrival
- Potential for extension to near-by structures

These potential hazards are some of the reasons that the rate of firefighter injuries in these properties is significantly higher than for any other property use[10]. Firefighting operations in buildings that are known to be vacant should be conducted with extreme caution. Interior firefighting operations should be attempted only after a size-up has determined that these operations can be conducted safely. Where there are indications of structural deterioration or other hazards listed above and no known life hazard, the incident commander should consider defensive operations. Hazard floor plans developed using information from an inspection of the building can assist the incident commander in the decision making process on the fire scene (See Appendix B for additional information and an example of the plans developed for Worcester Fire Department.). As Dugan states in his article on operations in sealed buildings:

> "Most vacant buildings usually have a low potential for civilian victims and a high injury risk to firefighters. Therefore, commanding officers must take into account the safety of all personnel at the fire scene. Interior operations are not mandated at vacant buildings. Entry into a vacant building is an option, not an obligation."[11]

Buildings that are properly secured should have a very low potential of life hazard. This should impact the decision as to ordering an aggressive interior attack or a more cautious defensive operation.

Where communities adopt a hazardous building marking system as discussed above, firefighters have an additional safety mechanism in place. The marking system provides an easily recognized indication of the potential hazard the building poses to suppression operations. Data regarding the hazards in known vacant/abandoned buildings should also be made available to responding units via radio or computer.

Fire suppression personnel should receive training regarding the hazards that these buildings pose and standard operations for the jurisdiction. Companies should be provided with data regarding vacant/abandoned buildings in their response district and the results of the evaluations completed on these properties.

The decision to commit interior firefighting personnel should be made on a case by case basis with proper risk benefit decisions being made by the incident commander. The commitment of firefighters' lives for saving of property and an unknown or marginal risk of civilian life must be balanced appropriately.

Where communities require securing structures using the HUD board-up procedures outlined in this paper and in the Tool Box materials, the fire department should provide specific training for personnel. Operations involving secured structures will have different priorities and require training in the safe removal of board-up components for exterior firefighting operations.[12]

Fire departments should also consider establishing procedures that detail the use of alternative methods for searching hazardous structures. One suggested practice is the use of thermal imaging devices from the outside. Where there is a known life hazard, special precautions should taken during interior operations. Precautions will be specific to the incident and building but might include

- Limiting the time that crews operate in the structure
- Providing very specific tasks and objectives to interior crews
- Providing each crew with a safety line or operating hose line
- The use of thermal imagers to guide interior crews
- Monitoring of interior crew progress by incident commander

Where defensive operations are considered, provisions should be made to protect personnel and apparatus from structural collapse. An adequate water supply should also be provided to protect exposed structures.

As part of the most recent grant initiative, the IAAI conducted a review of the impact that vacant and abandoned properties have on communities protected by volunteer or paid-on call fire departments. It is interesting to note that many volunteer departments do not view vacant or abandoned properties as a significant hazard. This may be due to the type of community the departments protect, or that fire prevention is not a typical function assigned to these departments. It is important to raise the awareness of the hazards present by these buildings to this sector of the fire service.

Funding

Dealing with vacant and abandoned building in a community is a costly endeavor. If a viable owner is available he should be held accountable for the expenses. Where there is no viable owner the expense becomes the responsibility of the taxpayer. In most of the successful models reviewed as part of this project, public/private partnerships were used to reduce blight and enhance development.

Vacant and abandoned buildings in a community are the result of social and economic issues. These issues manifest themselves as fire and crime problems as neighborhoods decline and businesses move on. The resulting blight and related issues must be dealt with if the community is to recover. Because abandonment is an issue related to the development and prosperity of a community, there are a number of federal programs that can be tapped by communities.

The first program that should be looked at is the Community Development Block Grant (CDBG) program administered by the U.S. Department of Housing and Urban Development (HUD). These funds are provided directly to entitlement communities and through state grants to others. The primary objective of these funds is to benefit low and

moderate income persons, prevent or eliminate slums or blight, and address community development needs where there is an immediate threat to the health and welfare of the community.

Communities such as Lewiston, Maine, have been very successful in obtaining funding for the mitigation of vacant and abandoned buildings in the downtown area using these funds coupled with tax dollars and private development funds.

Small to very large communities with low to moderate income populations should review how the CDBG dollars are being allocated and contemplate the use of a portion of the available funds for mitigation of vacant and abandoned buildings.

Another source of federal funds that could be directly allocated to the mitigation of vacant and abandoned buildings is the Brownfield funds available from the Environmental Protection Agency (EPA) and HUD. These funds are directed toward the cleanup of contaminated sites within a community. Many communities have used the Brownfield funds to assist in the mitigation and development of large factories that have been vacated and in many cases abandoned due to hazardous waste contamination. These structures tend to be very large industrial complexes that, when vacated, create significant problems for the community. Because the buildings and the ground they sit on are contaminate they can not be developed. In many cases the company that owned the facilities have gone out of business and the buildings are the responsibility of the community. By entering into partnerships with potential developers, Brownfield funds can assist in removing the hazardous materials that are obstacles to new development and in the process mitigate the vacant building problem.

The Livable Communities initiative administered by the EPA is another federal program that may be of assistance in mitigation of vacant an abandoned buildings. These funds are aimed at fostering economic growth while not contributing to urban sprawl.

Finally, if vacant and abandoned buildings are truly the incubators of disorder and crime as several of the authors' quotes in this document might suggest, communities should look to the anti-crime funds administered by the U.S. Department of Justice. The correlation between disorder, crime and abandoned buildings has been well documented. Mitigation of these crime breeders should be in the best interest of those involved in community policing and the prevention of crime.

The tax dollars available in the community must also be looked at when addressing funding for the mitigation of vacant and abandoned buildings. These buildings are part of the community and it must take some responsibility for the final solution.

As the case studies included in this document show, communities must also think "outside the box" when attempting to solve their problem. The use of the National Guard in Utica, New York, and the establishment of a multi-agency task force in Lawrence, Massachusetts, are just a few examples of solving the problem through alternative methods.

A commitment to addressing the problems and hazards presented to communities by vacant and abandoned structures must be coupled with interdepartmental cooperation and the identification of potential sources of funds, both public and private, to support the effort. The Community Development Director and the executive leadership of the community will be the individuals with the best handle on potential funding sources.

Appendix F provides additional information on CDBG and Brownfield funding.

Strategies for Handling Vacant and Abandoned Buildings

- Develop mechanisms that enhance inter-agency communication and cooperation regarding the identification and handling of vacant and abandoned properties in the community.
- Determine the legal authority provided by building and fire codes and ordinances adopted by the community.
- When necessary, develop and adopt a local ordinance that empowers the community to take proper action to secure and mitigate vacant and abandoned properties.
- Develop a system to identify at-risk properties and track those that are vacant or abandoned.
- Evaluate vacant and abandoned properties.
- Institute a system that communicates potential hazards found in vacant and abandoned buildings to responding firefighters.
- Develop a marking system that alerts firefighters to potential hazards in vacant and abandoned buildings.
- Initiate programs for local government to mandate proper security for vacant and abandoned properties.
- Enforce requirements for the securing of vacant and properties by owners.
- Monitor the integrity of security provided for vacant and abandoned properties and provide a system to initiate repairs when required.
- Identify potential public and private funding sources that are available for securing, rehabilitating or demolishing vacant or abandoned buildings.
- Develop programs to identify those properties that require demolition.
- Develop programs that assist in the rehabilitation of viable properties.

Appendix A – Building Evaluation Form

Date: / /

Building Marking

Vacant/Abandoned Building Evaluation Form

Address: _____

Property Name: _____

Owner Name: _____ Telephone: _____

Owner Address: _____

Answer each of the following questions about the building. Select multiple options, if necessary; explain response.
Draw a simple sketch of the location and explain your observations in a brief narrative.

Building Security

☐ Secure ☐ Open/unsecured ☐ Signs of recent entry

Utilities (Note Entry Points for each active utility on sketch)

Active Utilities ☐ No ☐ Yes **If Yes:** ☐ Gas ☐ Electricity ☐ Oil ☐ Water

Building Use (The original use of the building and how it was last used)

Building Construction

Number of Floors _____ **Basement:** ☐ Yes ☐ Sub-Basement ☐ Multi Sub-Levels

Exterior Walls ☐ Block/Brick ☐ Curtain Wall ☐ Wood ☐ Metal Tie Rods (stars)

Openings in Exterior Walls (Windows, Doors, etc.) ☐ Many ☐ Few ☐ Windowless

Structural Members (Beams, Girders, Columns) ☐ Steel ☐ Concrete ☐ Wood ☐ Mixed (*Describe*)

Truss Construction ☐ Roof ☐ Floors

Exposed Structural Members (Beams, Girders, Columns & Trusses) ☐ Yes ☐ No

Ceiling Type ☐ None ☐ Suspended ☐ Metal ☐ Sheetrock/Plaster ☐ Wood

Condition of Interior Walls and Floors (Integrity of compartmentation)

☐ Good ☐ Deteriorating ☐ Multiple penetrations that would allow fire spread ☐ Walls ☐ Floors

Condition of Roof

☐ Good ☐ Some instability/deterioration ☐ Major deterioration

General Condition of Structure

☐ Good ☐ Minor structural instability ☐ Major deterioration of structural elements

Fire Protection Systems

Operational Fire Alarm System ☐ Yes ☐ No

Operational Sprinkler System (Valves open, pressure showing on gauges) ☐ Yes ☐ No ☐ System off, but usable if supplied through FD connection

Operational Standpipe System ☐ Yes ☐ No

Fire Department Connection (If Yes, note location on sketch) ☐ Yes ☐ No

Fire Potential

Fuel Packages (Fuel Load)

Quantity	☐ Numerous	☐ Moderate	☐ Limited		
Distribution	☐ Concentrated	☐ Spread out			
Housekeeping	☐ Good	☐ Poor			
Interior Finish	☐ Combustible	☐ Non-combustible	☐ Mixed (Describe)		
Room Size	☐ Large	☐ Moderate	☐ Small		
Potential for a delay in FD notification	☐ High	☐ Medium	☐ Low		

Exposures (Note locations on sketch)

Location	☐ **A side**	☐ **B side**	☐ **C side**	☐ **D side**
Separation (ft)	___	___	___	___
Occupied (Y/N)	___	___	___	___

Suppression Operations

Hazards In Building	☐ Holes in Floors	☐ Missing Stairs	☐ Open Shafts/pits	
Building Access:	☐ 4 sides	☐ 3 sides	☐ 2 Sides	☐ Limited
Interior Layout	☐ Complicated	☐ Normal - Walls/Partitions	☐ Open	
Water Supply:	☐ Adequate	☐ Inadequate	(Note Locations on Sketch)	

Hazardous materials located on the site ☐ Yes ☐ None Observed
(If Yes, describe in detail)

Conditions that require immediate correction ☐ Yes ☐ No
(If Yes, describe in detail)

Analysis of the building (provide ***your*** analysis of the building)	High	Moderate	Low
Potential for an exposure fire (extension to another building)	☐	☐	☐
Potential for a Multi-Room fire on arrival of first due company	☐	☐	☐
Potential for structural collapse early in the fire development	☐	☐	☐
Potential for fire fighters to become lost or trapped during operations	☐	☐	☐

Narrative:

Inspected by: Posting Authorized by: Data Entered by:

Appendix B - Developing Floor Plans

Developing Hazard Floor Plans of Vacant/Abandoned Buildings

Floor plans of vacant/abandoned buildings are an extremely useful tool on the fire ground. They give critical information about the building and show hazardous areas in the buildings that otherwise might not be known. Completing a hazard floor plan is not that difficult; it requires few tools and some computer experience.

Once a building has been chosen, the structure needs to be surveyed. First, check and see if any current floor plans are available. If not, the building will have to be measured by hand. Two people should always survey the building for safety. Begin by measuring the footprint of the building with a tape wheel and sketch it on a pad of paper. Then move inside and complete the interior floor plan. Numbers need not be exact and can be rough dimensions. While one person is measuring, the other is taking pictures, ideally with a digital camera. Pictures should be taken of holes, weakened floors, exposed structural members, trusses, or any other information that might be important. Also, hazards can be noted on the sketch of the building. Other information to note may include sprinkler systems, active utilities, location of utilities, or hazardous materials on site. Typically, a building can be surveyed in less than two hours.

After the building information has been collected, the floor plan can be completed in a computer. Any drawing program can be used to develop the footprints. The program selected for this project was Microsoft Visio. Visio was selected since it is very easy to learn and compatible with other Microsoft products such as Word and PowerPoint. Visio uses “drag and drop” utilities; for example, one would just drag a wall or door from a toolbar and drop it on the drawing. Photographs are also very easily imported into the drawing.

The Worcester Fire Department is using hazard floor plans. One of the goals of the final drawing was to include all pictures and information on a single sheet of paper. This gives the incident commander a tactical worksheet to use on an incident with the most important information about the building. If multi-story buildings are drawn and different floors have the same layout, only one needs to be drawn on the floor plan; noting that another floor has the same layout. An example of a hazard floor plan is shown below. Additional examples of the floor plans developed in Worcester are provides as part of the Tool Box.

Hazard and preplanning information can also be provided electronically to responding firefighters. The system used in Wilson, NC is an excellent example of this type of application. In order to provide this level of data, however, the basic data must still be developed an input into a format that is usable by the computer system being used in the community.

48 MASON ST.
INSTITUTIONAL LINENS INC



WOODEN TRUSS ROOF
THIS ROOM ONLY!



CEILING COLLAPSE



CEILING MISSING

DOUBLE DOORS
SINGLE DOOR
OVERHEAD DOORS
WOOD STEEL COLUMNS
ELEVATOR SHAFT
HAZARD
STAIRS
LEGEND

BOILER
EMPTY OIL TANKS
ELECTRIC PANEL
160 FT
OCCUPIED GARAGE
!DANGER!
SEVERE ROOF
COLLAPSE
OPEN STUD WALL
LOFT AREA
SHADED AREA SHOWS 2ND STORY OFFICE SPACE
OVERHEAD DOORS
FDC
153 FT
MASON STREET



ALL WINDOWS HAVE
STEEL FRAME





NOTES:
- BUILDING HAS SECOND FLOOR, ON MASON STREET SIDE
- LIGHT WEIGHT STEEL TRUSS ROOF
- BOILER ROOM ONLY HAS WOOD TRUSS
- SPRINKLER SYSTEM IS INOPERATIVE, DOES HAVE FDC
- OCCUPIED GARAGE ATTACHED TO BUILDING
- BUILDING HAS NO OPERATIONAL UTILITIES
- NO BASEMENT

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B.L. 02/01

Appendix C - Building Security Specifications and Details

USFA National Arson Prevention Initiative
Board Up Procedures

Materials List and Specifications

Security Measures

1. All openings in the basement, first floor doors and windows, and any point of entry accessible from a porch, fire escape or other potential climbing point shall be barricaded with plywood, 2x4 braces, carriage bolt sets, and nails. Particle board, wafer board, Masonite, or other similar material shall not be used for purposes of boarding-up a building.
2. Openings that are at least 10' from ground level which are not accessible from a porch, fire escape, roof, or other climbing point can be secured with nails in each brace, and every 12" around the perimeter. For all openings, the plywood should be fitted so that it rests snugly against the exterior frame, butting up to the siding on wood frame buildings and up to the brick molding edge on brick buildings. It may be necessary to remove the staff bead so this fit can be flush and tight.
3. The structure shall be posted with a NO TRESPASSING sign at the completion of the board-up.

Materials

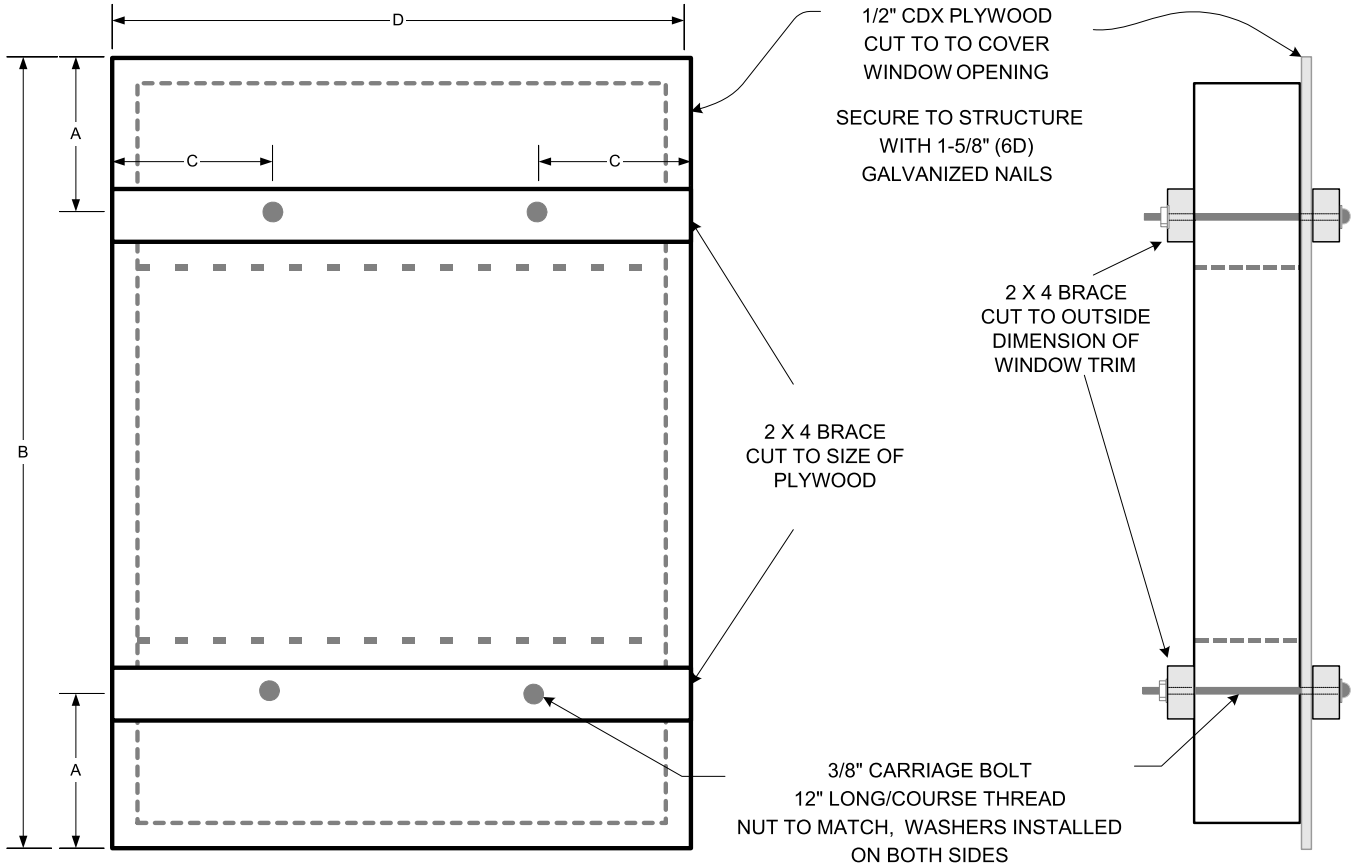
1. Plywood, 1/2" (4 ply) exterior grade CDX
2. Braces - 2" by 4" by 8' construction grade lumber
3. 3/8" (coarse thread) by 12" carriage bolts (rounded head on weather side)
4. 3/8" (coarse thread) construction grade nuts
5. 1/2" (USS Standard) Flat washers with an inside diameter large enough to bypass the wrench neck inside the carriage bolt head so no lift edge is available beneath an installed carriage bolt head.
6. 3/8" (USS Standard) diameter flat washers for installation beneath the nut inside the building
7. 1-5/8" (6d) galvanized or stainless steel ring-shank nails or comparable deck nails.

Barrier Assembly

1. Applying barriers is accomplished with a inside and outside carpenter with appropriate tools and supplies. The inside carpenter will need a light. Exit is made over a ladder when the last window is boarded.
2. Plywood shall be cut to fit over the window and door openings, flush with outside of the molding/trimmer stud. Application of barriers shall be completed so that all lift or pry points are avoided.
3. The 2x4 braces shall be cut to fit the horizontal dimension of the plywood. Two exterior and two interior 2x4 braces shall be provided for each window and three sets for each door.
4. Window Assembly – Braces are located horizontally approximately 1/3 of the distance from the top and the bottom of the window. Bolt holes are located 1/3 of the length of the brace from the outside edge of the window jams. Prior to installation, the assembly should be pre-assembled and 3/8” holes drilled through all of the components.
5. Door Assembly – Door braces will be placed horizontally; one in the center of the doorway and one 1/2 the distance from the center to the top and one 1/2 distance from the center to the bottom of the doorway. Bolt holes are located 1/3 of the length of the brace from the outside edge of the door frame. Prior to installation, the assembly should be pre-assembled and 3/8” holes drilled through all of the components.
6. Plywood used to cover exterior openings shall be nailed every 12" along the perimeter to the window or door frame.
7. The 2x4 braces on the interior and exterior of the assemblies shall be secured using 3/8” by 12” carriage bolt assemblies. Bolts shall be inserted through the pre-drilled holes from the exterior with a 1/2” washer place against the exterior brace, a 3/8” washer is placed against the interior brace. The bolt is tightened from the inside so that it slightly compresses the interior brace.
8. The exterior surfaces of barriers shall be painted or stained the same color as the structure to minimize the appearance.

Should the through-bolt compression method be impossible due to the size or condition of the opening, the opening shall be covered with plywood and secured with a minimum of 3-inch-long deck or wood screws installed on 4-inch centers around the circumference of the opening.

For buildings that require access by authorized personnel, a single door that is visible from the street may be secured using a solid core wood or steel door. There shall be no windows or other openings in this door. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door. The lock loop portion of the hasp is attached to the door frame using a minimum of 3-inch-long wood screws.



WINDOW - OUTSIDE VIEW

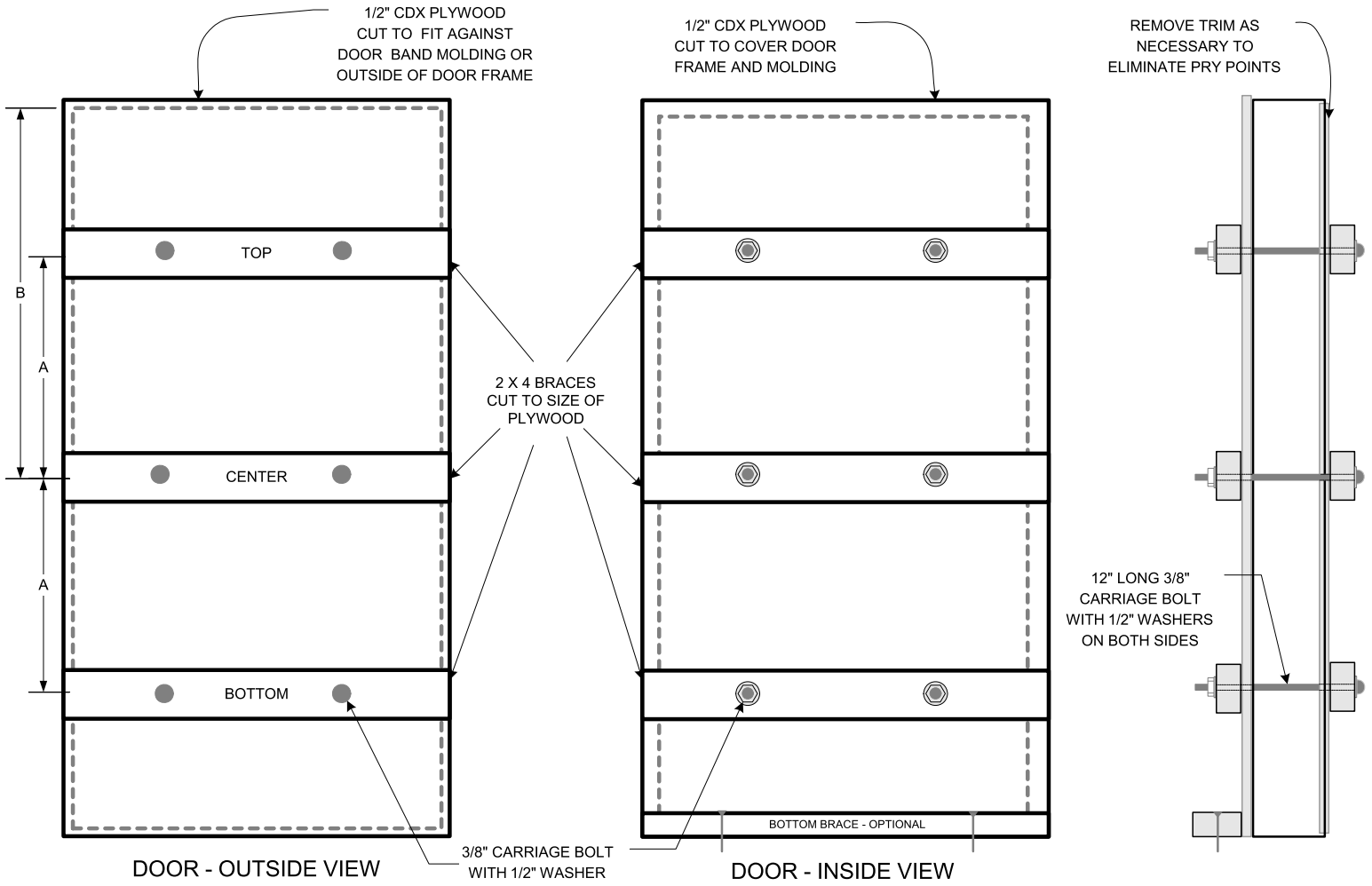
NOTES:

1. FOR DOUBLE HUNG WINDOWS, SLIDE SASH TO CENTER OF UNIT AND PASS BOLTS THROUGH OPENINGS AT TOP AND BOTTOM.
2. STORM WINDOWS SHOULD BE REMOVED AND STORED INSIDE STRUCTURE.
3. OUTSIDE TRIM MAY HAVE TO BE REMOVED TO ACCOMMODATE A FLUSH AND TIGHT FIT.
4. TIGHTEN NUTS FROM INSIDE ENOUGH TO SLIGHTLY COMPRESS 2X4 BRACE.
5. BRACE LOCATIONS: A = 1/3 B (SEE DIMENSION LOCATIONS ON DRAWING)
6. LOCATION OF BOLT HOLES: C = 1/3D (SEE DIMENSION LOCATIONS ON DRAWING)

USFA National Arson Prevention Initiative
Board Up Procedures

Window Detail

IAAI/USFA Abandoned Building Project

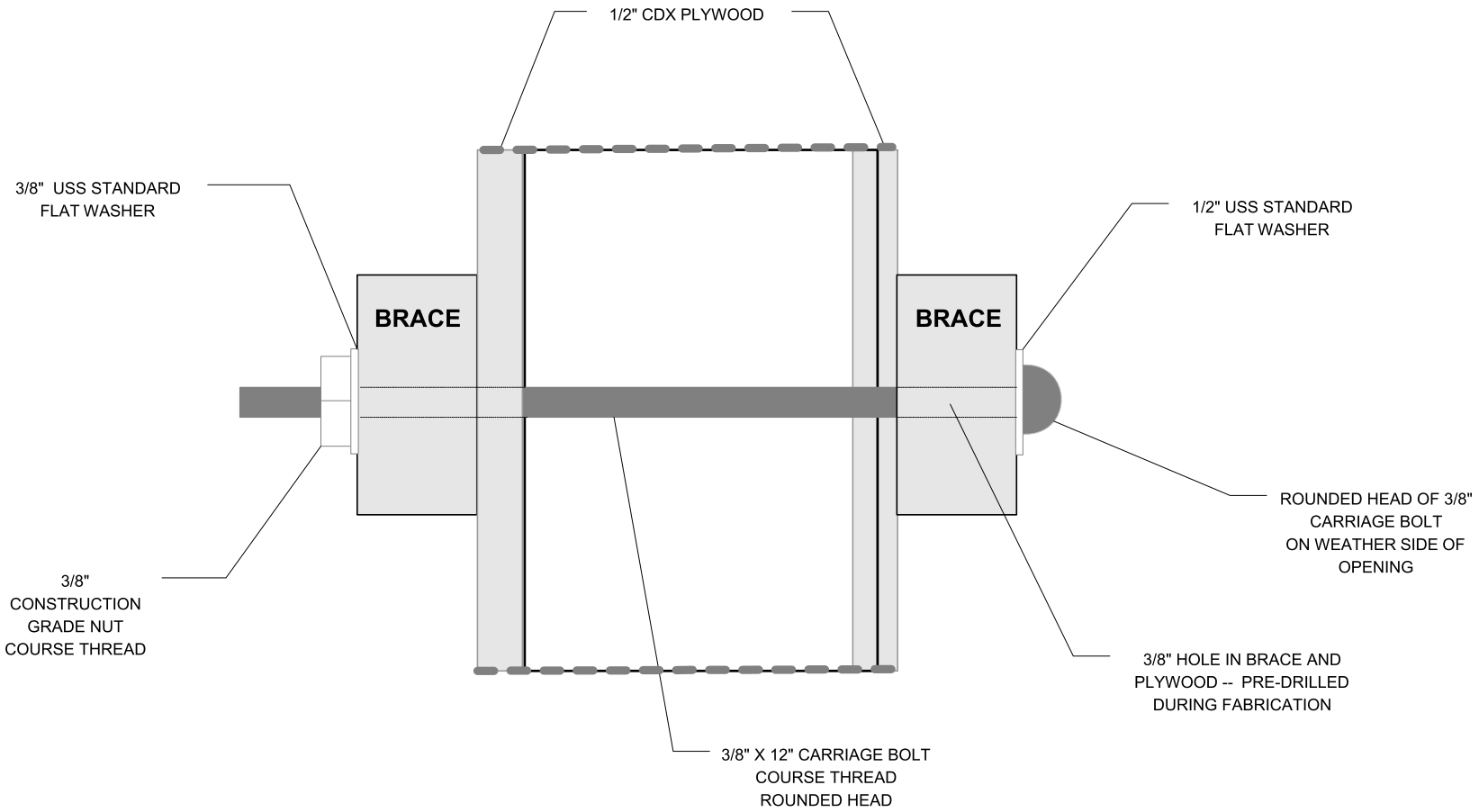


NOTES:

1. DOOR IS REMOVED AND STORED INSIDE BUILDING.
2. USE 3/8" X 12" CARRIAGE BOLTS - ROUNDED HEAD ON OUTSIDE OF BUILDING
3. TIGHTEN NUTS FROM INSIDE ENOUGH TO SLIGHTLY COMPRESS 2X4 BRACE.
4. IF PLYWOOD CAN NOT BE BUTTED AGAINST BAND MOLDING, CUT TO COVER OUTSIDE EDGE OF DOOR FRAME.
5. BOLT HOLES ARE LOCATED AS THEY ARE FOR WINDOWS (SEE WINDOW DETAIL)
6. CENTER BRACE LOCATED IN CENTER OF DOORWAY OPENING. TOP AND BOTTOM BRACES ARE POSITIONED WHERE A = 1/2B (SEE DIMENSION LOCATIONS ON DRAWING)

USFA National Arson Prevention Initiative
Board Up Procedures

Door Detail
IAAI/USFA Abandoned Building Project



NOTES:

1. USE 3/8" X 12" CARRIAGE BOLTS - ROUNDED HEAD ON OUTSIDE OF BUILDING
2. TIGHTEN NUTS FROM INSIDE ENOUGH TO SLIGHTLY COMPRESS WASHER INTO 2X4 BRACE.
3. USE 1/2" WASHER ON WEATHER SIDE TO ACCOMMODATE THE THE WRENCH NECK OF BOLT AND ELIMINATE PRY POINTS.

USFA National Arson Prevention Initiative
Board Up Procedures

Bolt Assembly Detail
IAAI/USFA Abandoned Building Project

WINDOW ASSEMBLY

MATERIALS REQUIRED PER WINDOW

1 1/2" CDX PLYWOOD SHEET - CUT TO DIMENSIONS OF WINDOW FRAME (WEATHER SIDE

4 2X4 BRACES - CUT TO WIDTH OF PLYWOOD

4 CARRIAGE BOLT ASSEMBLIES

NUMBER OF WINDOWS TO BE SECURED (N_W): _____

NUMBER OF WINDOWS BRACES REQUIRED: (N_W X 4) _____

CARRIGE BOLT ASSEMBLIES REQUIRED (B_W): (N_W X 4) _____

DOOR ASSEMBLIES

MATERIALS REQUIRED PER DOOR

1 1/2" CDX PLYWOOD SHEET - CUT TO DIMENSIONS OF DOOR FRAME (WEATHER SIDE)

1 1/2" CDX PLYWOOD SHEET - CUT TO OUTSIDE DIMENSIONS OF DOOR FRAME TRIM (INSIDE)

6 2X4 BRACES - 3 CUT TO WIDTH OF OUTSIDE PLYWOOD, 3 CUT TO WIDTH OF INSIDE PLYWOOD

1 2X4 BOTTOM BRACE - CUT TO WIDTH OF DOOR TRIM (OPTIONAL)

6 CARRIAGE BOLT ASSEMBLIES

NUMBER OF DOORS TO BE SECURED (N_D): _____

NUMBER OF DOOR BRACES REQUIRED: (N_D X 6) _____

NUMBER OF BOTTOM BRACES REQUIRED: (N_D) _____

CARRIGE BOLT ASSEMBLIES REQUIRED(B_D): (N_D X 6) _____

CARRIAGE BOLT ASSEMBLY

1 12' X 3/8" CARRIAGE BOLT - COURSE THREAD

1 1/2" USS STANDARD FLAT WASHER (WEATHER SIDE)

1 3/8" USS STANDARD FLAT WASHER (INSIDE)

1 3/8" CONSTRUCTION GRADE NUT - COURSE THREAD

TOTAL CARRIGE BOLT ASSEMBLIES REQUIRED:(B_W + B_D) _____

USFA National Arson Prevention Initiative

Board Up Procedures

MATERIALS LIST

IAAI/USFA Abandoned Building Project

Appendix D - Case Studies

IAAI Abandoned Building Project: Case Studies of Arson Response

Introduction

In an effort to create a tool kit for the prevention of fires in abandoned buildings several communities' response to the abandoned building and arson problem was reviewed. The problems found in each community, as well as the response to those problems, are included in this report. Similarities and differences can be found from community to community; however, the end result is virtually always positive if the community has a true desire to solve the problem.

New Haven, Connecticut

In the middle of the 1970's, New Haven, Connecticut experienced a drastic rise in fires occurring in the city. Even more alarming was a 400% increase in the number of arson fires many occurring in vacant /abandoned buildings from 1973 to 1976.

A Grand Jury probe and subsequent report led to sweeping changes in the way fires were investigated. The Grand Juries efforts led to the arrest of fourteen defendants on a total of ninety five felony offenses however it was the Grand Jurors report on the deficient way arson was investigated that triggered a unique response by the city.

The initial action was to develop an Arson Task Force comprised of members of the Mayor's Office, the State's Attorney's Office , and the city's police and fire chiefs. The Task Force proposed three initial recommendations.

First, establish a dedicated Fire Investigation Unit comprise of selected members of both the police and fire departments under the command of a fire captain. Members of the joint unit would immediately respond and thoroughly investigate the origin, cause and responsibility of all fires occurring in the city.

Second, increase arson awareness among the ranks of the police and fire departments. The task force recognized the critical role of the first responders and their ability to recognize and alert Fire Investigation Unit members of critical information on the fire ground. To achieve this an in-service training program was developed and delivered to every active member of the fire and police departments. This program utilized a cooperative effort between the city, the South Central Criminal Justice Advisory Board, and John Jay College of Criminal Justice.

Third, was to create a computerized arson early warning information system. This proactive component of the overall plan became an integral part of the city's arson prevention effort. The Arson Warning and Prevention Strategy (AWPS) provided key pre-fire information which, when combined with the investigative expertise of the joint Fire Investigation Unit and aggressive prosecution policy of the State's Attorneys Office , resulted in a marked decline in arson fires in New Haven.

The AWPS system had two elements the first was a computer data collection and maintenance system that supplied computer based information from the Tax Office, Housing Code Violations, Assessor's Office, Liens and Fire Department. The second component of the program was to utilize this information to predict arson prone properties that existed in the city based on common indicators present in buildings that already had an arson fire. The system identified four factors that were present in significantly higher numbers in the buildings which had arson fires.

- History of back taxes
- Previous structural fires
- Unabated housing code violations
- Unreleased liens and attachments

The AWPS program proactively deterred arson fires using the prediction model. Once a building was identified as an at risk structure based on the common denominator factors the owners of the buildings would be notified. The building would be place on a deterrent patrol list which required the police department to systematically monitor the activities at the buildings and the fire department would increase inspections of the structures as well.

The strategy also included the development of close working relationships with the residents who lived near or in at-risk buildings. "Block Watch" and other neighborhood groups were encouraged to participate in New Havens multi –faceted anti arson effort.

Public awareness was identified to be very important in the reduction of arson fires in the city. Several actions were taken to accomplish the task of increasing public awareness. Written materials like brochures and newsletters were distributed throughout the city. A Fire/Arson Public Information System Advisory Board was created to involve the community in the campaign. Also, target groups were identified for education programs about fire and arson.

Educational programs were developed for youth in school, community based youth organizations, for the elderly, for business people, and for homeowners and tenant groups. These programs were provided by a multi-agency approach from the city.

Utica, New York

After several large manufacturing plants closed along with a large military base in the early 1990's, economic and social erosion threatened this beautiful city once known as one of the ten safest communities in the United States.

By 1997 Utica had lost more than 12% of its skilled worker population and began suffering an explosive growth in crime and arson rates. The arson rate eventually reached three times the national average. Although the fires were occurring throughout the city the incidence was highest in central Utica in a neighborhood known locally as "Cornhill". This area was characterized by dozens of vacant and abandoned buildings mixed into rundown streets with blighted, non-owner occupied rental properties and vacant lots often filled with abandoned cars, trash and discarded appliances.

Utica was chosen along with Charlotte, NC, Macomb, GA, and Nashville, TN as a pilot community for a FEMA program called the National Arson Prevention Initiative. This program was designed to use community-based resources to reduce the incidence of arson by coordinating prevention and control activities.

Beginning in May 1997 during Arson Awareness Week the city, Oneida County, the State of New York and the NAPI Program launched a coordinated program to attack both the arsonist and the problem buildings that were the major arson targets.

An interagency Arson Strike Force to address fire/arson investigation was formed under a formal Memorandum of Understanding consisting of Utica Fire and Police Departments, the Oneida County Sheriffs Department & Prosecutor's Office, the New York State Police and State Fire Marshal, the ATF and U.S. Attorney Control and the Insurance Crime Prevention Institute. A separate, but equally well organized, Arson Prevention Task Force was started to address *arson prevention* measures. Led by Oneida County's Chief Administrator this task force included representatives from his staff, the Utica Mayor's Office, the city's engineer, Department of Public Works (DPW) Chief and Code Enforcement Divisions as well as the county and state DPW, and the New York State National Guard.

The objective of the Arson Prevention Task Force was to "harden the target" by either accelerating demolition or boarding up of the most fire prone structures in the city's Corn Hill neighborhood. Additional activities of this program included increasing public awareness of problems and solutions, coordinating the activities of neighborhood watch groups and stepped up code enforcement.

Community support and inter-agency cooperation were critical to the completion of the project. Due to a tenuous city budget program coordinators proved very resourceful at locating, and taking full advantage of, both public and private section sources of funding the various initiatives. Direct monetary support as well as in-kind contributions was found to obtain everything from office equipment for the Strike Force to materials for board ups. The development of a local resource list was used in this effort.

The Strike Force was in need of a headquarters and many things were needed to establish this facility. Oneida County provided supplies for remodeling to establish offices for the

Strike Force. Local industry donated desks, office equipment, and computers for the headquarters.

Demolition efforts were supported by the New York State Army National Guard, County and City DPW crews and equipment, and private sector contractors who donated their time and equipment. This effort lead to the complete demolition of nearly 100 abandoned buildings. This number represented more building demolitions in three weeks than had been possible in the entire previous year by city crews.

Community awareness and involvement was sought through media relations. A cooperative effort was made and a private advertising firm donated media and public relations at no cost. The primary goal of the public awareness campaign was to avoid negative connotations of the arson problem that might inflame the problem or leave the community with a permanent black eye. The campaign stressed that though there was a problem, there was something being done to solve that problem.

Through the board ups, demolition, arson strike force action, and public awareness and involvement Utica was able to control the problem. They achieved a two-thirds reduction in arson in just three months.

Lawrence, Massachusetts

Lawrence is located about twenty-five miles north of Boston and for many years housed a large number of textile mills and the unskilled labor population to support those mills. A long term gradual loss of jobs and industry lead to a change in the make-up of the community. Traditional working class people left the city and were replaced by a population supported mainly by public assistance.

Drastic reductions in the tax base led to a 50% manpower reduction in the fire department and many other essential city services in only ten years. Lawrence lost half its fire department as arson fires radically increased until the U.S. Fire Administration stated the community had the highest arson incidence rate of any community in the country.

In the early 1990's Lawrence saw a dramatic increase in large, multiple alarm fires. A high increase in abandonment of blighted and unsecured buildings also provided drug dealers, vandals, mentally disturbed persons, the homeless and a large unsupervised population of juveniles a place to hang out, hideout or commit crimes

Multiple alarm fires often occurred simultaneously in different parts of the city. In this situation the local public safety departments were quickly overwhelmed and exhausted. To combat the disastrous trend, a new type of arson task force was set up to combat this problem namely an "Arson Prevention and Control Task Force".

The mission of this unit was to both lock up arsonists and also to spearhead efforts to identify and fireproof vulnerable buildings. Municipal fire and police, State Fire Marshal investigators, state police detectives and Special Agents of the ATF worked round the clock for months intensively investigating each case. The solution rate of cases investigated by this unit would eventually approach 7 in 10 arson fires resulting in an arrest.

Traditionally a Task force will develop strategies and implement programs using available local resources. Lawrence was a special case due to the problems of extremely limited resources, lack of leadership, and the rapidly escalating fire problem.

Five lessons were attributed to the success of the Lawrence Arson Task Force. Lesson one was organization of the task force. The task force must achieve an identity as a recognizable entity. This means finding a location to headquarter the task force. Lawrence used the basement of the central fire station which required extensive modification. To equip the task force donations were sought from local, state and federal government agencies, private businesses and service organizations such as the Chamber of Commerce. To staff the task force BATF, Fire Department, Lawrence Police Department, Massachusetts State Police troopers under the State Fire Marshall's Office and student interns were utilized.

The second lesson was visibility. A community-policing concept was applied to the problem with high police presence in the high-risk arson areas during night time hours. This helped to establish relationships with the members of the communities especially residents who might not traditionally support law enforcement activities such as prostitutes.

A third lesson learned was that every fire must be investigated and each investigation must be done in a constant fashion. To accomplish this a protocol was developed utilizing intensive witness interviewing and standardized investigation methods.

Public awareness and involvement were the basis of the fourth lesson. Using the media to convey information to the public by giving information and statements on fires that they media would normally cover. Involving the media and giving prepared statements can improve the quality and accuracy of information given to the public. Community involvement also contributes to the effectiveness of the program by donations of money and materials. Lawrence received a used van for the arson task force from a local car dealer and the vehicle was completely outfitted by donated materials and manpower.

Lesson five stresses involving others in the process. Each group involved in the task force and the project has talents and benefits that it can bring to the table. For example in Lawrence to secure buildings classified as a high hazard by boarding up openings many agencies were involved.

The local Sheriffs Department was used to provide workers with prisoners. The Massachusetts Army National Guard provided supervisors and equipment. Supplies and lumber were sought from the Lumberman's Association and local lumberyards. From this the fifty highest hazard buildings were secured. Without the cooperation of many agencies and organizations this would not have been possible.

Lawrence was able to significantly reduce the amount of arson cases in their community through the task force. This was attributed to four key factors. These are as follows:

- Identify specific arson problems
- Cooperation with other agencies and the community
- Combined use of personalities and strengths to achieve the goal
- A commitment to solving the problem

Worcester, Massachusetts

A city of approximately 180,000 population located in central Massachusetts Worcester is the second largest city in the Commonwealth. In December of 1999 the city received national attention for its abandoned buildings when six firefighters lost their lives battling a fire in one of the city's 200 abandoned structures. Like Lawrence, the decline of the mill industry led to changes in the makeup of the community. In Worcester a combination of industrial and residential buildings became vacant or abandoned, and vandals, criminals, and vagrants were drawn to the structures.

Following the firefighter fatalities the issue was highly publicized on a national level and the City of Worcester has begun projects to eliminate the problem. One issue with the abandoned buildings is that they must either be reused or demolished to become safe once more. Unfortunately, in Worcester many of the buildings cannot be economically renovated or demolished. With property values low, the cost of demolition due to hazardous materials and environmental concerns might be significantly higher than the value of the land. The same costs from hazardous materials removal, in addition to the cost of renovation and the low property value for renting and leasing space, also make renovations uneconomical.

The city has begun to take action in several ways. Firefighter safety has been stressed with the fire department beginning evaluations of vacant and abandoned structures to determine the hazards located within. These buildings are then rated and placarded to indicate the level of additional hazard that the building contains above and beyond that of a normal building.

A pre-incident plan is then created for the building. Using computer aided drawing and digital photography, the building is drawn and the specific hazards are shown graphically. This creates a very simple and easy to read plan that can be effectively used on the fire ground. The plans are formatted to be carried either in hard copy form or in a computer.

Lewiston, Maine

Lewiston, Maine, is in many ways similar to several of the communities listed above. The city was once largely occupied by mills, and the problems of the decline of that industry have affected this community as well. The city has a population of approximately 40,000 and is located along the Androscoggin River in inland Maine.

The mill companies brought many workers to the city from Canada and hastily built housing for them along the river near the mills. These residential structures are three and four story wood frame tenements. The construction was often balloon frame. In many areas these structures are as little as ten inches from one another, creating a huge fire exposure problem.

A decline in population led to a growing number of these tenements becoming vacant and abandoned. This caused problems with vagrancy and crime which have been established to lead to arson fires. The construction of the buildings, added to the close proximity, creates a very hazardous fire condition for neighboring residents and the firefighters who respond to the call.

The mill buildings themselves have become vacant and abandoned in many cases. These vast structures are very difficult to secure and maintain in such a state.

The city has taken many actions to battle the abandoned building problem. Demolition is very common in the area; the fire department's fire inspection bureau has for quite some time targeted buildings for demolition in a very strategic manner. If the funding cannot be found to demolish all the vacant buildings in an area, then every other building is torn down or problematic buildings are demolished to eliminate exposure problems.

Public and private partnerships have also been utilized to reuse structures. The greatest success in this area is the Bates Mill Complex. The complex is over a mile long and was at one time almost completely vacant. Using Community Development Block Grants and public private partnerships, the complex has been renovated and is being occupied by industry once more.

Currently, the fire department is assessing the city to identify as many of the vacant and abandoned buildings in the city as possible. At which point these buildings will be evaluated and ranked in order of hazard. This enables the greatest risk to the public and the firefighters to be eliminated first.

Cooperation between the city departments is being established and utilized for this task. This city has recently begun to use GIS in the public works department and this mapping will be used to aid the fire department in locating the abandoned structures. In return the fire department's survey of the city will be utilized to update the databases for the GIS department.

Wilson, North Carolina

Located in North Eastern North Carolina, Wilson was once the largest exporter of tobacco in the world. The city maintains a population of approximately 50,000 and contains a uneven dispersion of wealth.

The decline of the tobacco industry in recent years has led to many tobacco storage warehouses becoming vacant. These structures are most often large and constructed with wood. In an abandoned condition they would deteriorate very quickly.

In the past five years the city has been struck by three Presidential Disasters and several other disasters. These include three hurricanes, a flood described to be at 500 year levels, and a tornado. Of these disasters the flood has created a large abandoned building problem. While many of the structures have been demolished, a great number still stand. Crime and vagrancy have become an issue in many areas. Urban mining of valuable components of the homes is also common even in areas of low crime.

Many areas of the city are also suffering from abandonment and blight for other reasons. The high crime and low property values have led to large numbers of homes becoming vacant. Drug crime has become especially common in these areas.

The city has taken numerous steps to address the issue of abandoned buildings. Code enforcement officials in Wilson identified vacant or abandoned commercial buildings in the city and actively evaluate the structures. In the initial effort, one hundred and eighteen vacant commercial structures were identified and 32 of those were determined to be hazardous.

To manage the information, the city has an established and well funded GIS system which has been utilized in the process quite effectively. Using data from the fire, police and other city departments trends and target areas for proactive code enforcement and police patrol can be identified. Information on potentially hazardous structures is also provided to firefighters via computers in the responding apparatus.

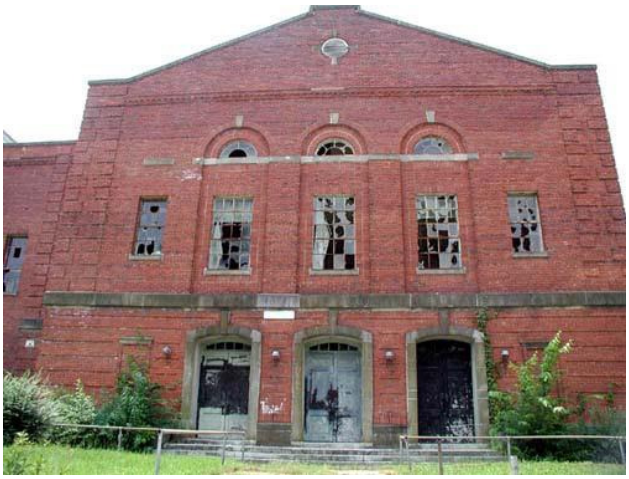
The Fire Department has actively trained personnel in the various aspects of managing vacant and abandoned buildings. Fire officers were trained in the evaluation of the structures using the IAAI/USFA model outlined in this Tool Box. As part of the training, a vacant property was secured and firefighters trained on operations at these structures, including gaining access to secured buildings.[13]

One of the most striking examples of the mitigation of vacant and deteriorating properties was the rehabilitation of the cities former high school. Left vacant and unsecured for more than a decade, the property was unsightly and very dangerous with collapsed floors and ceilings, evidence of unauthorized access and accumulated combustible waste.

The property was acquired by a private entity and with the assistance of the community obtained funding to convert the building into moderate income housing for adults. The property was completely renovated, while preserving the architectural elements of the former school. The property is now a well kept, sprinkler protected source of needed housing for dozens of Wilson residents. The following photos depict the building before and after the renovation.

Former Wilson High School Building - 2001













Wilson High School Building After Renovation - 2004









Champaign, Illinois

Located in central Illinois, the city of Champaign has a population of approximately 72,000 and is the home to a large portion of the University of Illinois campus. Champaign is a growing community with significant development in annexed areas on the edges of the city.

The 2000 U.S. Census estimated that the community had 28,605 housing units. Nearly half of these units are single family homes. Another 30 percent of the units are in properties with 10 or more units.

Champaign is a well maintained community with a mix of business, industry and commercial property in addition to the University campus. The city has strong property maintenance codes that are actively enforced by a effective Neighborhood Services Department in conjunction with inspectors from the Fire Department and Building officials. The city Police Department also works closely with Neighborhood Services in the identification of problem properties.

The city utilizes integrated software to track properties, code violations and complaints. The system allows inspectors to attach photos of the property to the file as well as detailed information developed during inspections and the investigation of complaints. A key component of the system is the ability of other code enforcement and planning departments to access the data and to link pertinent information to the property file. While no specific data was maintained on vacant and abandoned properties, properties that generated complaints were tracked. The proprietary CodeTrack software is provided by CRW Associates.

The importance of developing and maintaining a database of vacant and abandoned properties in a community was observed during the site visit to Champaign. While the community is in general very well maintained, several properties were observed to be vacant and unsecured with significant evidence of unauthorized entry, accumulations of combustible materials and building deterioration. While the city can require that properties be secured, there are no specific guidelines for the type and quality of security measures such as the HUD Board-up method detailed by the IAAI/USFA Abandoned Building Project.

The rapid development in the community has also resulted in the emergence of a number of *greyfield* properties. These buildings formally housed large discount retailers and home building products stores. When the tenant required additional floor space the property was vacated and the retailer moved to a new facility leaving the large vacated properties empty or under utilized. This trend put a burden on city inspectors to verify that the facilities are properly secured and that installed fire protection systems are properly maintained.

The City of Champaign is currently reviewing the development of a specific vacant and abandoned building ordinance as advocated by the IAAI/USFA Abandoned Building Project. In addition, the city is in the process of implementing the use of GIS to expand the capabilities of the CodeTrack system already in use.

Appendix E – The Impact of Vacant and Abandoned Properties on Volunteer Fire Departments

The Impact of Vacant and Abandoned Properties on Volunteer Fire Departments

On May 15, 2004 a focus group representing volunteer fire departments from four Mid-Atlantic States (Delaware, Maryland, New Jersey and Pennsylvania) met in Delaware to discuss the impact of abandoned and under utilized buildings on the delivery of fire services. Specific issues that guided those discussions included:

1. What impact do vacant and abandoned buildings have on the volunteer fire service?
2. Are volunteer fire departments aware of the assessment and evaluation tools currently available to help them and are those tools being used? If not, what obstacles exist that prevent the use of these tools?
3. What tools need to be made available to volunteer fire departments to better deal with vacant and abandoned buildings?
4. What strategies could be suggested to assist volunteer fire departments in dealing with vacant and abandoned buildings?
5. What is the extent of the vacant and abandoned building situation in political jurisdictions serviced by volunteer fire departments?
6. What type(s) of community support would assist in dealing with the vacant and abandoned building issue?

Impact

Every participant acknowledged that vacant and abandoned buildings represent greater hazards to firefighters than those buildings that are normally occupied. Buildings that are left open were identified as easier targets for vandalism, damage by natural elements, occupancy by homeless people (trespass) and illegal activity that could lead to fire calls.

Vacant buildings are generally not thought of as a problem for the fire service. Abandoned buildings are more viewed as community or societal issues than an issue for the fire service to deal with. The full impact of this issue is not felt until the tax base is significant eroded or there is a fire call that results in a significant (lost time) injury or fatality.

Assessment and Evaluation Tools

Because a larger number of volunteer fire departments have not recognized the potential vacant and abandoned building issue within their respective jurisdictions, little or no effort was expended to identify assessment and evaluation tools that could be used to address and act on the issue. A small percentage commented that they had obtained and used the USFA/IAAI CD-ROM as a tool to get buildings boarded up. When shown the evaluation form, there was agreement that this form provided useful information that could aid firefighters.

New Tools Needed

Participants identified two specific tools that they believed would be of benefit and value to volunteer fire departments in particular. The first was to develop and produce a brief (15 minutes or less in total length) video to use in educating firefighters in the dangers of vacant and abandoned buildings. Second, create lesson plans that could be used by company level officers in delivering classes to members of their fire companies on the topic of vacant and abandoned buildings. There was general agreement that company officers were more likely to use a tool that was created for them rather than one they had to create themselves.

Strategies

Encourage fire departments to add the use of Thermal Imaging Cameras to fire department operations. These can also be used in preplanning to find people illegally occupying a vacant or abandoned building during a building assessment.

Consider the use of video tape when conducting tours and assessments to be shared with firefighters.

Use special operations teams to conduct building assessments and evaluations of vacant and abandoned buildings along with code enforcement.

Create levels of training on vacant and/or abandoned buildings for the fire service personnel commensurate with their responsibilities.

1. Awareness - all in the fire service need to be aware of certain dangers inherent in these buildings.
2. Operations - company officers need to be able to employ specific strategies and tactics designed especially for vacant and abandoned buildings.
3. Technician - Chief Officers and special operations team members that need to be ready for anything.

Firefighters need to recognize that building constructed in the last 20 years are likely to be must lighter in weight and pose a greater collapse potential than older buildings that were constructed with more substantial materials and fire resistance.

Firefighters need to recognize that certain building elements may have reached the end of their reliable useful life.

Special operations teams may have tools and equipment that makes them better suited to respond to fires and operations in vacant and abandoned buildings. Consideration should be given by incident commanders to mobilize special operations type teams to confirmed fires in vacant and/or abandoned buildings.

Consider requiring a permit before a building is allowed to remain vacant past a certain period of time. This would assure that code compliance issues were identified and addressed rather than overlooked by owners and other responsible parties.

Extent of Issue

Several participants acknowledged that they had not given the issue of vacant or abandoned buildings "much thought", but upon further reflection remarked that there were a number of such buildings within their respective jurisdictions. They also commented that they had not taken any special precautions regarding these buildings. As such, there were no building identification programs in place nor were there any drills or training done to target vacant and/or abandoned buildings.

Some firefighters identified "spec" buildings that received tax abatement for being built as adding to the vacancy problem. The issue is that when the tax abatement expires and/or the business grows beyond the capability of the building, the business moves to a new location or a new, larger building is erected with yet another new tax abatement issued to stimulate growth. This new type of vacant building is identified as an "under utilized" building. Changes in the consumer marketplace as well as commercial economic forces all contribute to this phenomenon.

Communities that have identifiable homelessness and/or an above average level of juvenile delinquency noted anecdotally that fire department responses seemed to be more frequent to vacant and abandoned buildings for actual fire calls than occupied buildings.

Community Support

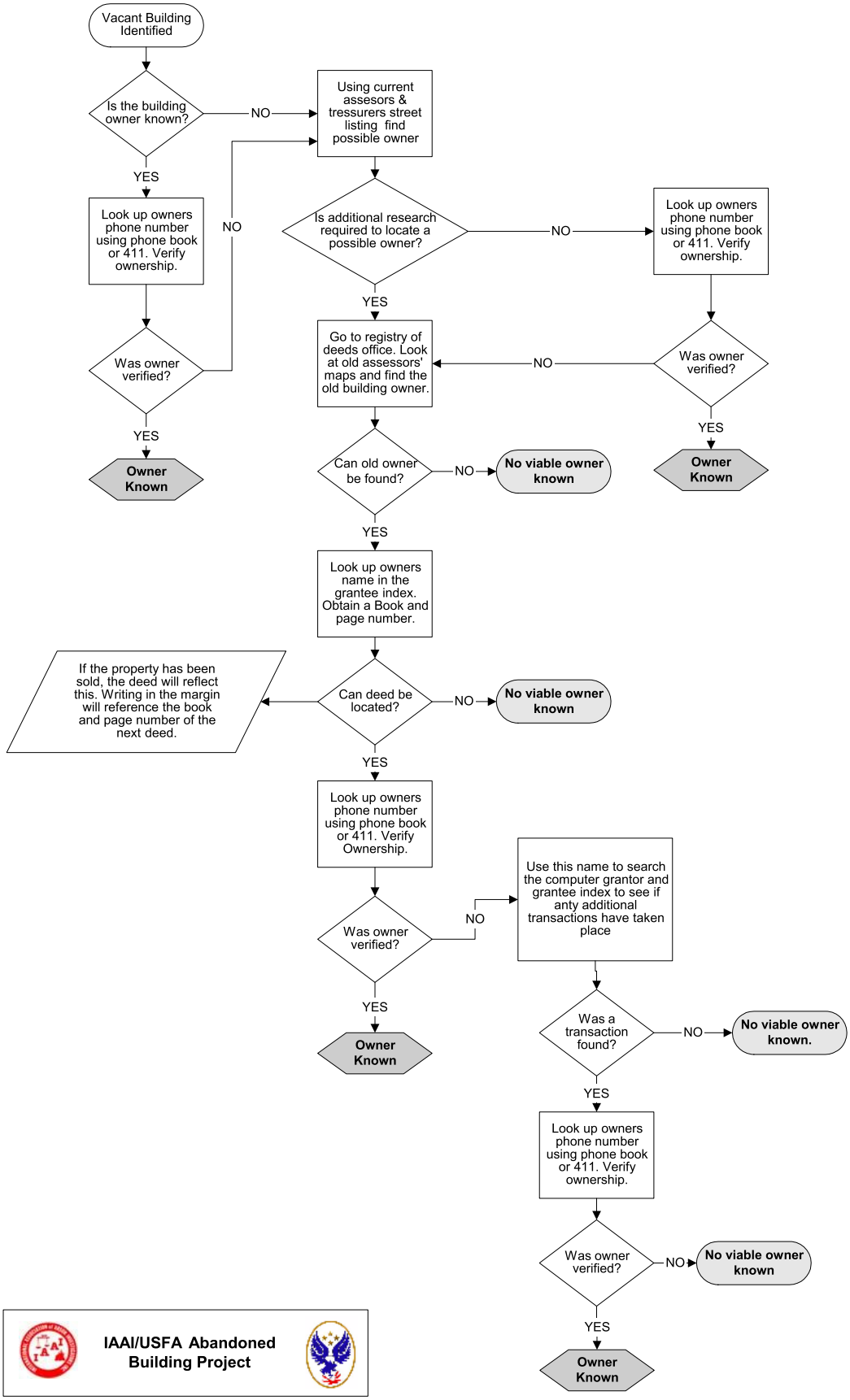
More frequent and more formal mechanisms of communication between the fire department and other local agencies was viewed as better enabling the fire service to deal with vacant and/or abandoned buildings. Specifically, building departments, code enforcement offices, and the police department were seen as agencies that offered the greatest potential of sharing information dealing with vacant and/or abandoned buildings.

There was a recognition that rehabilitating existing housing stock would return vacant and abandoned buildings to a useful purpose. Additionally, if these rehabilitated housing units were used to provide housing for those that are currently homeless, a pressing societal problem could also be addressed. However, this was viewed as a item that required overall community support and not something that the fire service alone could implement.

Prepared by Gerald Naylis
Past President, IAAI

Appendix F - Finding The Owner Flow Chart

Locating Vacant and Abandoned Building Owners

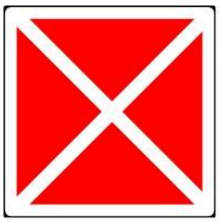


Appendix G – Building Marking

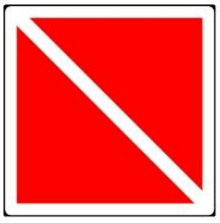
Placards or marks on vacant and abandoned properties provide a visual indication of the potential hazard the structure poses to emergency responders. The markings system shown here is based on the system used by FDNY in New York City. Other jurisdictions may utilize different systems but the objective should be to warn firefighters and other emergency responders that the building poses hazards that are significantly greater than buildings that are maintained and in good repair. Building may be marked using signs or the marks may be painted on to outside walls of the building. Markings should be readily visible from normal access points of the building.

The sign depicted here is 2 ft x 2 ft and is printed on corrugated plastic sign stock.





Exterior operations only – Enter only for known life hazard



Interior operations permitted – Enter building with extreme caution

Appendix H – Funding Sources

Community Development Block Grant (CDBG) Programs

Community Development activities include many different programs that provide assistance to a wide variety of grantees. Begun in 1974, the Community Development Block Grant (CDBG) is one of the oldest programs in HUD. The CDBG program provides annual grants on a formula basis to many different types of grantees through several programs like:

- Entitlement Communities
  The program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.
- State Administered CDBG
  States participating in the CDBG Program award grants only to units of general local government that carry out development activities. Annually each State develops funding priorities and criteria for selecting projects.
- Section 108 Loan Guarantee Program (Section 108 Program)
  Community Development Block Grant (CDBG) entitlement communities are eligible to apply for a guarantee from the Section 108 Loan Guarantee program. CDBG non-entitlement communities may also apply, provided that their State agrees to pledge the CDBG funds necessary to secure the loan. Non-entitlement applicants may receive their loan guarantee directly or designate another eligible public entity such as an industrial development authority, to receive it and carry out the Section 108 assisted project.
- Disaster Recovery Assistance
  HUD provides flexible grants to help cities, counties, and States recover from Presidentially declared disasters, especially in low-income areas, subject to availability of supplemental appropriations.
- Colonias
  Texas, Arizona, California and New Mexico set aside up to 10 percent of their State CDBG funds for use in colonias.

Another program, Renewal Communities/ Empowerment Zones/ Enterprise Communities (RC/EZ/EC) is an innovative approach to revitalization, bringing communities together through public and private partnerships to attract the investment necessary for sustainable economic and community development.

The Community Development Block Grant (CDBG) program works largely without fanfare or recognition to ensure decent affordable housing for all, and to provide services to the most vulnerable in our communities, to create jobs and expand business opportunities. CDBG is an important tool in helping local governments tackle the most serious challenges facing their communities. The CDBG program has made a difference in the lives of millions of people living in communities all across this Nation.

The annual appropriation for CDBG is split between states and local jurisdictions called "entitlement communities". Entitlement communities are central cities of Metropolitan Statistical Areas (MSAs); other metropolitan cities with populations of at least 50,000; and qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities). States distribute the funds to localities who do not qualify as entitlement communities.

HUD determines the amount of each grant by a formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing and population growth lag in relationship to other metropolitan areas.

Citizen Participation
A grantee must develop and follow a detailed plan which provides for, and encourages, citizen participation and which emphasizes participation by persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must provide citizens with reasonable and timely access to local meetings, an opportunity to review proposed activities and to review program performance; provide for timely written answers to written complaints and grievances; and identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Eligible Activities
Over a 1, 2, or 3 year period selected by the grantee not less than 70% of the CDBG funds must be used for activities that benefit low- and moderate-income persons. All activities must meet one of the following national objectives for the program: benefit low- and moderate-income persons, prevention or elimination of slums or blight, community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community.

Content updated February 2, 2005

U.S. Department of Housing and Urban Development
451 7th Street S.W., Washington, DC 20410
Telephone: (202) 708-1112 TTY: (202) 708-1455

Historic Preservation

Congress made the Federal Government a full partner in historic preservation with passage of the National Historic Preservation Act in 1966. As amended in 1992, Section 110 of the Act calls for, among other things, Federal agencies **to establish preservation programs, commensurate with their mission and the effects of their activities on historic properties, that provide broadly for careful consideration of historic properties**.

HUD and governments which assume responsibility for administering environmental HUD environmental laws must comply with historic preservation review requirements found in Section 106 of the National Historic Preservation Review Act

The Advisory Council on Historic Preservation issues regulations implement The Historic Preservation Act. HUD assistance must comply with the ACHP Regulations.

Historical Preservation Review Resources

The National Register Collection
These files hold information on nearly one million individual resources-historic buildings, sites, districts, structures, and objects. The documentation on each property consists of photographs, maps, and a National Register registration form, which provides a physical description of the place, information about its history and significance, and a bibliography.

- Look Up Historic Places by State and County
- Other Resource Links

U.S. Department of Housing and Urban Development
451 7th Street S.W., Washington, DC 20410
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Content updated December 17, 2004

Historic Preservation Documents

- **Preserving America**
  Historic Preservation and Heritage Tourism in Housing and Community Development: A Guide to Using Community Development Block Grant Funds for Historic Preservation and Heritage Tourism in Your Communities



  Press Release | CDBG Website
  - PDF High Resolution (10.2 MB)
  - PDF Low Resolution (0.4 MB)
  - WORD (0.3 MB)

- **Linking Historic Preservation to CDBG Objectives**
  Published in 1991, this Guide illustrates the various methods by which historic preservation can be linked to other eligible activity under the CDBG Program.

  more...

EPA Brownfields Program



About Brownfields

Brownfields Mission

Brownfields Brochure
EPA 560-F-04-258
[PDF (564K) 2 Pages]
September 2004

Brownfields Law
EPA 500-F-02-134
[PDF (141K) 2 Pages]
October 2002

Since its inception in 1995, EPA's Brownfields Program has grown into a proven, results-oriented program that has changed the way contaminated property is perceived, addressed, and managed. EPA's Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. It is estimated that there are more than 450,000 brownfields in the U.S. Cleaning up and reinvesting in these properties increases local tax bases, facilitates job growth, utilizes existing infrastructure, takes development pressures off of undeveloped, open land, and both improves and protects the environment. Initially, EPA provided small amounts of seed money to local governments that launched hundreds of two-year brownfield "pilot" projects. Through passage of the Small Business Liability Relief and Brownfields Revitalization Act, effective polices that EPA had developed over the years were passed into law. The Brownfields Law expanded EPA's assistance by providing new tools for the public and private sectors to promote sustainable brownfields cleanup and reuse.

Brownfields grants continue to serve as the foundation of EPA's Brownfields Program. These grants support revitalization efforts by funding environmental assessment, cleanup, and job training activities. Brownfields Assessment Grants provide funding for brownfield inventories, planning, environmental assessments, and community outreach. Brownfields Revolving Loan Fund Grants provide funding to capitalize loans that are used to clean up brownfields. Brownfields Job Training Grants provide environmental training for residents of brownfields communities. Brownfields Cleanup Grants provide direct funding for cleanup activities at certain properties with planned greenspace, recreational, or other nonprofit uses.



EPA's investment in the Brownfields Program has resulted in many accomplishments, including leveraging more than $6.5 billion in brownfields cleanup and redevelopment funding from the private and public sectors and creating approximately 25,000 new jobs. The momentum generated by the Program is leaving an enduring legacy. The Brownfields Program and its partners have provided guidance and incentives to support economic revitalization, and empowered communities to address the brownfields in their midst. EPA's Brownfield Program continues to look to the future by expanding the types of properties it addresses, forming new partnerships, and undertaking new initiatives to help revitalize communities across the nation.

Brownfields Contact Information

US EPA
Office of Brownfields Cleanup and Redevelopment
Mail Code 5105 T
1200 Pennsylvania Ave. NW
Washington, DC 20460

Office of Brownfields Cleanup and Redevelopment:
(202) 566-2777
Fax: 202-566-2757

Brownfields Mission

EPA's Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. EPA's Brownfields Program provides financial and technical assistance for brownfields activities through an approach based on four main goals:

- **Protecting the Environment**
  Addressing brownfields to ensure the health and well-being of America's people and environment.
- **Promoting Partnerships**
  Enhancing collaboration and communication essential to facilitate brownfields cleanup and reuse.
- **Strengthening the Marketplace**
  Providing financial and technical assistance to bolster the private market.
- **Sustaining Reuse**
  Redeveloping brownfields to enhance a community's long-term quality of life.

`

Brownfields Success Story

Old Town's New Look: Along the Waterfront, an Abandoned Manufacturing Site Joins Two City Parks

On the banks of the Penobscot River in Old Town, Maine, three acres of contaminated property once home to a paper plate and cup manufacturer will soon be a recreational area with a playground, a bandstand, paths for running and biking, and a winter skating rink. The former Lily-Tulip Company site had been abandoned for seventeen years, until the City arranged to purchase the property in a settlement with the previous owner for unpaid taxes. The City found transformers on the site containing Polychlorinated Biphenyls (PCBs). "We weren't sure what kind of liability we were looking at," explains Charles Heinonen, City Engineer. "If even one of the transformers had leaked PCB-contaminated oil, the City might have been faced with a very expensive cleanup project." EPA determined the true extent of contamination in late 1996, as part of the Agency's Targeted Brownfields Assessment (TBA) program. At a cost of approximately $20,000, EPA's assessment of the former Lily-Tulip property revealed much lower levels of PCB contamination than originally feared. With EPA's assistance, the City reached an agreement with two prior owners of the property to defray a significant portion of cleanup costs. Cleanup is now complete. In January 1998, the City held a public hearing at which a detailed plan to transform the site into a large, open recreational area was unveiled. In addition to a new bandstand and running and biking paths, the site's "Central Lawn" will be flooded every winter to create a skating pond. At subsequent public meetings, suggestions from local residents contributed to what would become the master plan for Old Town's new recreational and commercial area. A redevelopment fund containing over $100,000 has already been established. The success of the former Lily-Tulip site has already inspired redevelopment in other areas of the City, according to Heinonen. And as assessments proceed on additional sites selected by EPA Region 1 for TBA funding, other communities across New England may enjoy the same level of success as Old Town. For more information on EPA Region 1's Targeted Brownfields Assessment program, contact Lynne Jennings of EPA Region 1 at (617) 573-9634.



Transformers are removed from the Lily-Tulip site



Underground storage tank removal

Appendix I – Developing a Vacant Property Ordinance

IAAI/USFA
Abandoned Building Project

Developing Vacant Property Ordinances

2006 Revision

Developing Vacant Property Ordinances

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Developing Vacant Property Ordinances

Objective

The objective of local ordinances is to provide a jurisdiction with the legal framework necessary to regulate zoning, building, safety and other maters in the municipality. In the case of vacant and abandoned properties, most of the model building codes used by states and other jurisdictions provide general language regarding the application of the code to unsafe or hazardous structures. A vacant property ordinance goes beyond these general provisions and defines the process the jurisdiction will use to implement and enforce these provisions at the local level.

Model Building and Fire Codes

Model building codes use in the United States generally define unsafe structures and provide requirements for the property to be made safe by repair or demolition. The following provisions are examples of these requirements from building codes developed by the International Code Council, Inc. (ICC) and the National Fire Protection Association (NFPA):

> ***International Building Code*, 2000 Edition**
>
> Section 115 Unsafe Structures and Equipment. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.
>
> **NFPA 5000, *Building Construction and Safety Code*, 2003 Edition**
>
> 1.7.5.3.1.1 Description of Unsafe Building. All buildings that are, or that hereafter become, as follows shall be considered unsafe buildings:
>
> (1) Unsanitary
> (2) Deficient in means of egress
> (3) A hazard from fire or natural or man-made threats
> (4) Dangerous to human life or public welfare by reason of illegal or improper use, occupancy, or maintenance
> (5) Noncompliant with the provisions of applicable codes
> (6) Significantly damaged by fire or explosion or other natural or man-made cause
> (7) Incomplete buildings for which building permits have expired
> (8) The falling away, hanging loose, or loosening of any siding, block, or other building material, structural member, appurtenance, or part thereof of a building; or the deterioration of the structure or structural parts of a building, a partially destroyed building, or any part of a building when caused by deterioration or overstressing
> (9) The existence of unsanitary conditions by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems

1.7.5.3.1.2 Description of Building as a Fire Hazard. A building shall be deemed to be a fire hazard and unsafe under the following conditions:

(1) When vacant and unguarded and open to unauthorized entry at door or window

(2) When there is an accumulation of combustible dust, debris, or materials therein deemed to be a hazard by the authority having jurisdiction

(3) When the building does not provide the exits or fire protection required herein for the most recent occupancy

(4) When electrical or mechanical installations or systems create a hazardous condition

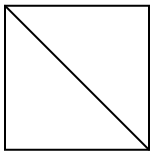
1.7.5.3.2 Authority of the Authority Having Jurisdiction Regarding Unsafe Buildings or Buildings that Are a Fire Hazard. All buildings deemed to be unsafe or to be a fire hazard by the authority having jurisdiction, based on 1.7.5.3.1, are hereby declared to be public nuisances and shall be demolished and removed from the premises concerned or shall be made safe and sanitary in a manner acceptable to the authority having jurisdiction and as provided in Section 1.7 and by other applicable laws, rules, and regulations of the jurisdiction.

Fire codes adopted by jurisdictions generally provide requirements for the control of hazards within a vacant/abandoned property, building security and the maintenance of fire protection systems. Fire codes may also provide for marking systems to alert emergency responders to potential hazards in vacant/abandoned properties. The following is an example of the language included in the Massachusetts Fire Code CMR 527 after the Worcester Cold Storage Fire in 1999:

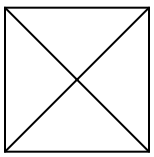
10.13(7) Marking or identifying certain buildings that are especially unsafe in the case of fire.

(a) Any building determined to be especially unsafe in case of fire, under the provisions of 780 CMR 121.2 shall be identified and marked by the building official, with the cooperation of the head of the fire department, to indicate the degree of hazard.

(b) In marking such buildings, the following symbols shall be used:



This symbol shall mean that interior hazard exists to such a degree that interior operations shall be conducted with extreme caution. This symbol shall not in any way limit the discretion of the on scene Incident Commander in directing operations that the Incident Commander deems necessary.



This symbol shall mean that exterior or interior hazards exists to such a degree that consideration should be given to conduct operations from the

exterior only. This symbol shall not in any way limit the discretion of the on scene Incident Commander in directing operations that the Incident Commander deems necessary.

(c) Markings shall be applied on the front of the building at or above the second floor level, where practical, between openings such that they are visible from the street. Markings may be applied to the sides or the rear of a building if the head of the fire department deems such placement necessary. Markings shall also be applied in a conspicuous place near every entrance and on penthouses. Markings shall not be applied over doors, windows, or other openings where they may be obscured by smoke or fire.

(d) Markings shall be a minimum of 24 inches by 24 inches. Markings shall either be on a placard with a reflective background or painted with a reflective paint of contrasting color directly on the surface of the building. Stripes and borders outside of the marking shall be a minimum of 2 inches wide.

(e) All markings shall bear a date as to when applied or the date of the most recent inspection.

(f) Prior to receiving a mark, all buildings shall be inspected thoroughly by the head of the fire department.

(Commonwealth of Massachusetts, 527 CMR Fire Code)

While these provisions provide the authority for a jurisdiction to act, they are not specific as to the process used to identify the properties and the actions the jurisdiction will take. Where allowed by law, the local ordinance allows the jurisdiction establish specific requirements regarding the identification of unsafe properties, requirements for inspecting these properties, the levels of security required by the jurisdiction, and the justification for demolition should that action be deemed necessary. The ordinance should also define how the actions of the jurisdiction will be paid for where there is no viable owner for the property.

Developing a Vacant/Abandoned Building Ordinance

The development process for a vacant/abandoned building ordinance should be one that is open to input from the community, as well as departments and agencies that have responsibility within the community. Involving the stakeholders throughout the development process will assure that the ordinance includes provisions that represent the issues in the community and assists in building support when it is presented for adoption. Stakeholders in the development process may include:

- Mayor or City Manager
- Assessor
- Tax Collector
- Treasurer
- Development Director
- City Attorney (Solicitor)
- Police Department
- Fire Department
- Public Works Department
- Building Official
- Health Department
- Neighborhood groups
- Property owners associations
- Real Estate Associations
- Social Service Organizations

The process used to develop the ordinance should follow the requirements of the jurisdiction. The resulting document should also be in the proper format for the ordinance to be adopted. A sample format and examples of requirements from several ordinances are provided in the Components of a Vacant Property Ordinance section.

Ordinance Development Process

The process outlined in this section is provided as an example for use in planning the process that will be used to develop a vacant property ordinance for a community. As discussed above, the process used should follow the requirements of the jurisdiction. The process elements included here are offered as suggestions to assist in the development of a usable document. The actual writing of the ordinance will more that likely be assigned to an individual or department with the community. However, input from stakeholders should be obtained throughout the development process. The stakeholders can also provide input to the questions posed in this section. Finally, the pitfalls discussion is intended to give the development team ideas of where issue, problems and opposition may develop as the ordinance is developed and finally submitted for adoption.

A. Public input – Community involvement

Input from the community and departments or agencies that are stakeholders in the mitigation of vacant and abandoned properties in the community should be obtained throughout the development process. Stakeholder involvement will increase the effectiveness of the document and should provide support base once the completed ordinance is submitted for the adoption.

B. Identify the need – What is the problem?

To begin the process, an assessment of the problems posed by vacant and abandoned properties in the jurisdiction should be undertaken. Many communities do not have an accurate picture of the issues that these properties pose. This data will provide a direction for the development of an ordinance that meets the needs of the jurisdiction. The needs assessment phase should also explore what is currently being done in the community and how these properties are tracked by the various departments and agencies with jurisdiction. Once the magnitude of the problem is determined, the objectives of a vacant/abandoned building ordinance should be established. These objectives should define the components and requirements of the proposed ordinance.

C. Anti-blight v. Vacant Property Ordinances

Many communities include requirements applicable to vacant or abandoned properties in "anti-blight" ordinances. In the context of these requirements blight is defined as a "deteriorated condition". Thus anti-blight ordinances typically include provisions related to weed control, the accumulation of unregistered motor vehicles, the accumulation of trash and vacant or abandoned properties. An example of an anti-blight ordinance is found on the interFire web site http://www.interfire.com/res_file/ord.asp. Examples from this example are used in the Components section below.

Other communities have addressed vacant and abandoned properties in ordinances that are specific to the issue or in building regulations. The decision as to how requirements for vacant/abandoned properties will be included in a jurisdiction's codes and ordinances should be made early in the development process. As discussed in the section on pitfalls to the development process below, the decision to use an anti-blight model may not be acceptable to many of the stakeholders and could impede the adoption of the ordinance.

D. Performance v. Prescriptive requirements

When developing requirements for the management of vacant or abandoned properties in a community the development team should determine the format for the requirements. Typically, codes and ordinances are written with prescriptive requirements. Prescriptive ordinances describe the issue and define in some detail the actions that are acceptable. As an example, the anti-blight ordinance referenced earlier in this section provides prescriptive requirements for securing a vacant or abandoned property. The document states:

> This Ordinance shall describe the only acceptable manner in which vacant buildings officially classified by said Anti-Blight Committee as blighted or which fall within the provisions of this Ordinance; Section 2 Definitions, sub-section A. Blighted Premises, shall be heretofore secured within the City. Securing buildings in any other less effective fashion shall constitute an unacceptable violation of this Ordinance
>
> *(Suggested Draft Anti-Blight Ordinance, InterFIRE.com)*

The ordinance goes on to fully describe the process that will be used to secure a structure.

A new trend in the development of codes and standards involves the use of performance based requirements. Performance based requirements are based on specific performance objectives rather than generic requirements. The developer of the performance based ordinance would develop a specific set of objectives the jurisdiction desired to achieve in the mitigation of vacant and abandoned properties. Using the example of building security from above, the objective might be – *The building shall be secured to prevent any unauthorized entry into the structure through doors, windows or other openings to the outside.* This objective based requirement would allow the responsible party for the building to use a number of methods to secure a property as long as the objective of preventing unauthorized entry was met. These methods could include fencing the perimeter of the property, using security guards, installation of intrusion detection systems or the board up process identified in the prescriptive requirements above. This objective would also allow the responsible party to simply close and lock windows and doors in structures where they are intact and there is a low potential for trespass. Well defined performance objectives in ordinances allow jurisdictions to set criteria for vacant and abandoned property without including excessive technical detail.

To be effective, ordinances developed with prescriptive or performance requirements should include a method that can be used by the jurisdiction to measure performance or adherence to the requirements or objectives included in the document.

E. Pitfalls in the development process

The development of any regulation by a jurisdiction has the potential for opposition by one or more of the stakeholders in the community. Any vacant or abandoned building ordinance should be developed so that the values and priorities of the community are reflected in the requirements. As discussed above, there may be communities where adoption of a strong anti-blight ordinance that included requirements for vacant and abandoned buildings would not be acceptable to the citizens or their elected officials. In other cases the establishment of fees and required bonds for vacant properties may generate opposition from property owners.

When developing a vacant/abandoned building ordinance issues related to the enforcement of the requirements should be addressed. If one of the departments, agencies or officials assigned responsibility by the ordinance is not willing or capable of performing the assigned duties opposition to adoption can be expected. In communities where tax dollars are limited and vacant properties are increasing methods of properly funding the implementation of an ordinance should also be addressed in the planning and development process. It will do no good to adopt requirements that can not or will not be enforced.

Establishing good communications with all of the stakeholders, soliciting broad community input in the early stages of the development process and developing clear objectives that are relevant to the community are key strategies that should be employed to develop an ordinance that will be effective in the mitigation of these unsightly and dangerous properties.

Basic Components of an Ordinance

Ordinances developed by local jurisdictions , regardless of purpose, will generally include the following basic provisions or structural elements:

1. Title
2. Findings
3. Purpose and Intent
4. Definitions
5. Determination of deficiencies
6. Jurisdiction – Duties/Responsibilities/Powers
7. Requirements/Standards
8. Enforcement/penalties/Due Process or Appeals
9. Severability

The development of any ordinance should be based on the specific requirements and needs of the jurisdiction. The city or municipal attorney for the jurisdiction should be consulted regarding the specific format and legal ramifications prior to drafting the proposed document. As with any regulation, the needs of the community and the desired outcomes of the process should be identified and addressed in the development process.

Components of a Vacant Property Ordinance

Each of the basic provisions of a vacant/abandoned property ordinance are discussed in this Section. Examples of the provisions from ordinances that have been adopted by various jurisdictions are provided to illustrate the options that are available and how specific issues and needs are addressed.

1. Title

The ordinance should have a brief descriptive title that includes the Chapter and section of the local ordinances that it represents. The title section may also include adoption information and references to other codes and standards and sections of the local ordinances.

Unsafe Building Ordinance

AN ORDINANCE OF THE (CITY/VILLAGE) OF _____, MISSOURI, REGARDING DANGEROUS BUILDINGS AS NUISANCES AND THEIR REMOVAL OR RECONDITIONING, PROVIDING FOR THEIR DEMOLITION OR REPAIR BY THE (CITY/VILLAGE) AND PERTAINING TO INSURANCE PROCEEDS FROM DAMAGE OR LOSS TO BUILDINGS OR STRUCTURES.

BE IT ENACTED BY THE COUNCIL OF THE (CITY/VILLAGE) OF _____, MISSOURI, AS FOLLOWS:

(Missouri Municipal League, Sample/Model Ordinances)

Chapter 39 ABANDONED STRUCTURES*

***Cross references:** Health and sanitation, Ch. 17; buildings and structures generally, Ch. 40.
State law references: Dangerous buildings, G.S. 160A-425 et seq.

(Municipal Code of the City of Wilson, NC)

2. Findings

The *Findings* sections establishes the reasons the that jurisdiction find it necessary to adopt the ordinance. The section can also be used to provide the reader with the intent and benefits of the requirements.

Sec. 39-2. Finding; intent.

It is hereby found that there exist within the city abandoned structures which the city council finds to be hazardous to the health, safety and welfare of the residents of the city due to:

(1) The attraction of insects or rodents.
(2) Conditions creating a fire hazard.
(3) Dangerous conditions constituting a threat to children.
(4) Frequent use by vagrants as living quarters in the absence of sanitary facilities.

Therefore, pursuant to the authority granted by G.S. 160A-441 et seq., it is the intent of this chapter to provide for the repair, closing or demolition of any such abandoned structures in accordance with the same provisions and procedures as are set forth in sections 43-15 through 43-21 for the repair, closing or demolition of dwellings unfit for human habitation.

(Municipal Code of the City of Wilson, NC)

Section 1 - Declaration of Policy

It is hereby found and declared that there exist within the City of ---------- a large number of real properties which contain vacant, abandoned or blighted buildings and the existence of said vacant and blighted properties contributes to the decline of our neighborhoods. It is further found that the existence of vacant and blighted buildings affects the economic well being of this city and is inimical to the health, safety and welfare of the residents of said neighborhoods. It is further found that many of the vacant and blighted buildings can be rehabilitated and reconstructed so as to provide decent, safe and sanitary housing and ancillary commercial facilities, and that such rehabilitation, reconstruction and reuse would eliminated, remedy and prevent the adverse conditions described above.

(Suggested Draft Anti-Blight Ordinance, InterFIRE.com)

3. Purpose

The *Purpose* section identifies the goals to be achieved by the ordinance.

Section 1. Purpose and scope.
It is the purpose of this ordinance to provide a just, equitable and practicable method for the repairing, vacation or demolition of buildings or structures that may endanger the life, limb, health, property, safety or welfare of the occupants of such buildings or the general public, and this ordinance shall

apply to all dangerous buildings, as herein defined, that now are in existence or that may hereafter exist in the (city/village) of _____, Missouri.

(Missouri Municipal League, Sample/Model Ordinances)

4. Definitions

The *Definitions* section of the ordinance provided definitions of key terms used in the ordinance.

Section 2. Dangerous buildings defined.
All buildings that are detrimental to the health, safety or welfare of the residents of the (city/village) and that have any or all of the following defects shall be deemed "dangerous buildings":

1) Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
2) Those that, exclusive of the foundation, show thirty-three (33) percent or more damage or deterioration of the supporting member or members, or fifty (50) percent damage or deterioration of the nonsupporting enclosing or outside walls or covering.
3) Those that have improperly distributed loads upon the floors or roofs, or in which the same are overloaded or that have insufficient strength to be reasonably safe for the purpose used.
4) Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or the people of the city.
5) Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building.
6) Those having light, air and sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
7) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other adequate means of evacuation.
8) Those that have parts thereof that are so attached that they may fall and injure members of the public or property.
9) Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this city.

(Missouri Municipal League, Sample/Model Ordinances)

Listing 11.11.040 Boarded-Up Building Defined.
A "boarded-up building" is a building any exterior opening of which is closed by any extrinsic device or in any manner designed or calculated to be permanent and which gives to the building the appearance of nonoccupancy or nonuse for an indefinite period of time. After two years a boarded-up building becomes an unfit building as provided in Section 11.11.420.

(Spokane Municipal Code, Spokane, WA)

Section 2 - Definitions
For the purpose of this ordinance, the following words and terms shall have the meanings respectively ascribed as follows:

A. “Blighted Premises” - shall mean any vacant building or structure or any portion of said property that is defined by one or more of the following definitions:

(1) It is determined by the City that existing conditions pose a serious or immediate danger to the community; i.e. a life threatening condition or a condition which puts at risk the health or safety of citizens of the City.

(2) It is not being maintained; the following factors may be considered in determining whether a structure or building is not being maintained; missing or boarded windows or doors; a collapsing or missing wall, sagging or collapsed roof or floor; siding that is seriously damaged or missing; fire damaged; a foundation that is seriously damaged or missing; a foundation that is structurally faulty; or garbage, trash or abandoned cars situated on the premises (unless the premises is a legal junk yard.)

(3) It is becoming dilapidated;

(4) It has attracted illegal activity;

(5) It is a fire hazard;

(6) It is a factor in materially depreciating property values in the immediate neighborhood because of its poorly maintained condition;

(7) It is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other premises within the neighborhood;

(8) It constitutes a health or sanitary problem.

B. "Blighted" - shall mean deteriorated, in a state of ill repair, filthy, decaying.

C. "Administrator"- shall mean the Commissioner of Codes of the City.

D. "Dilapidated"- shall mean a state of decay or partial ruin.

E. "Vacant" - shall mean a building or structure which has been unoccupied for a period of sixty (60) days or longer during which the building or a portion thereof is not legally occupied. Under the provision of this ordinance enforcement action may proceed without regard to a period of vacancy whenever any unoccupied building attracts criminal activity, is a health risk because of trash disposal or other condition, is blighted, or otherwise falls under the condition generally described in Section 1, Declaration of Policy.

F. "Legal Occupancy" - shall mean occupancy that is legal by virtue of compliance with State Building codes, State Fire Safety codes, local zoning codes, housing codes, and all other pertinent codes, which must be substantiated by a ownership, a mortgage, a lease agreement, or a rent statement.

G. "Neighborhood"- shall mean an area of the City comprised of all premises or parcels of land any part of which is within a radius of 600 feet of any part of another parcel or lot within the City limits.

H. "Unit" - shall mean any space within a building that is or can be rented by or to a single person or entity for his or its sole use, and is intended to be a single and distinct space.

I. "Vacant Parcel" - shall mean a parcel of land with no structures thereon.

(Suggested Draft Anti-Blight Ordinance, InterFIRE.com)

5. Determination of Deficiencies

This section should define the process of identifying properties that the ordinance applies to and the inspection process that the jurisdiction will initiate.

Sec. 18-190, Inspections.

(a) *Generally*. The city building department with the assistance of the city fire department and/or Fire Marshall shall forthwith undertake systematic inspection of all vacant buildings in the City of Ypsilanti. Vacant buildings shall be re-inspected periodically monthly.

(b) *Scope of inspection*. The inspection shall include review of building security including the means used to prevent unauthorized access, and all fire risks and potential hazards, including but not limited to, structural building materials (type and age), renovations that may be encountered during a fire, unprotected hazardous materials and fuel packages, open shafts, pits and holes due to removal of equipment, structural degradation due to weather and vandalism, exposed structural members, penetrations in barriers such as walls, floors, and ceilings that allow abnormal fire travel, combustible contents, maze-like configurations, blocked or damaged stairs, and whether fire alarm and suppression systems are present and working.

(Ypsilanti City Code, Ypsilanti, MI)

Sec. 39-6. Procedure for enforcement.

Whenever a petition is filed with the housing inspector by a public authority or by at least five (5) residents of the city charging that any abandoned structure is in violation of this chapter, or whenever the housing inspector determines, upon inspection, that any abandoned structure is in violation of this chapter, he shall, by service of a complaint and notice of hearing, initiate the same procedure for enforcement as is contained in section 43-15. In all relevant respects, the procedure for enforcement of this chapter shall be identical to that contained in sections 43-15 through 43-21.
(Code 1969, § 36 1/2-6)

(Municipal Code of the City of Wilson, NC)

Jurisdictions should consider requiring the inspection of buildings that are vacant or deteriorating. The inspection process provides information regarding the property and the responsible parties. The data developed during the inspection should then be made available to the applicable departments or agencies in the jurisdiction for use in planning and mitigating any hazards identified during the inspection. The inspection process can also be linked to the security requirements identified in the Requirements/Standards section of the ordinance. Properties that show signs of unauthorized access or criminal activity may require a higher level of security that those in areas where vandalism and criminal activity is not prevalent.

6. Duties/Responsibilities/Powers

This section assigns the responsibility for implementation and enforcement of the ordinance and identifies the powers delegated to the various agencies within the jurisdiction.

Section 5. Building inspector.

All city police officers and all other (city/village) employees so designated by the (mayor, city manager/administrator) shall be building inspectors within the meaning of this ordinance.

Section 6. Duties of building inspector; procedure and notice.

The building inspector shall have the duty under this ordinance to:

1) Inspect, or cause to be inspected, as often as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special or miscellaneous occupancy buildings for the purpose of determining whether any conditions exist that render such places a dangerous building when he has reasonable grounds to believe that any such building is dangerous.

2) Inspect any building, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this ordinance, and the building inspector determines that there are reasonable grounds to believe that such building is dangerous.

3) Inspect any building, wall or structure reported by the fire or police departments of this (city/village) as probably existing in violation of this ordinance.

4) Notify in writing, either by personal service or by certified mail, return receipt requested, or if service cannot be had by either of these modes of service, then service may be had by publication in a newspaper qualified to publish legal notices for two (2) successive weeks, the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of _____ County, of any building found by him to be a dangerous building within the standards set forth in Section 2.

(Missouri Municipal League, Sample/Model Ordinances)

Sec. 39-3. Duties of the housing inspector, others.

(a) The housing inspector is hereby designated as the city officer to enforce the provisions of this chapter. It shall be the duty of the housing inspector:

(1) To locate abandoned structures within the city and determine which structures are in violation of this chapter.

(2) To take such action pursuant to this chapter as may be necessary to provide for the repair, closing or demolition of such structures.

(3) To keep an accurate record of all enforcement proceedings begun pursuant to the provisions of this chapter.

(4) To perform such other duties as may be prescribed herein or assigned to him by the city council.

(b) The employees of the fire department and police department of the city shall make a report in writing to the housing inspector of each building or structure which they know or suspect may be in violation of this chapter. Any such report shall be delivered to the housing inspector within forty-eight (48) hours of the discovery of such building or structure by such employee of the fire and police departments of the city.

Sec. 39-4. Powers of the housing inspector.

The housing inspector is authorized to exercise such powers as may be necessary to carry out the intent and the provisions of this chapter, including the following powers in addition to others herein granted:

(1) To investigate the condition of buildings within the city in order to determine which structures are abandoned and in violation of this chapter.

(2) To enter upon premises for the purpose of making inspections.

(3) To administer oaths and affirmations, examine witnesses and receive evidence.

(4) To designate such other officers, agents and employees of the city as he deems necessary to carry out the provisions of this chapter.

(Municipal Code of the City of Wilson, NC)

7. Requirements/standards

This section should define the requirements that the jurisdiction whishes to establish for vacant and abandoned properties. These requirements may be for posting of the property, providing security and registration of the property. The jurisdiction may also require that the owner post a bond to cover costs of mitigation by the jurisdiction should that become necessary.

8. Enforcement/Penalties/Due Process

These sections of the ordinance define the responsibility for enforcement of the ordinance, the penalties that can be imposed for non-compliance and the appeals process for a property owner who is cited for a violation.

Section 4. Enforcement.

(1) The Commissioner of Codes shall cause regular inspections to be made of certain of the blighted premises for the purpose of documenting continuous blight and additionally, may cause to be imposed a penalty of not more than $99.00 for each day that building or structure or unit or part thereof, is in violation of this ordinance.

(2) Each day that a building or structure or unit or part thereof, is in violation of this ordinance shall constitute a separate offense. The Administrator shall cause the imposition of said penalty by notifying the owner by certified mail at the start of the period in which fines are levied. All fines imposed for violations of this section shall be paid to a fund maintained by the City.

(3) If at a later date a State General Statute is amended or passed permitting the City to place a lien as a security for the penalty then the Commissioner of Codes may waive and release said penalties and liens in the event the City acquires the property or at the time of the sale of the blighted premises if, in his/her opinion, it is determined that the buyer has the financial ability, and the intention to immediately rehabilitate said blighted premises; and/or

(4) Violators of this ordinance shall have the right to appeal within fifteen days from the date of the imposition of the fines. Payment of fines shall be stayed until the appeal has been heard and ruled on by the hearing officer. If dissatisfied with the findings, the violator may appeal to the Superior Court.

(5) The Mayor shall appoint, with the approval of the Common Council, one (1) or more Hearing Officer(s) (the "Officer").

(6) Any department that comprises the Blighted Building Committee shall not employ the Hearing Officer(s). Officer(s) shall serve for a term of two (2)

years or part thereof, which term shall commence from date of approval by the Common Council and shall end on December 31 of every even year. Officer(s) may be compensated by the city with the funds appropriated for this purpose as recommended by the Mayor and approved by the Common Council.

(7) Hearing Procedure.

(i) In scheduling formal appeal hearings, the violator shall be notified by mail of the place and time of the hearing. Such notice shall be provided at least fifteen (15) days but not more than thirty (30) days prior to the scheduled hearing date.

(ii) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.

(iii) In considering an appeal, the Hearing Officer may consider all relevant facts and circumstances and may require personal appearance of the violator and the Administrator or his/her designee.

(8) Take the necessary steps to acquire the blighted premises pursuant to the Urban Homesteading Act, State General Statute Sections _____ et. Seq. As it may be amended from time to time.

(9) Take necessary steps to pursue tax foreclosure on those properties owing back taxes to the City.

(Suggested Draft Anti-Blight Ordinance, InterFIRE.com)

Sec. 39-5. Standards for enforcement.

(a) Every abandoned structure within the city shall be deemed in violation of this chapter whenever such structure constitutes a hazard to the health, safety or welfare of the city citizens as a result of:

(1) The attraction of insects or rodents.

(2) Conditions creating a fire hazard.

(3) Dangerous conditions constituting a threat to children.

(4) Frequent use by vagrants as living quarters in the absence of sanitary facilities.

(b) In making the preliminary determination of whether or not an abandoned structure is in violation of this chapter, the housing inspector may, by way of illustration and not limitation, consider the presence or absence of the following conditions:

(1) Holes or cracks in the structure's floors, walls, ceilings or roof which might attract or admit rodents and insects, or become breeding places for rodents and insects.

(2) The collection of garbage or rubbish in or near the structure which might attract rodents and insects, or become breeding places for rodents and insects.

(3) Violations of the state building code, the state electrical code, the fire prevention code (as adopted by the city in sections 40-5, 41-3 and 14-36, respectively of the city Code) or sections 43-4 through 43-9 which constitute a fire hazard in such structure.

(4) The collection of garbage, rubbish or combustible material which constitutes a fire hazard in such structure.

(5) The use of such structure or nearby grounds or facilities by children as a play area.

(6) Violations of the state building code, or sections 43-4 through 43-9 which might result in danger to children using the structure or nearby grounds or facilities as a play area.

(7) Repeated use of such structure by transients and vagrants, in the absence of sanitary facilities, for living, sleeping, cooking or eating.

Sec. 39-6. Procedure for enforcement.

Whenever a petition is filed with the housing inspector by a public authority or by at least five (5) residents of the city charging that any abandoned structure is in violation of this chapter, or whenever the housing inspector determines, upon inspection, that any abandoned structure is in violation of this chapter, he shall, by service of a complaint and notice of hearing, initiate the same procedure for enforcement as is contained in section 43-15. In all relevant respects, the procedure for enforcement of this chapter shall be identical to that contained in sections 43-15 through 43-21.

Sec. 39-7. Violation; penalty.

(a) It shall be unlawful for the owner of any abandoned structure to fail, neglect or refuse to repair, alter or improve the same, or to vacate, close and remove or demolish the same, upon order of the housing inspector duly made and served, within the time specified in such order. Each day that any such failure, neglect or refusal to comply with such order continues shall constitute a separate and distinct offense.

(b) The violation of any provision of this chapter shall constitute a misdemeanor, as provided by section 1-11(a).

(Municipal Code of the City of Wilson, NC)

Section 9. Appeal.

Any owner, occupant, lessee, mortgagee, agent or any other person(s) having an interest in a dangerous building as shown by the land records of the recorder of deeds of the county wherein the land is located, may, within thirty (30) days from the receipt of the order of the building commissioner, appeal such decision to the circuit court of the county wherein the land is located, pursuant to the procedure established in Chapter 536 of the Revised Statutes of Missouri.

(Missouri Municipal League, Sample/Model Ordinances)

9. Severability

Webster's 10th Edition defines severability as; "Capability of being divided into legally independent rights or obligations"

The purpose of severability text is to prevent the whole ordinance from becoming invalid if any part of it is declared invalid by the courts. In many jurisdictions these provisions are included in ordinances as a matter of course.

Section 2. Severability. If any provision of this ordinance is held invalid, such provision shall be deemed excised from this ordinance and the invalidity thereof shall not affect any of the other provisions of this ordinance. If the application of any provision of this ordinance to any person or circumstance is held invalid, it shall not affect the application of such provision to other persons or circumstances.

(Chicago, IL Vacant Building Ordinance)

SECTION 3.0 SEVERABILITY CLAUSE

That if any provision of this ordinance or its application to any person or circumstances is held invalid for any reason, the invalidity does not affect any other provisions or applications of this ordinance which can be given effect

without the invalid provision or application, and to this extent the provisions of this ordinance are declared to be severable.

(Tyler, TX Ordinance No. 2001-9)

Section 9 - Severability
If any provision of this ordinance or the application thereof shall be held invalid or unenforceable. The reminder of this ordinance, or the application of such terms or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision thereof shall be deemed valid and be enforceable to the fullest extent permitted by law.

(Suggested Draft Anti-Blight Ordinance, InterFIRE.com)

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- Unsafe Vacant Buildings

Commonwealth of Massachusetts
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Missouri Municipal League
- Model Unsafe Building Ordinance
- Model Vacant Residential Structure Registration Fee Ordinance

The City of Seattle, WA
- City Regulations for maintaining vacant buildings

The City of Spokane, WA
- Boarded-Up Building Defined
- Abandoned Defined
- Unfit Buildings

The City of Wilson, NC
- Municipal Code: Abandoned Structures

The City of Ypsilanti, MI
- Inspection of Vacant Buildings

Appendix J – Using GIS to Manage Vacant and Abandoned Properties

IAAI/USFA
Abandoned Building Project

Using GIS to Manage Vacant and Abandoned Properties

2006 Revision

The Role of GIS in the Management of Abandoned Buildings

GIS can be a very valuable tool in managing abandoned buildings in a community. GIS or Geographic Information Systems uses computer databases to link information like address, parcel, owner, and occupancy status together. This allows for timely management of information through several capabilities. These capabilities and their use in the management and mitigation of abandoned buildings will be discussed in the following paragraphs.

One benefit of GIS is the usefulness of the tool to government agencies for decision making. Many cities have, or are developing, GIS departments to manage these programs. GIS has use in urban planning and development, public works, education, law enforcement, and the fire service. Virtually every facet of government can use GIS to manage and analyze information. Multiagency usage allows the sharing of cost between all departments rather than burdening only one budget, making the tool that much more attainable.

GIS can be used to create maps overlaying multiple layers of information. These maps provide visual reference that includes considerable information in an easily understood format. The ability to overlay layers of different information such as address, parcel, owner information, and occupancy status and to add or remove layers to create a map to show specific information is very valuable. In addition to the layers listed above aerial photographs may be incorporated for additional information and insight. Maps also provide the ability to see target areas and trends in abandoned buildings and fires and incidents involving such buildings. An example of layers used in a typical GIS analysis of vacant and abandoned properties is shown in Figure 1.

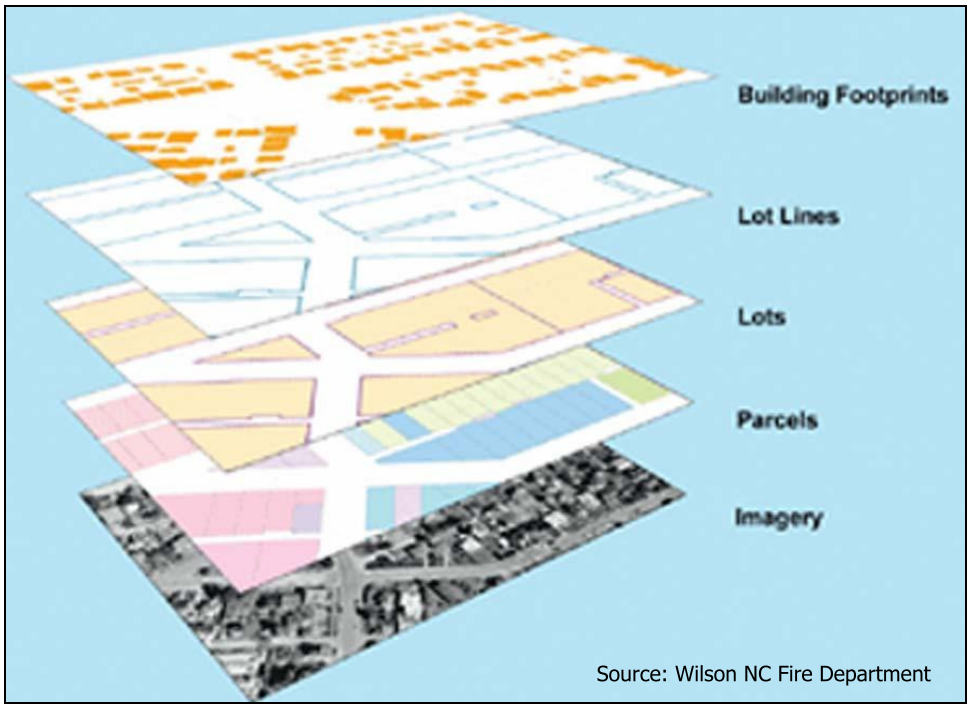


Figure 1 - GIS Layers

The fields of a GIS database are limitless, therefore the amount of information that can be analyzed is also limitless. In the case of Wilson, NC, the city had the capability to analyze more than 100 separate layers of information. GIS can be used through each step of the mitigation of abandoned buildings. The initial step in mitigation is the identification of vacant/abandoned buildings. With the database listed above, the addition of one or more readily available fields of information can show areas of potential vacancy/abandonment. Delinquent property tax is a recognized indicator of vacancy or abandonment. By simple entering the addresses or parcel numbers of those properties that are delinquent we can determine a list of potential vacant or abandoned properties. The same could be done with power company records or any other service that is associated with occupancy.

By making each piece of information or field of the database a layer of the drawing the information can be manipulated to show trends in specific areas. The method used to analyze data can yield different results. An example of this is the difference between sorting information by city block versus by parcel. The value of this is shown in a study by Christine Coletta of Brown University titled Picturing Renewal: Using GIS to Evaluate Effectiveness of Housing Renovation. The study shows much more specific trending of crime by parcel than could be accomplished using a broader spectrum of a city block. The study shows that crime when compared by city blocks, showed similar results for each block. However, when analyzed by parcel, dense areas of crime within a city block can be seen. Parcel information was used as opposed to street address because the parcel database was more complete than the address database. This example shows the need to determine the most effective data set for the analysis being conducted to yield the most accurate results.

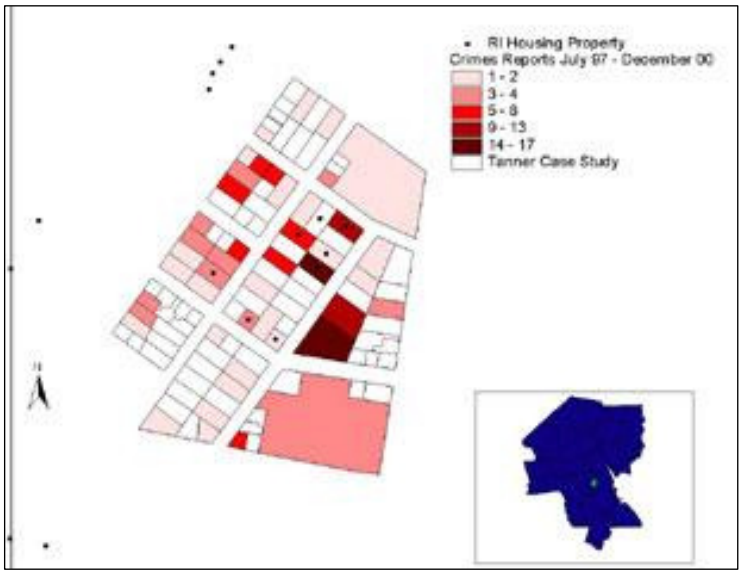


Figure 2 - Sample Parcel Map

GIS is a powerful tool that allows for manipulation of data analysis from multiple fields of data and overlaying this data to recognize trends. By overlaying the data in Figure 2 with the vacant buildings in the area a direct correlation between vacancy/abandonment and crime could be made.

Once vacant and abandoned buildings are identified they can be prioritized for demolition or ranked according to hazard with GIS. By entering data on fires and crime by address or parcel trends can be identified by location. In addition, information from building inspection and evaluation could be ranked and compared to develop a hazard classification for each property.

The cities of St Louis and East St Louis, MO have an easily navigated format of GIS available online that shows abandoned properties. This is a valuable tool for public education and information. Without public awareness of the issue, mitigation can be very difficult.

Another view of the information is the database. The ability to see the raw information in database form allows the ability to query the information and arrange said information into usable forms. Again this view can be used to organize the information to recognize trends and problem areas. This tool could also be used to categorize and prioritize the abandoned structures for mitigation efforts.

Another very valuable tool that can be used is Pictometry using orthogonal aerial photography. These are photographs taken from oblique angles from multiple directions. This is a great tool because it allows the user to easily identify structures and even perform preliminary evaluations prior to going into the field. The photos are linked to geographic information using GIS and provide another valuable tool. Especially in fire service use. These photos can be used to measure the height of a building or distances to fire hydrants or exposures.

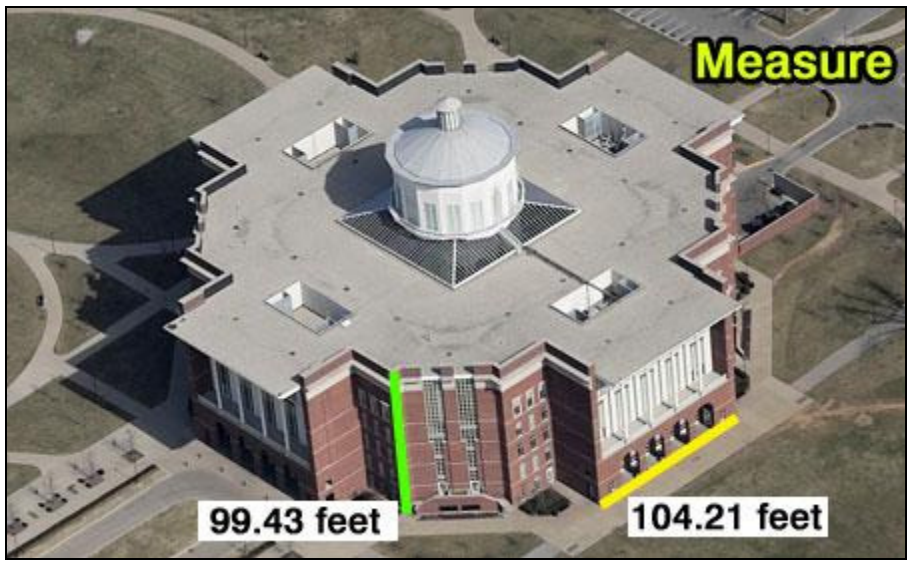


Figure 3 - Sample Orthogonal Aerial Photograph

Pictometry is versatile and easily enough navigated to be used in emergency response as well. Current cell phone technology allows users to call 911 and have GPS coordinates transmitted to the 911 operator. With pictometry these coordinates could be entered into a computer and the dispatcher is able to visualize the area and use the computer database to find the nearest address.

GIS is being used with great success to assist with the abandoned building problem in many cities. St Louis and East St Louis, shown above have used GIS in their vacant building mitigation. Other cities that have used GIS effectively are San Diego, CA, Spokane, WA, Philadelphia, PA and Baltimore, MD. Links to these programs are included in the reference section of this paper. The City of Wilson, NC is utilizing GIS extensively for the evaluation and mitigation of abandoned buildings in their community.

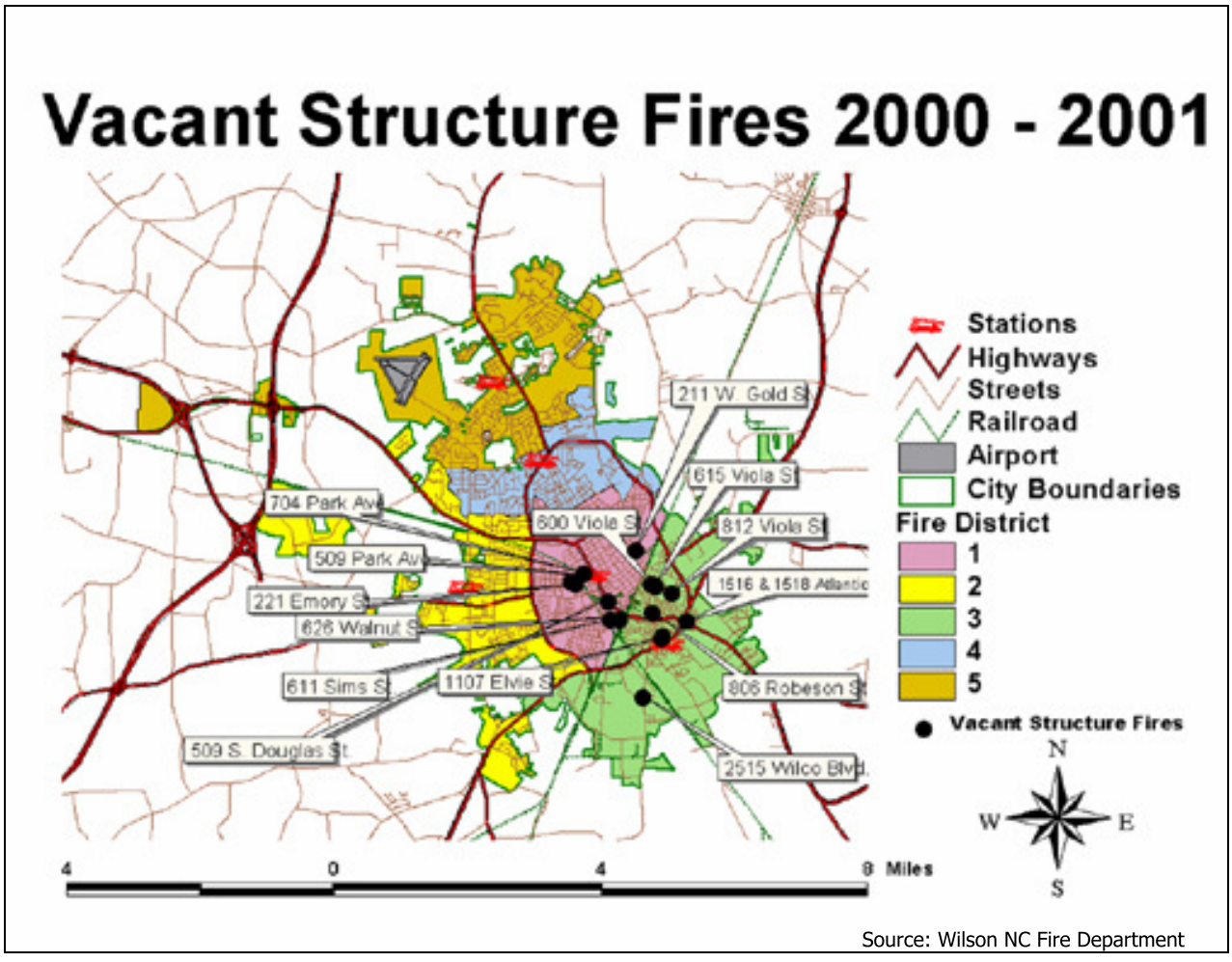
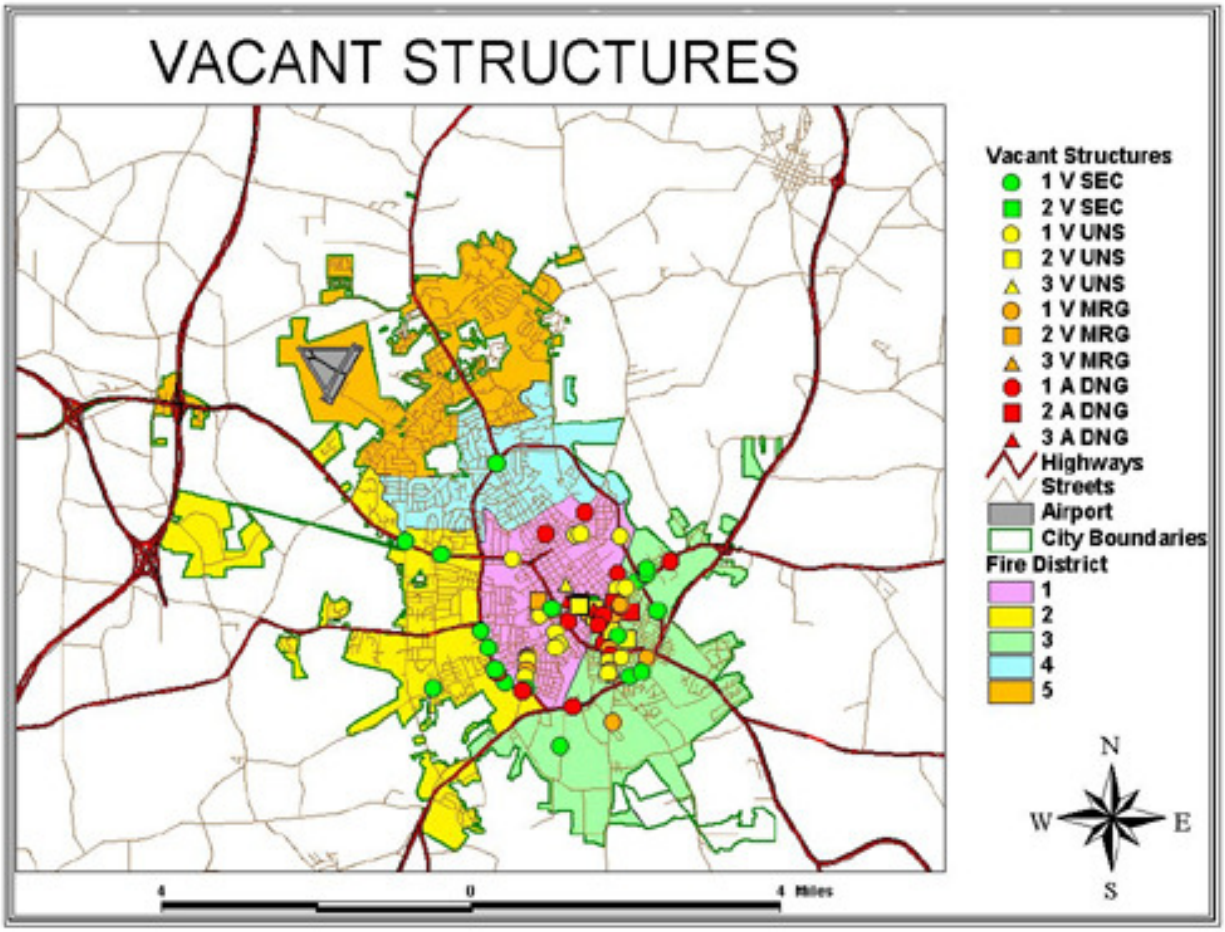


Figure 4 - Wilson Vacant Structure Fires

Figure 4 illustrates the value of GIS by showing a vast amount of information in a small and easily understood graphic. Geographically the city boundaries and fire district boundaries are shown. In addition the location of each fire station within its district can easily be seen. For trending purposes of fires we see that all fourteen fires occurred in two fire districts. Of the fourteen fires three clusters of three fires each in very close proximity occurred. From this data we see a broad area of concern in Fire Districts One and Three. In addition the tighter neighborhood or block surrounding the three fire clusters is a priority.

To manage existing buildings Wilson used GIS and inspection to determine the location and hazard of commercial structures that were vacant or had been abandoned and prioritized these structures by hazard. The following figure shows the results of this evaluation. Structures noted in green are secured vacant buildings in relatively good structural condition, those noted in yellow are unsecured vacant buildings in relatively good structural condition, those noted in orange are unsecured vacant buildings in distressed structural condition, those noted in red are unsecured abandoned buildings in and unsafe structural condition, severe hazard.



Source: Wilson NC Fire Department

Figure 5 - Wilson Vacant/Abandoned Structures

When reviewing the data for mitigation efforts we can compare figures 4 and 5 to see an alarming trend of high densities of vacant and abandoned buildings of varying hazard class within the areas of the three fire clusters noted in figure 4.

As mentioned above the correlation between fires and other crime in areas can also indicate priorities for mitigation efforts. Wilson has used GIS in all aspects of government, to include Law Enforcement, very successfully. The following figure shows a correlation between fires and crime in a varied format. The three dimensional image shows fires as topography or high spots with areas of crime depicted in color. The map shows three distinct areas of concern where we see significant crime and the occurrence of fires. This map shows how the incorporation of two departments existing databases overlayed onto a map of the city can in minutes show us trends that would take a significant amount of time to analyze through other means.

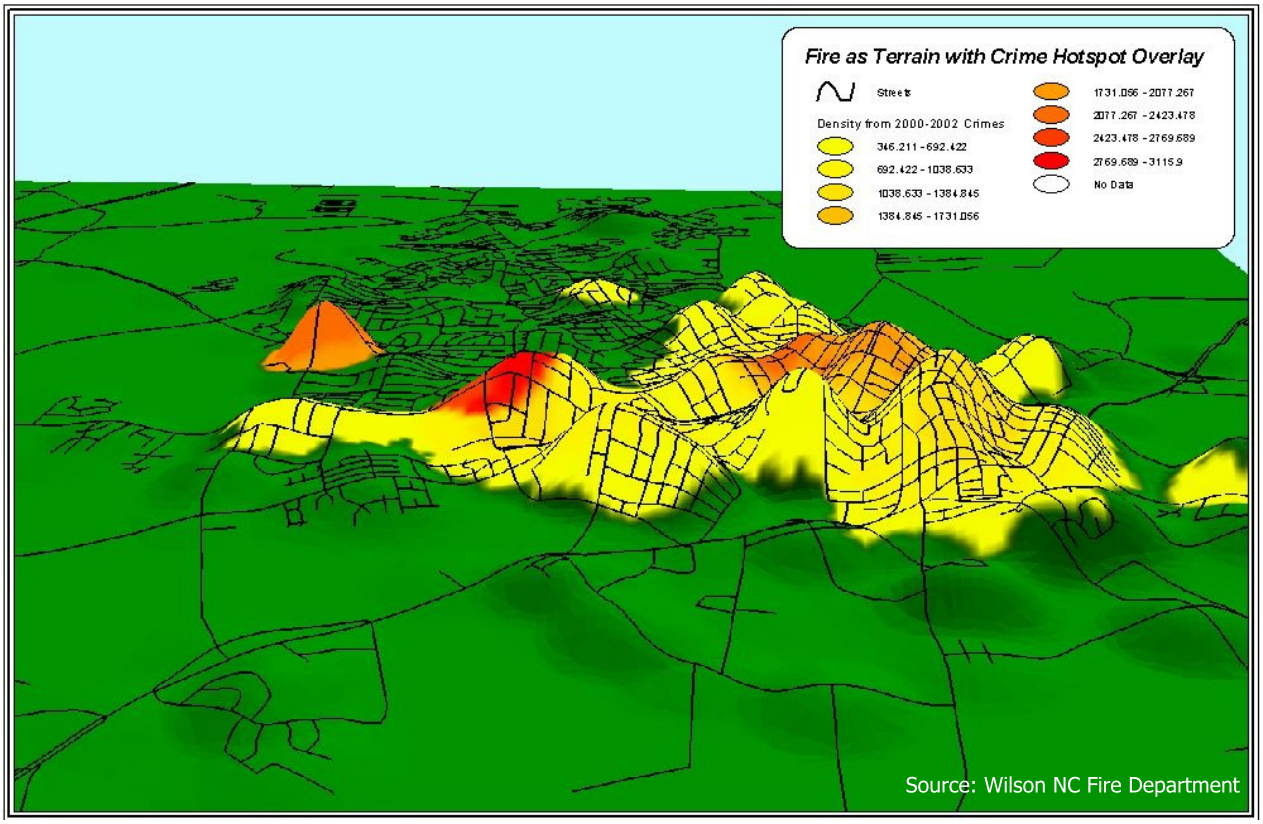


Figure 6 - Wilson Crimes vs. Fires

The City of Wilson, NC shows the value of GIS in public safety operations and planning. The same data used in the maps above to deal with the very specific problem of vacant buildings has also been used to perform a vast number of other programs. Fire and police station location studies have been completed using fire and crime statistics as well as response times to remap fire and police districts. An automobile accident prevention program has been initiated using crash statistics to locate problem intersections and upgrade the traffic control systems. Crime prevention programs using GIS with crime statistics to show hot spots and trends are being used. Hazardous materials permits are

viewable in the system to locate addresses with hazards and identify the type of material used. GIS is being used for disaster preparedness both natural and terrorist related. By mapping potential targets and evaluating those areas the city can prepare for the threat.

Wilson fire and police vehicles are equipped with mobile computers that allow responders to access, view, and use GIS information to assist in emergency response. For example, a fire officer responding to an incident can enter the address and determine if hazardous materials are stored at that location and what materials are stored. The officer can then determine and enter the necessary evacuation radius for that hazardous material into the mobile computer. GIS then can tell the officer exactly which addresses need to be evacuated for that distance. This process could take a significant amount of time manually, the GIS system can accomplish the task in seconds.

GIS is gaining prevalence in many communities nationwide. If a program is already implemented or being implemented, joining the program would simply require communication with the department currently establishing the system. In addition these systems are hardware and software intensive. Aging computers may not be powerful enough to run the system. The software systems are not inexpensive, however multiple agencies could utilize the system within one community for decreased cost.

An agency must have computer literate users to ensure the system is used to its fullest potential. Training is available on many levels and much of the software is user friendly with some experience. In many communities a department is formed solely for GIS, typically to coordinate the use of GIS among the various departments. A GIS department would also establish the databases necessary for use, train in the use of GIS, and maintain the system.

Data collection and entry can be time consuming if they are done manually. However much of the data required to make the system useful may already be in a database. If your department uses a computer based system to track calls, this information already exists in database form and can be converted to use with GIS.

The role of GIS in public safety can be viewed as one of a "force multiplier," a term used by the military that refers to technology that makes a smaller force more effective by giving it an unfair advantage over the enemy. With current budgetary constraints, public safety departments need as many force multipliers as possible. Though GIS is not inexpensive, the overall use and savings in manpower make it a valuable tool. Many of the tasks that can be completed with GIS were once thought to be niceties, though not necessities. This thinking created public safety departments that were and are purely reactive to hazards. With systems like GIS and the proper mindset communities can become proactive and prevent unnecessary loss of life and property.

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Wilson News 14 Story

Pictometry International Corp.

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ESRI: Geographic Information Systems

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Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Reduce vacant and unmaintained city owned lots in neighborhoods.

Strategy 7 - Implement a vacant lot inventory and tracking system. To be tied to city GIS system. Use to monitor status of lots and ensure lots are maintained. Will work in tandem with the city's Surplus Land Policy and Procedure to encourage sale of city owned properties for infill development:

Action Steps:

a. Review current Land Bank list of City owned properties for completeness and accuracy.
b. Provide list to city GIS program staff for development of GIS layer.
c. Review current Surplus Land Policy and Procedure for any needed updates/changes that could be made to encourage sale of properties to infill builders (e.g. donation of property, sale at reduced rate, waiving certain fees, etc.).
d. Review current Surplus Land Policy and Procedure for needed changes to include steps for inclusion of city parcels in new GIS inventory and tracking system.
e. Ensure properties are maintained (mowing, etc.) during period of city ownership.

Resources Required:

1. Public Works, Planning and Zoning and Finance Departments all have roles in carrying out the city's Surplus Land Policy and Procedures. No additional staff are anticipated for this project.
2. City GIS staff time will be required to develop the initial map layer of surplus city lots and will then be required for regular maintenance of the layer.
3. Software to help identify and track vacant lots.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $2,000

Desired Benefit/Outcome:

- Reduce City maintenance cost of vacant lots.
- Place vacant lots back into production.

CITY OF JOPLIN, MISSOURI
Surplus Land Policy and Procedures
Effective March 1, 2012

PURPOSE

There is a trust and duty inherent in the collection of taxes to utilize those taxes keeping in mind the public's best interests. Acquisition of property is a natural extension of this duty since there are certain responsibilities that must be met when handling public property. Taxpayers see constant reminders of their City government at work: roads, sidewalks, streetlights, public parks, and public safety vehicles, just to name a few. They represent the government's investment of taxpayer dollars in real property for the public's convenience, use, safety, or enjoyment.

OBJECTIVES

This policy relating to the determination of the disposal of surplus real property has been instituted to ensure the City of Joplin follows practices which:

*promote stewardship of the City's assets;
*plan and schedule maintenance of assets; and,
*assure that the City is promptly disposing of surplus property.

These policies and procedures have been prepared pursuant to Article IV, Sections 4.02 and 4.03 of the Joplin City Charter and Article V, Division 2 of the Joplin City Code to achieve the following objectives:

*to vest the Finance Department with the responsibility for the establishment of and for monitoring compliance with proper accounting practices and internal control guidelines which maintain the highest levels of safety, quality, and integrity; and,
*to, at all times, exercise positive financial accountability in the safekeeping and responsibilities of assets.

The City incurs costs related to the maintenance and upkeep of property. It is the objective of the City to identify any surplus property and dispose of it in a timely manner in order to reduce maintenance costs and place the property back on the property tax rolls. Property on the tax rolls generates revenue for many different governmental entities such as the school district, the county, and the city. Therefore, the objective of the land surplus policy is to retain property the City will use now and in the future, as well as dispose of property that the City won't use to maximize taxpayer's resources.

SURPLUS LAND POLICY

A. Land Bank

1. The Finance Department, along with the Public Works Department, shall maintain a land bank record.
2. The land bank record is a listing of ***all*** property owned by the City of Joplin.
3. The land bank record shall include the parcel identification number, the physical address, the year acquired, the purchase price or fair market value at date of acquisition, the size of the property, and the zoning of the property.
4. The land bank record shall include the designation of buildable lot versus non-buildable lot based on the lot size, as well as any surplus identification. Anything less than 7,800 square feet is a non-buildable lot, except for certain properties previously platted as buildable.
5. The Finance Department will record all acquisitions and disposals to the land bank record at the time of the event.

B. Determination of Surplus Land

1. Identify location, size, and zoning of property. This will include information such as buildable lot versus a non-buildable lot, as well as any connectivity to other public property.
2. Identify current and future land use of property. This shall include the determination of any possible future public use, such as parks, trails, easements, and future right-of-way needs, etc.
3. Designate the property as surplus or land to be retained by the City.

C. Land Acquisition

1. The City of Joplin may acquire land through many different methods, including, but not limited to, right-of-way acquisition, purchase, and donation.
2. The City of Joplin shall assess all property prior to accepting any land.

D. Land Disposal

1. The City of Joplin may only dispose of land through the land disposal process set forth in the procedures section of this policy.
2. The City of Joplin shall assess all property prior to disposing of any land.
3. The City shall, when possible, retain any and all property necessary for easements, rights-of-way, etc. prior to the sale of any excess property.

E. Policy Violations

1. Violation of these policies and procedures by any City employee shall result in corrective action being taken, which is pursuant to Section Eight of the City of Joplin Employee Rules and Regulations Manual.

F. Policy and Procedure Revisions

1. Any revisions or modifications to the surplus land policy and procedures will be made by the Finance Department and approved by the City Manager and/or the City Council.

SURPLUS LAND PROCEDURES

A. Determination of Surplus Land Designation

1. The Public Works Department, including the Planning and Zoning Division, shall identify the location, size, buildable status, and zoning of property. This will include any connectivity to City-owned property.
2. The Public Works Department, including the Planning and Zoning Division, shall analyze the current and future land use of the property. This shall include the determination of any possible future use by the City, such as parks, trails, easements, and right-of-way needs. The Public Works Department will contact other city departments to assist with the analysis, as needed.
3. The Public Works Department shall make a recommendation to the City Manager to designate the property as surplus to be sold or as property to be retained by the City for future use.
4. The City Manager, Public Works Department, and Finance Department may physically review the property to make the final determination of the designation, as needed.

B. Land Acquisition

1. The City may acquire land through many different methods, such as right-of-way acquisition, purchase, and donations, etc.
2. The City shall assess any donated land prior to its acceptance.
3. The Public Works Department, including the Planning and Zoning Division, shall identify the location, size, buildable status, and zoning of property. This will include any connectivity to City-owned property.
4. The Public Works Department, including the Planning and Zoning Division, shall analyze the current and future land use of the property. This shall include the determination of any possible future use by the City, such as parks, trails, easements, and right-of-way needs. The Public Works Department will contact other city departments to assist with the analysis, as needed.
5. The Public Works Department shall analyze any costs associated with accepting the donated land.
6. The Public Works Department shall make a recommendation to the City Manager to either accept or decline the donation.
7. The City Manager, Public Works Department, and Finance Department may physically review the property to make the final determination of the donation, as needed.

C. Assign Surplus Land Value

1. The City shall first assign a fair market value to the surplus property.
    a. The Right-of-Way Negotiator shall establish an internal fair market value for all surplus property based on comparables.
    b. The City shall ***also*** obtain an outside appraisal for any surplus property with an internal fair market value of $20,000 or greater prior to offering the property for sale.

D. Determine Minimum Sales Price

1. The minimum sales price for any property shall be 90% of the fair market value.
2. If the property has not sold within 6 months of the advertisement date, the minimum sales price shall be reduced to 85% of the fair market value.
3. If the property has not sold within 1 year of the original advertisement date, the minimum sales price shall be reduced to 75% of the fair market value.
4. If the property has not sold within 18 months of the original advertisement date, the City Council shall determine the minimum sales price.

E. Sale of Non-Buildable Property

1. The sale of any non-buildable property is only valuable to surrounding property owners. A non-buildable lot is a lot less than 7,800 square feet, unless the property was previously platted as buildable.
2. The sale of non-buildable property does not require an excess property declaration by the Planning and Zoning Commission or the City Council.
3. The Finance Department will establish the minimum sales price as set forth above.
4. The Finance Department shall advertise the sale of the non-buildable lot in the newspaper for one day.
5. The notice of sale shall be mailed to all surrounding property owners on the date of advertisement.
6. The property shall be posted for sale by the Public Works Department upon notification from the Finance Department.
7. Sealed bids will be accepted 30 days after the advertisement date.
8. The City will accept the highest sealed bid from a surrounding property owner above the established minimum bid price.
9. The City will take an ordinance to the City Council to approve the sale of the non-buildable lot per the sealed bid process.
10. Upon approval of the sale of the property, a Quit Claim Deed shall be conveyed to the bidder upon receipt of payment by certified check, money order, or cash.
11. If the property does not sale as set forth above, the matter will be placed before the City Council for further direction to dispose of the property.
12. The City reserves the right to retain any surplus property.

F. Sale of Buildable Property

1. Upon notification, the Planning and Zoning Division shall set a public hearing with the Planning and Zoning Commission to request a declaration of excess property.
2. Upon declaration by P&Z Commission, City Council shall approve the declaration of excess property.
3. The Finance Department will establish the minimum sales price as set forth above.
4. The Finance Department shall advertise the sale of the buildable property in the newspaper for one day.

5. The notice of sale shall be mailed to all surrounding property owners on the date of advertisement.
6. The property shall be posted for sale by the Public Works Department upon notification from the Finance Department.
7. Sealed bids will be accepted 60 days after the advertisement date.
8. The City will accept the highest sealed bid above the established minimum bid price.
9. The City will take an ordinance to the City Council to approve the sale of the property per the sealed bid process.
10. Upon approval of the sale of the property, a Quit Claim Deed shall be conveyed to the bidder upon receipt of payment by certified check, money order, or cash.
11. If the property does not sale as set forth above, the matter will be placed before the City Council for further direction to dispose of the property.
12. The City reserves the right to retain any surplus property.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Reduce vacant and unmaintained city owned lots in neighborhoods.

Strategy 8 - Re-institute program where county participates with city for transfer to city properties held in trust.

Action Steps:

a. Contact Jasper and Newton County Assessor Offices to request implementation of program.
b. Develop aggressive program to clean titles and prepare lots for sale, additionally look at other methods to encourage infill development (donation of properties to non-profits, reduced sale price of properties, etc.).
c. Land acquisition must be in compliance with existing city Surplus Land Policy and Procedure.
d. Properties acquired to be disposed of in compliance with city Surplus Land Policy and Procedure.

Resources Required:

1. Public Works, Planning and Zoning and Finance Departments all have roles in carrying out the city's Surplus Land Policy and Procedures. 0.50 FTE additional Finance Dept. staff anticipated for this project.
2. City GIS staff time will be required to develop the initial map layer of surplus city lots and will then be required for regular maintenance of the layer.

Total Plan Cost:
Total Additional FTE: 0.50
One-Time Costs: $1,000
Staffing Annual Costs: $39,000
Program Annual Costs: $2,000

Desired Benefit/Outcome:

- Expedite and improve process of placing lots received from the county into production.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Reduce vacant and unmaintained city owned lots in neighborhoods.

Strategy 3 – Re-institute the JHAP model program to encourage infill development on vacant lots.

Action Steps:

a. Form work group for project.
b. Review JHAP program process for possible implementation for neighborhood renewal.
c. Develop processes and procedures necessary for re-implementation of program. This model utilizes same processes used in program after tornado to incentivize home buyers (paying some portion of down payment, closing costs, etc.). First focus of incentives could be limited to purchase of newly constructed homes. A second focus area to include purchase of existing homes to incentivize remodel of existing structures. They could also be tied to certain distressed neighborhoods.
d. Inform necessary stakeholders for input into program.

Resources Required:

1. Staff time for review and development of program.
2. Staff time for operation of program if implemented (new or existing) of 0.50 FTE in Planning, Zoning and Neighborhood Services.
3. Funding source for incentives for home buyers.

Total Plan Cost:
Total Additional FTE: 0.50
One-Time Costs: $1,000
Staffing Annual Costs: $35,000
Program Annual Costs: $1.0 M

Desired Benefit/Outcome:

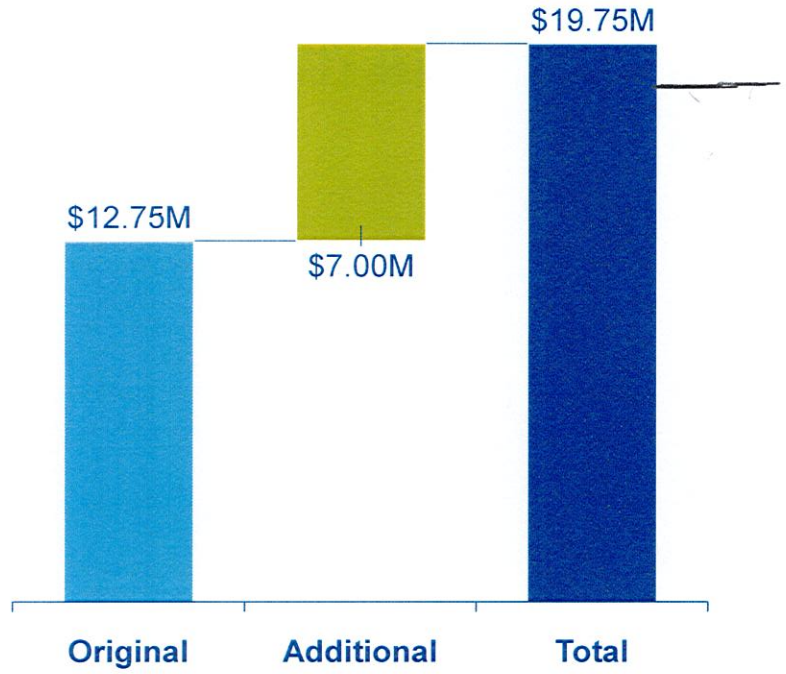
- Incentivizes & encourages home ownership.
- Eliminate vacant and unmaintained lots.
- Improve attractiveness of neighborhoods.
- Enhance values of surrounding homes.

Joplin Homebuyers Assistance Program (J-HAP) Wind Down Strategy

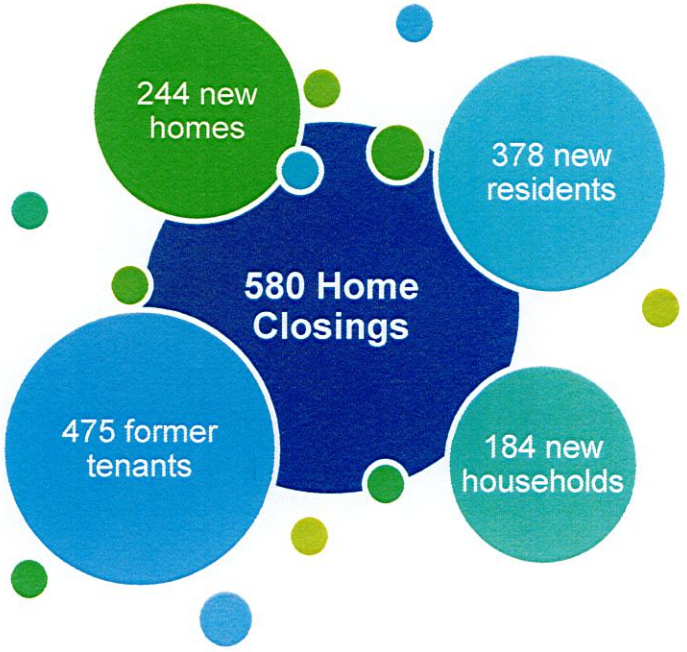
Program Metrics

The vision of the program was to repopulate and develop the tornado-affected area by providing financial assistance through the Homebuyers Assistance Program

Funding



Performance

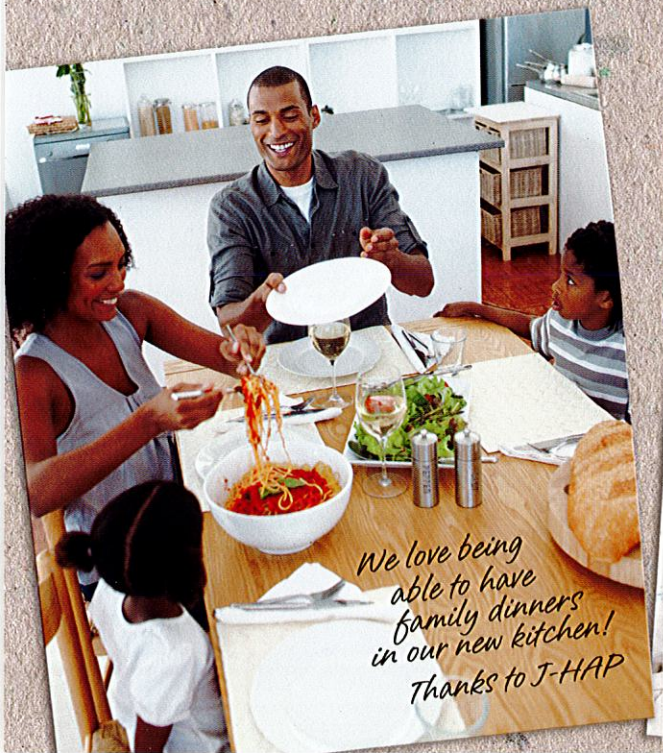


$62.4M benefit to the economy

The qualifications necessary to apply for J-HAP are very *simple.*

Household Size	Maximum Annual Income
1 person	$42,850
2 people	$48,950
3 people	$55,100
4 people	$61,200
5 people	$66,100
6 people	$71,000
7 people	$75,900
8 people	$80,800

*Maximum annual income based on 120% of median income for City of Joplin

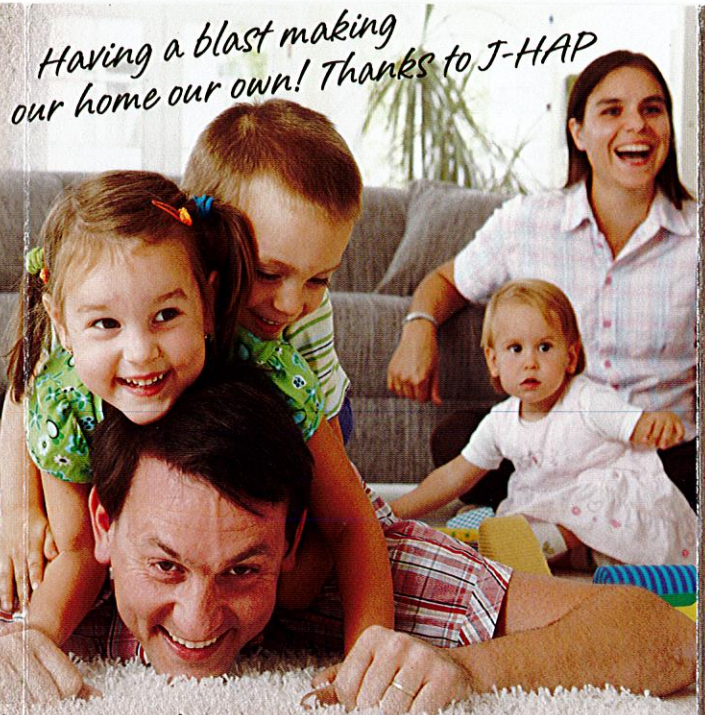


- Obtain application packet from J-HAP office and complete all necessary forms required by HUD and the City of Joplin in order to proceed through the J-HAP process.
- The home you are purchasing must be located within the specified recovery area in the heart of Joplin. You can see an interactive map of this area at https://joplin.integritygis.com.
- Must be able to obtain a mortgage with a financial institution or mortgage company.
- Eligibility for the program and total assistance for approved individuals is based on several factors.

If you meet the above requirements, you could receive Joplin Homebuyer Assistance! This assistance is not limited to Joplin citizens, first-time homebuyers, or those affected by the tornado, and there is no minimum or maximum sales price that has to be met.

So if you've been considering a move to Joplin, this is the perfect opportunity to do so!





"The J-HAP program gave me an opportunity that I would not otherwise have had. I now have a house that I am proud to call my own and that's all thanks to this program."

- Raine Lounis, J-HAP Participant



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The Joplin Homebuyers Assistance program is designed to help improve opportunities for homeownership, repopulate the heart of our city, and increase the number of affordable homes in our beautiful community.

Funding is provided by the Community Development Block Grant – Disaster Recovery program of the US Department of Housing and Urban Development.

For an application, visit: **joplinmo.org/cdbg-dr**

JHAP Office

417-850-2249 or email **jhap@nanmckay.com** with the subject line **"J-HAP Application Request"**

HOURS: Monday and Wednesday- 7:00am-4:30pm
Tuesday and Thursday- 9:00am-6:00pm
Friday 8:00am-6:00pm

EQUAL HOUSING LENDER

The City of Joplin's Homebuyer Assistance Program (JHAP) under the management of the City of Joplin is compliant with fair housing and equal opportunity, and non-discrimination policy, in accordance with all Civil Rights legislation (1964, 1968, 1988) Section 504 of the Rehabilitation Act of 1973 (if applicable) and Affirmative Fair Housing Marketing requirements as set forth for this program. No applicant would be denied on the basis of race, color, religion, sex, familial status, handicap – status or national origin.



Buying a home in Joplin has never been *easier!*



Receive up to

$30,000

J-HAP

Joplin Homebuyer Assistance Program

joplinmo.org/cdbg-dr
jhap@nanmckay.com



Buying a home is hard. There are so many expenses to think about that the whole process can quickly become overwhelming. The Joplin Homebuyer Assistance Program was created to ease some of this burden. Homebuyers eligible for the program may receive anywhere between **$1,000** and **$30,000** toward the down payment and reasonable closing costs for a new or existing home in Joplin, Missouri.

Then you can focus on making your new house your home sweet home.

* J-HAP will not fund the construction loan process, it can only be applied to a fully finished home.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Eliminate non-code compliant apartments in neighborhoods.

Strategy 10 - Develop a phased approach to occur over a defined period of time to bring units into code compliance.

Action Steps:

a. Form work group to work on issue.
b. Review method(s) to identify non-compliant apartments. Create list of non-compliant properties.
c. Develop GIS map of non-compliant properties.
d. Review local codes to determine if contain sufficient authority for inspection of multi-family residential units.
e. Develop processes for program of compliance with codes including target time frames and tiers of priority for codes.
f. Inform affected stakeholders to obtain input.
g. Begin dialogue with community partners active in low-income housing availability regarding direction of new initiative to ensure housing options for those that might lose housing options due to program.
h. Notify owners of forthcoming inspection program.
i. Conduct inspection of properties for compliance with housing, building, fire, health, codes.
j. Permit properties and issue business license as appropriate.

Resources Required:

1. Staff time for review of codes.
2. Staff time develop processes for compliance.
3. Staff time for meetings with stakeholders.
4. Staff time to develop list of properties and GIS map.
5. Staff time for inspection of affected properties.
6. Staff time for issuance of permits, etc.
7. Funding for additional staff for inspection of properties (2.0 FTE for Building Inspection, 1.0 FTE for Fire Inspection), additional 1.0 FTE for code enforcement clerical staff, additional 0.25 FTE for court/prosecutor staff.

Total Plan Cost:
Total Additional FTE: 4.25

"It is a disgrace and embarrassing to drive thru our town and see how not only homes but, businesses have been allowed to be maintained. (Or should, I say not maintained.)" – Listening Tour Respondent

One-Time Costs: $8,500
Staffing Annual Costs: $305,000
Program Annual Costs: $25,000

Desired Benefit/Outcome:

- Bring multifamily housing into compliance with adopted city codes.
- Improve safety and appearance of multifamily housing.

Priority Area:
Address Declining Neighborhoods

Goal/Objective:
Eliminate non-code compliant apartments in neighborhoods.

Strategy 11 - Implement a rental property inspection and permitting program for city.

Action Steps:

a. Form work group of city staff and local rental association members.
b. Conduct research of rental property inspection and permitting program options.
c. Develop processes and procedures for new permit and inspection program. This could involve either enforcing the existing Housing Maintenance Code on all rental units or adopting a new International Property Maintenance Code for this purpose. Decisions about which units would be included, frequency of inspection, permit fees, a phased period of implementation, etc. would need to be established.
d. Determine resource needs for new program (personnel and operational costs).
e. Identify funding source for new program.
f. Present to city council.

Resources Required:

1. Staff time to research programs, meet with stakeholders, develop new program.
2. New staff and operational needs (vehicles, IT needs, office furniture, etc.) for new program.
3. Staff time for issuance of permits, licenses.
4. 2.0 FTE for Building Inspectors, 1.0 FTE for Health Inspection, 0.25 FTE for additional court/prosecutor staff.

Total Plan Cost:
Total Additional FTE: 3.25
One-Time Costs: $6,500
Staffing Annual Costs: $231,500
Program Annual Costs: $15,000

Desired Benefit/Outcome:

- Create a rental inspection and licensing program.
- Increase safety and maintenance of rental properties.

Priority Area:
Address Declining Neighborhoods

Goal:
Improve appearance of neighborhoods through maintenance of properties.

Action Steps:

1. Complete research into property maintenance litigation tools available to private property owners and neighborhood associations to address deteriorated properties.
2. Develop educational tools for neighborhood associations and individuals on litigation tools available to them.
3. Make educational tools available through the Planning, Development, and Neighborhood Services Department.

Resources Required:

1. Staff time to develop and disseminate educational materials.

Total Plan Cost:
Total Additional FTE: Existing Staff Time
One Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $1,000

Desired Outcome/Benefit:

- Improved appearance of neighborhoods.
- Strengthening the ability of residents and neighborhood organizations to solve neighborhood issues.





A GUIDE TO UNDERSTANDING AND ADDRESSING VACANT PROPERTY IN THE CITY OF ST. LOUIS

2018

A GUIDE TO
UNDERSTANDING AND ADDRESSING
VACANT PROPERTY IN THE CITY OF ST. LOUIS

Acknowledgements
This resource was prepared by Dana Malkus of Saint Louis University School of Law and Sean Spencer of Tower Grove Neighborhoods Community Development Corporation, with assistance from Peter Hoffman of Legal Aid of Western Missouri; students of the SLU LAW Entrepreneurship and Community Development Clinic; and Carrick Reddin of Rise Community Development for the design and layout.

Special thanks to:
Dale Sweet of Beck Ostrom Sweet; Julie Scheipeter and Brian Weaver of Stinson Leanoard Street; and Jim Zimgibl of Tower Grove Neighborhoods Community Development Corporation for their volunteer efforts related to the on-the-ground organizing, legal document preparation, and discussions necessary to implement some of the neighborhood litigation tools described in this resource.

The St. Louis Association of Community Organizations (SLACO) and all of its associated volunteers for their ongoing efforts to raise awareness about our vacancy challenge and to work toward solutions, including co-sponsoring vacancy-related conferences in October 2016 and February 2017.

The City of St. Louis Building Division, Citizen's Service Bureau, and Department of Health, as well as the City Counselor's Problem Properties Section, for sharing their knowledge.

The St. Louis Development Corporation and David Meyer, Associate City Counselor, for sharing their time and expertise.

This resource was made possible by a grant from Rise Community Development.

This resource is for informational purposes only. The information presented is not intended to be legal advice, nor is it intended to constitute the creation of an attorney-client relationship. This resource was produced as a public service.

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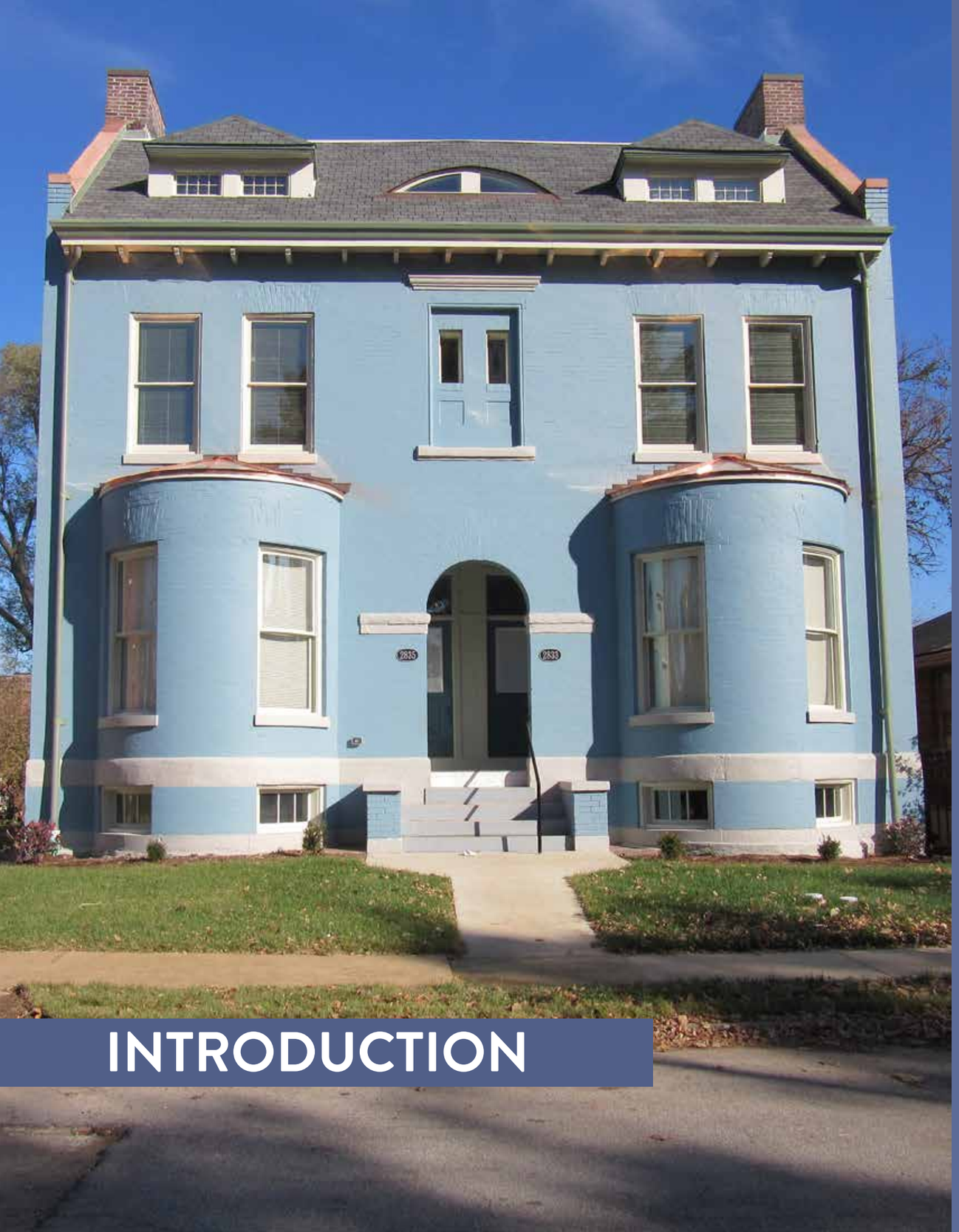
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INTRODUCTION

The City of St. Louis has a serious vacant property challenge. Since the population peak in 1950, the City has experienced a 63% decline in population and now has one of the highest rates of vacancy in the nation.[1] The City has approximately 25,000 vacant properties.[2] Approximately 12,000 of these are owned by the Land Reutilization Authority (LRA) or other public agencies,[3] which means that approximately 13,000 are privately owned. Most of those vacant properties are concentrated in the north and southeast portions of the City.[4] For a city of its size, the City has "an extremely large" number of vacant properties.[5]

Vacant properties are magnets for crime and arson.[6] They lead to neighborhood decline by decreasing property values for neighboring owners,[7] discouraging investment in the community, decreasing tax revenues, and decreasing the quality of life for residents. Maintaining vacant properties is a burden on the annual City budget. For example, in FY2016, the Forestry Division alone spent more than $5 million on maintaining vacant lots and buildings. Moreover, vacant buildings place a large strain on the resources of the Building Division. Board-ups cost the City over $200 per building and nearly half a million dollars per year.[8] In addition, the City spends approximately $1.5 million per year on demolitions.[9] In short, vacancy catalyzes more vacancy, impacts public health and safety (e.g., dumping, arson, theft, crime, firearm violence, and water and sanitation problems), increases costs for local government (e.g., fire, police, maintenance, demolition), negatively impacts neighborhoods, contributes to market distortions and failures (e.g., decreases property values, contributes to lost tax revenue), and contributes to blight.[10]

There are a variety of factors that have contributed to the current vacancy challenge, including population loss, weak real estate markets in many neighborhoods, an aging housing stock, significant sprawl, detrimental public policies such as redlining, predatory or negligent investors, the foreclosure crisis, and other forms of disinvestment.[11]

Vacancy affects all of us on personal, local, and regional levels. When a group of St. Louis residents was asked about how vacancy affects them on a personal level, a number of respondents reported feeling unsafe and uneasy around vacant property, a lack of neighborhood pride, a frustration with declining property values, and a variety of negative psychological effects (e.g., fear, depression, hopelessness).[12] Moreover, vacant property is often directly connected to tragic injuries and deaths. For example, the body of Eric Bearden, who died of acute fentanyl intoxication, was found in an abandoned building in the 3400 block of South Grand in January 2016.[13] A July 5, 2017, fire in a vacant building in Gravois Park led to the death of a City fire department captain.[14]

Purpose

This Guide is intended to help local government officials, neighborhood associations, community-based nonprofits, residents, business owners, and other stakeholders better understand how to work together to use existing tools to address vacant property in the City of St. Louis.

Since 1876, St. Louis has been an independent city, which means that it is not part of any county. Therefore, it operates as both a city and a county. St. Louis is the only city in Missouri that operates its own county offices. This unusual structure means that effectively addressing the vacant property challenge requires coordination not only across City departments, but also across city and county functions.

There are a variety of legal tools and enforcement strategies to address vacancy, and using these tools and strategies effectively requires a coordinated effort from a variety of local government and private actors. Reducing the negative impact of vacancy is like a complex puzzle, requiring coordination and collaboration among the public sector, private stakeholders, and neighborhood leaders to achieve a shared vision.



Context and Background

Property can become vacant for a wide variety of reasons, including:

- **Incomplete Foreclosure:** The record owner abandoned the property based on a belief that he or she no longer owns the property because he or she received a foreclosure notice, but the lender never completed the foreclosure proceedings (which is especially likely to happen in markets where the property has a very low value).[15]

- **Bankruptcy:** The record owner abandoned the property based on a belief that he or she "gave it up" as part of a bankruptcy proceeding, but the property was ultimately not taken by the lender despite the lift of the automatic stay that is triggered by the bankruptcy case.[16]

- **Prolonged Probate or Lack of Proper Probate:** The record owner died and a probate case has been opened, but the proceedings are drawn out due to an inability to locate heirs, the presence of heirs who are minors, or creditor issues. Or, the record owner died and no probate case was ever opened, leaving the property in uncertain ownership status until certain legal procedures are followed to clarify legal ownership.

- **Outside Investor:** The record owner (who typically does not live in the neighborhood) obtained the property as an "investment," but has done little to improve the property and has little incentive to care about surrounding properties or residents; therefore, the property remains vacant.[17]

- **Judgment Proof Owner:** The record owner is a corporation or other business entity (such as an LLC) that holds no assets other than the vacant property, or which has functionally dissolved, allowing the owner to neglect the property with impunity due to its functional judgment proof status.[18]

- **Bank Ownership:** The record owner is a lender that has come to own the property through foreclosure and prefers to simply keep the property boarded and minimally maintained until it can sell the property.[19]

- **Lack of Resources:** The record owner has retained ownership of the property for many years with a dream of rehabilitating it (perhaps due to an emotional connection with the property or the neighborhood), but lacks financial resources or the requisite skill to carry out the dream.[20]

- **Lack of Value:** The property has liens that exceed its market value, providing little incentive for the owner to invest in or sell the property.

- **Sprawl and Weak Markets:** The property is located in an area with weak market demand in a region where potential buyers have many other options. For example, in the decade from 2000 to 2010, there were 1.4 new housing units built for every 1 new household in the St. Louis metropolitan area, leading to an excess supply of housing, falling occupancy rates, and increased vacancy (especially in older neighborhoods).[21]

There is no single, agreed upon meaning for the term "vacant property." In this Guide, the term generally refers to real property that is unoccupied. It includes lots with structures on them and without, and it includes both privately owned and publicly owned property. This Guide generally does not use the term "abandoned property" or "nuisance," except where necessary to describe certain legal tools. Some of the tools described in this Guide rely on specific definitions, and those definitions are noted where applicable.

Importantly, the mere fact that a property is vacant does not necessarily mean that the property is violating any law or otherwise presenting a problem for the neighborhood in which it is located. However, without constant maintenance and security measures, a vacant property typically will deteriorate to a state of abandonment that poses threats to public safety and neighborhood quality of life.[22]



LOCAL GOVERNMENT TOOLS

Local Government Tools Related to Privately Owned Vacant Property

Certain City of St. Louis "city" and "county" departments play essential roles in addressing vacancy. They can help reduce vacancy through tools such as

- effective code enforcement,
- strategic tax delinquency foreclosure processes to transfer property to responsible new ownership, and
- robust data collection and sharing across departments.[23]

In the City, certain key departments function as "first responders" for problems related to vacant property. These core code enforcement first responders face difficult challenges. For example, they must balance community residents' desire for immediate action regarding problem properties with the legal confines of due process and private property rights.[24] Moreover, they operate in the face of economic and demographic upheavals, deteriorating housing stock, and neighborhoods that have been subjected to abusive mortgage financing and debt collection practices as well as absentee investors whose business practices include evading local code enforcement.[25]

In addition to the core code enforcement first responders, other relevant agencies that play essential roles in addressing the City's vacancy challenge discussed in this Guide are the City Counselor's Office (a city function), the Municipal Court (a city function), the Collector of Revenue (a county function), the Sheriff's Office (a county function), the Land Reutilization Authority (LRA) (a state agency), and the St. Louis Development Corporation (an umbrella nonprofit corporation that serves as the City's economic development arm). Other City agencies that play important roles in addressing the vacancy challenge include the Planning and Urban Design Agency, the Cultural Resources Office, the Community Development Administration, the Fire Department, and the Police Department. Although their roles are important, a discussion of these additional agencies is beyond the scope of this Guide.

CORE CODE ENFORCEMENT FIRST RESPONDERS

Given the nature of the activities they oversee, certain City departments are key players in the effort to address vacancy through identifying and investigating code violations and related activities. These include the Neighborhood Stabilization Team, the Building Division, the Department of Health, and the Forestry Division. The Neighborhood Stabilization Team functions as a coordinator to help the Building Division, Department of Health, and Forestry Division utilize their respective code enforcement tools.

As is typical for most local governments, the City's core code enforcement first responders tend to collect and organize data in ways that advance their own particular missions but which make it challenging to share data across departments or to integrate available data to get a compete snapshot of any given vacant property.[26]

While code enforcement tools can be an effective means of combating the problems associated with vacant property, there are challenges to using the tools effectively. For example, property owners can ignore administrative citations (especially when fines are relatively low), and it can be difficult to hold corporate property owners accountable. Moreover, code enforcement agencies typically are designed to be reactive and accountable for a single function; they usually lack the resources needed (e.g., data, staffing) to make strategic decisions or enact proactive policies.[27]

Because the organizational structures and enforcement methods most code enforcement first responders have inherited are no match for the modern challenges they face (i.e., more and faster deterioration of housing stock, rising maintenance costs, permanently lost equity, unmarketable houses, contagious vacancy, and new unconventional land uses), some local governments are starting to change from reactive code enforcement programs to systems with capacities for strategic targeting and data sharing.[28] Code enforcement can become a much more effective tool when used proactively.[29]

Core Code Enforcement Tools

Tool	Description of Tool
Administrative Citation	If an inspector finds a code violation, the inspector provides notice of the violation to the property owner and a description of the repairs or improvements needed to bring the property into compliance. If the violation is not corrected within a certain period of time, the inspector may issue an administrative citation that includes a fine against the owner and an order prohibiting the continuation or repeated occurrence of the code violation. If a subsequent citation is issued for the same violation within a 12-month period, the fine doubles. Any unpaid fines incur a penalty of the amount of the original fine. This kind of financial penalty can be thought of as one that attaches to the property owner (and not to the property itself).
Abatement and Special Tax Bills	If the property owner does not correct a code violation after receiving notice of it (including any extensions of time the department may grant), the relevant department may correct it and then charge the property owner for the cost to correct the problem. Under certain circumstances, the cost to correct the problem can become a lien against the property and may become a "special tax bill." This kind of financial penalty can be thought of as one that attaches to the property itself in addition to attaching to the property owner.
Referral to City Counselor for Prosecution in Municipal Court	A department may refer the property to the City Counselor's Office to prosecute a code violation in municipal court. In practice, this typically happens only for properties with serious or repeated code violations. The court can order a variety of remedies.

Notably, it is not illegal to own a vacant property in the City. In other words, the mere fact that a property is unoccupied cannot form the basis for taking enforcement action against the property owner. Rather, it is the presence of ordinance violations that form the basis for any enforcement action. Missouri law permits the City to include certain costs related to property maintenance and nuisance ordinance enforcement in the annual real estate tax bill for that property. This is called a "special tax bill." The costs may be collected using the same procedure used for collecting real estate taxes.[30] The Collector of Revenue collects and processes all special tax bills for property in the City.[31]



Neighborhood Stabilization Team

The City's Neighborhood Stabilization Team (NST) is a division of the Department of Public Safety, which reports to the Mayor. The most relevant functions of the NST for purposes of this Guide are:

Citizens' Service Bureau (CSB): The CSB provides a customer service function for the City by registering and routing service requests, answering citizen requests for information, and providing data to other City departments.

Neighborhood Improvement Specialist (NIS): Each City ward is intended to have an assigned NIS who is charged with identifying and addressing neighborhood issues in cooperation with aldermen, the neighborhood (residents, groups, and block units), and City departments. In practice, some of these NIS positions can remain unfilled for periods of time for a variety of reasons.

One primary function of the NST is to route issues related to possible ordinance violations. This typically happens in one of two ways:

CSB Citizen Complaint: If the CSB receives a citizen request concerning a possible code violation at a vacant property, the CSB routes the issue to the appropriate department. For example, if the CSB receives a complaint about a vacant building that is not properly boarded up, it routes the request to the Building Division. The Building Division may then follow up with an inspection to determine whether to take action. Or, for example, if the CSB receives a citizen request concerning overgrown vegetation on a vacant property, the CSB routes the issue to the Forestry Department for possible action.

Action by NIS: The NIS may make a direct request to the appropriate department concerning a possible code violation at a vacant property since identifying and monitoring vacant properties is part of the NIS's job duties.[32] As part of this process, the NIS can identify the

property as vacant in the NST system, request an exterior inspection by the Building Division, and refer it to the City Counselor's Office's Vacant Building Initiative. In this way, the formal identification of vacant properties can begin with a NIS identifying the property as such. However, because the process of cataloging properties in the NST system is largely reactive and because priorities and workloads can vary from one ward to another, the NST system provides only a partial inventory of vacant properties.

Building Division

The Building Division enforces the City's ordinances (i.e., rules) related to the location, construction, use, maintenance, and demolition of buildings. This collection of ordinances is commonly referred to as the "Building Code." As part of its work, the Building Division also issues building permits, conducts building inspections, demolishes vacant buildings, boards up vacant buildings, and enforces zoning ordinances.[33] Like NST, it is a division of the Department of Public Safety and reports to the Mayor.

The most relevant function of the Building Division for purposes of this Guide is its Building Code enforcement function. The Building Division inspects property for compliance with the Building Code. As part of the City Counselor's Vacant Building Initiative, one Building Division code inspector is assigned to work directly with the City Counselor's office on inspections related to vacant buildings.

Tool	Details and Examples
Administrative Citation	***Amount:*** With some exceptions, the administrative citation fee generally is $25 per violation.[34] ***Time:*** In practice, property owners typically are given approximately 90 days to bring the property into compliance after the notice is provided and may be given additional extensions of time to complete the required work. Violations that involve more immediate threats to safety may be given shorter compliance timeframes.
Abatement and Special Tax Bills	***Example:*** If the Building Division orders a building demolished, repaired, boarded up, or cleaned up as a result of a Building Code violation, the cost of the abatement may be charged to the owner and added to the special tax bill.[35] ***Example:*** If a structure is damaged by fire or other casualty and is condemned by the Building Division as a public nuisance, the Building Division may order the owner to demolish or secure the building. If the owner does not do so, the Building Division can abate the nuisance and include the costs in the special tax bill.[36] ***Vacant Building Registration Fee:*** The Building Division may assess a $200 fee up to two times per year to the owner of any property with a residential structure that has been vacant for at least the prior six month period and which has one or more Building Code violations.[37] If this fee is not paid for one year, it can be added to the special tax bill.[38]
Referral to City Counselor for Prosecution in Municipal Court	The Building Division can refer matters to the City Counselor for prosecution. Given the high volume of Building Code violations in the City and limited resources, in practice, municipal court enforcement efforts tend to focus on the most serious cases (e.g., properties endangering the public safety or which have not been responsive to the administrative citation process).





Department of Health

The Department of Health is responsible for a variety of services related to protection and promotion of the public's health. The Department of Health reports to the Mayor. The most relevant function of the Department of Health for purposes of this Guide is its function of enforcing the City's ordinances (i.e., rules) designed to protect health and ensure safety. This collection of ordinances is commonly referred to as the "Health Code."

The portions of the Health Code most relevant to vacant property include rules related to rat control, litter on vacant property, snow and ice removal, unsanitary standing water, garbage, animals, and hazardous waste.[39]

Tool	Details and Examples
Administrative Citation	***Amount:*** With some exceptions, the administrative citation fine generally is $100 per violation.[40] ***Time:*** In practice, property owners typically are given approximately two weeks or less to bring the property into compliance after the notice is provided.
Abatement and Special Tax Bills	***Example:*** A health inspector may enter and inspect a building to examine its sanitary condition and discover and abate a nuisance. If the inspector finds a nuisance such as garbage or unsanitary pools of standing water on vacant property, the health inspector may abate the nuisance and add the fee to the special tax bill after providing any required notices.[41]
Referral to City Counselor for Prosecution in Municipal Court	The Department of Health can refer matters to the City Counselor for prosecution.

Forestry Division

The Forestry Division's Weed Control Section maintains the vegetation growing on City property and on privately owned vacant property. The Forestry Division is a division of the Department of Parks, Recreation, and Forestry and reports to the Mayor. The most relevant City ordinances for purposes of this Guide that the Forestry Division enforces are those that relate to prohibitions on weeds and debris[42] and graffiti.[43]

Tool	Details and Examples
Abatement and Special Tax Bills	***Example:*** If a property owner does not correct a code violation related to weeds or debris of insubstantial value after receiving notice, the Forestry Division may correct it and then add the fee to the special tax bill.[44] **Example:** If a property owner does not remove graffiti after receiving notice, the Forestry Division may remove it and then add the fee to the special tax bill.[45]

CITY COUNSELOR'S OFFICE

The City Counselor's Office is the legal counsel for the City, and the City Counselor is appointed by the Mayor. The most relevant function of the City Counselor's Office for purposes of this Guide is the Problem Properties Section. Among other tasks, the Problem Properties Section represents the City in prosecuting code violations related to vacant properties. The Problem Properties Section primarily relies on two enforcement tools:

- **Municipal Court:** The code violation may be prosecuted in municipal court. This typically happens for properties with serious or repeated code violations. The goal is to get compliance from the property owner to remedy the code violations.
- **Special Tax Sale:** Through its Vacant Building Initiative, the Problem Properties Section coordinates with the Building Division, NISs, and other relevant departments to try to reduce the number of vacant properties. The City Counselor's Office can cause particular vacant properties with substantial outstanding code violations and delinquent special tax bills to be included in a "special tax sale." (See page 17 of this Guide.) The goal is to transfer the property to new responsible ownership.

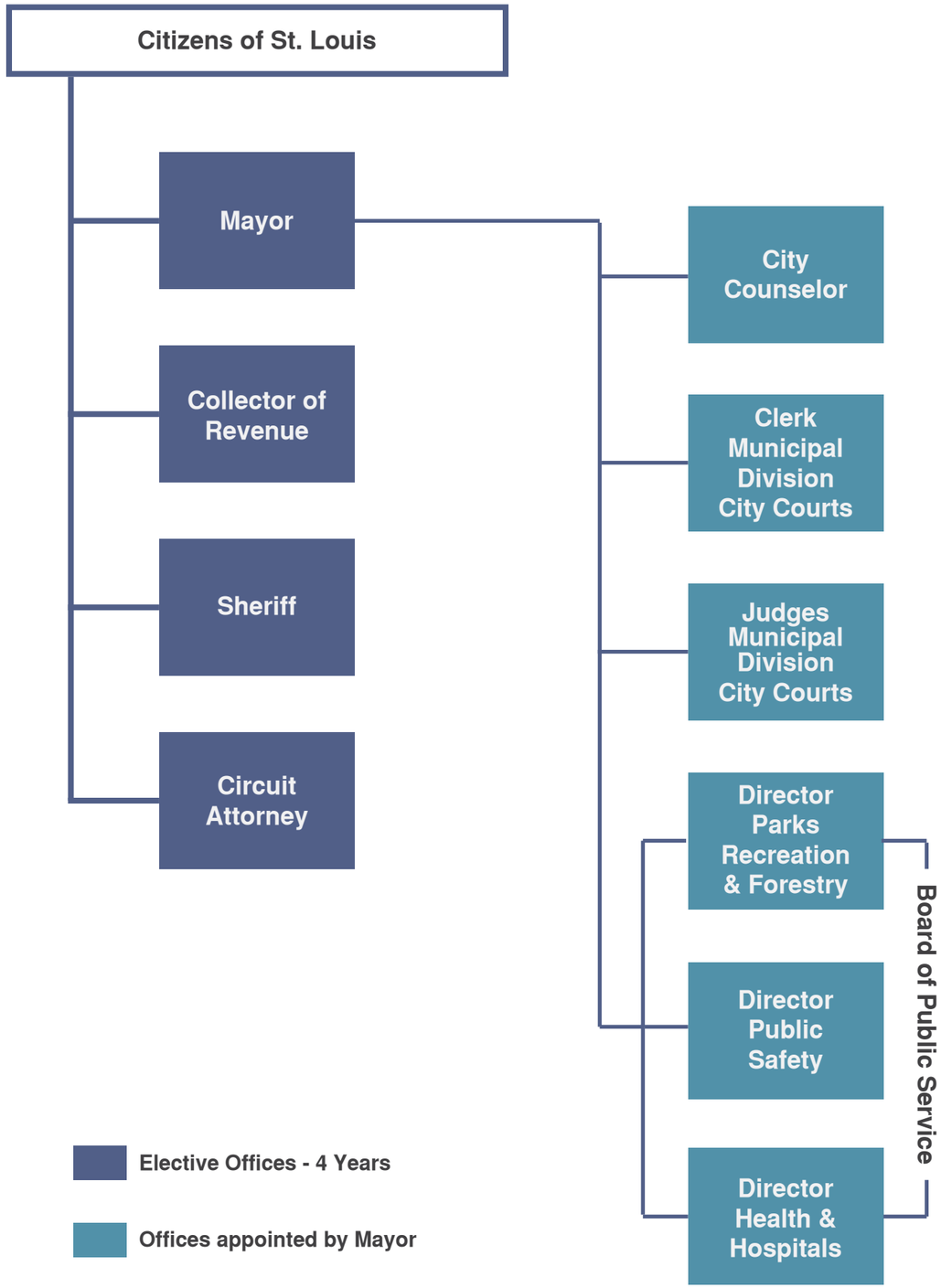
HOUSING COURT

The Municipal Court has jurisdiction to hear and decide City ordinance violation cases.[46] Pursuant to City ordinance, Municipal Court judges are appointed by the Mayor and serve four year terms.[47] The Municipal Court function most relevant for purposes of this Guide is the Problem Properties/Health Docket in Division 3, which is also known as "Housing Court."

In Housing Court, the judge has authority to take a variety of actions, including

- imposing a fine of up to $500 per violation;[48]
- sentencing a defendant to up to 90 days in jail;[49]
- suspending imposition of sentence or pronouncing sentence and suspending its execution;[50]
- issuing fines of up to $500 for defendants who fail to appear;[51]
- ordering a fine or imprisonment for contempt of court;[52] and
- granting a continuance, for example, to allow the property owner more time to complete necessary repairs.[53]

ORGANIZATION CHART FOR CITY OF ST. LOUIS GOVERNMENT



COLLECTOR OF REVENUE AND SHERIFF'S OFFICE

In the City, the Collector of Revenue is responsible for collecting real estate taxes, personal property taxes, earnings taxes, and water bills. The Collector of Revenue is an elected official and is part of the City of St. Louis "county" government. The most relevant function of the Collector of Revenue for purposes of this Guide is the collection of real estate taxes.

The Sheriff's Office is responsible for providing various services to the Circuit Court of St. Louis, including conducting tax sales. Like the Collector of Revenue, the Sheriff is an elected official and is part of the City of St. Louis "county" government.

"Regular" Tax Sales

In the City, most property owners are required to pay property taxes. If an owner fails to pay the required property taxes, the unpaid taxes become a lien against the property that can be foreclosed through a public auction process. In other words, by law, the property can be sold to pay the delinquent taxes plus interest, penalties, and related costs. In Missouri, real estate taxes are tied to the property itself; an individual property owner is not personally liable for paying the taxes.[54] Therefore, the property may be sold to satisfy a delinquent tax bill.

Since the Missouri legislature passed the Municipal Land Reutilization Law (MLRL) in 1971, the City has followed a tax sale procedure that differs from the procedure used in most other parts of the state. The MLRL has three main features:

- **No Right of Redemption:** The MLRL simplified the tax sale process by eliminating the concept of a redemption period following the sale. Unlike most other parts of Missouri, a delinquent taxpayer cannot "redeem" (i.e., pay money to take back the property) once the property is sold.[55]

- **Creation of LRA:** The MLRL created the Land Reutilization Authority (LRA), one of the first "land banks" in the country.[56] If a property does not sell at a tax sale for the opening bid (i.e., the amount of delinquent taxes), ownership is transferred to the LRA to hold for future sale or development.[57]

- **Streamlined Tax Sale Process:**[58] The MLRL set up a process that involves four main steps:

  - The Collector of Revenue (the entity which is owed the delinquent taxes) files a lawsuit in the Circuit Court of St. Louis against the property to foreclose the tax lien. This is similar to the way a bank might initiate foreclosure proceedings for failure to pay back a loan.

  - The Collector of Revenue advertises the property for sale, and the Sheriff offers the property for sale at a public auction. The MLRL requires that there be at least six months between the time the Collector of Revenue files suit and the time of the sale. These "regular" tax sales typically occur four times per year (in May, June, July, and August).

  - The successful bidder asks the court to "confirm" the sale, which involves the court approving the purchase price and finding the sale was valid. The sale wipes out all interests other than public utility easements and federal tax liens.

  - If there is a structure on the property, the purchaser must apply for an occupancy permit within ten days after the court confirms the sale. The Sheriff's Office then issues a deed to the purchaser, which transfers record title to the purchaser. The deed contains a provision requiring the tax sale purchaser to obtain an occupancy permit prior to any subsequent transfer of the property. The Sheriff may file a lawsuit to collect $5,000 if the purchaser does not obtain the required occupancy permit.

Importantly, the property owner or other interested party has the opportunity to fight the tax sale in at least three ways:

- **Pay Delinquent Taxes:** At any point in the process up to the time of sale, the owner (or someone paying on behalf of the owner) can pay the delinquent taxes and related costs and penalties. Taking this action will stop the sale.

- **Redemption Contract:** The Collector of Revenue may permit the owner to enter into a payment plan (which is called a "redemption contract") to pay back the delinquent taxes over time. Under the MLRL, the Collector of Revenue must make redemption contracts available to property owners who are occupying the property as a homestead and who have not previously defaulted on a redemption contract. Under the MLRL, absent unusual circumstances, redemption contracts generally may not have more than twelve scheduled payments and may not be longer than 24 months.[59] Entering into a redemption contract will stop the sale.

- **Attempt to Set Aside the Sale:** While the former property owner has no right of redemption following the sale, that former owner may nonetheless file a lawsuit claiming that the sale should be "set aside" and that the property should be returned to him or her. Generally, the former owner has up to two years following the sale to file this kind of lawsuit. To set aside the sale, the former owner must take the steps necessary to file a proper lawsuit and prove that there was some irregularity with the sale serious enough to warrant voiding the sale.

Under the MLRL, the Collector of Revenue can start tax lien foreclosure proceedings as early as January 1 of the year following the failure to pay.[60] However, in practice and absent unusual circumstances, the Collector of Revenue generally does not begin the process until taxes are delinquent for at least three years. Therefore, in practice, a property owner with multiple years of delinquent taxes typically can prevent his or her property from going to tax sale by paying just one year of those delinquent taxes.

Since the time the MLRL was enacted, some court cases have questioned whether statutes such as the MLRL provide for constitutionally adequate notice to affected property owners. Because of these cases, it can be difficult to find a title insurance company willing to provide title insurance for tax sale properties. This can create barriers to obtaining financing to redevelop the property or selling the property to a new buyer who desires title insurance. Changing some processes or updating the MLRL might help to reduce these barriers.[61] (See page 34 of this Guide for a recommendation from the Center for Community Progress on this topic.)

"Special" Tax Sales

In addition to foreclosing for delinquent "regular" real estate taxes, the Collector of Revenue can also foreclose against a property on the basis of delinquent special tax bills. These special tax bills typically are foreclosed at the "special" tax sale that takes place each October. Certain costs that the City incurs to abate problems associated with vacant property that the owner has refused to correct can be added to the tax bill associated with the property. These special tax bill charges can include, for example, money the Building Division, Department of Health, and Forestry Division have spent on abatement activities (e.g., mowing, board-ups, and vacant building registration fees). (See pages 10-14 of this Guide.)

Unlike real estate taxes (which may only become a lien against the property), special tax bills have the added power of being both a lien against the property and a debt personal to the property owner.[62]

In practice and absent unusual circumstances, the City's general practice is to begin the special tax sale process only after the real estate taxes are delinquent for at least one year, the property has been vacant for at least one year, and the property has at least $1,000 in delinquent special tax bills.

Publicly Owned Vacant Property

A little less than half of the vacant property in the City of St. Louis is publicly owned. The vast majority of that publicly owned property is owned by the Land Reutilization Authority (LRA) and related entities. Public agencies such as the LRA can help to reduce vacancy through strategies such as

- strategic acquisition and disposition,
- strategic maintenance and demolition, and
- targeted marketing of vacant property.[63]

The LRA is a state agency created to serve as a land bank for the City. It is controlled by a board composed of three commissioners (one appointed by the Mayor, one appointed by the Comptroller, and one appointed by St. Louis Public Schools). Among other activities, the St. Louis Development Corporation (SLDC) staffs the LRA. SLDC is an umbrella nonprofit corporation whose mission is fostering economic development and growth in the City. As such, SLDC is governed by its own board of directors. As part of its mission, SLDC manages, maintains, markets, and sells property acquired in the name of the LRA.[64]

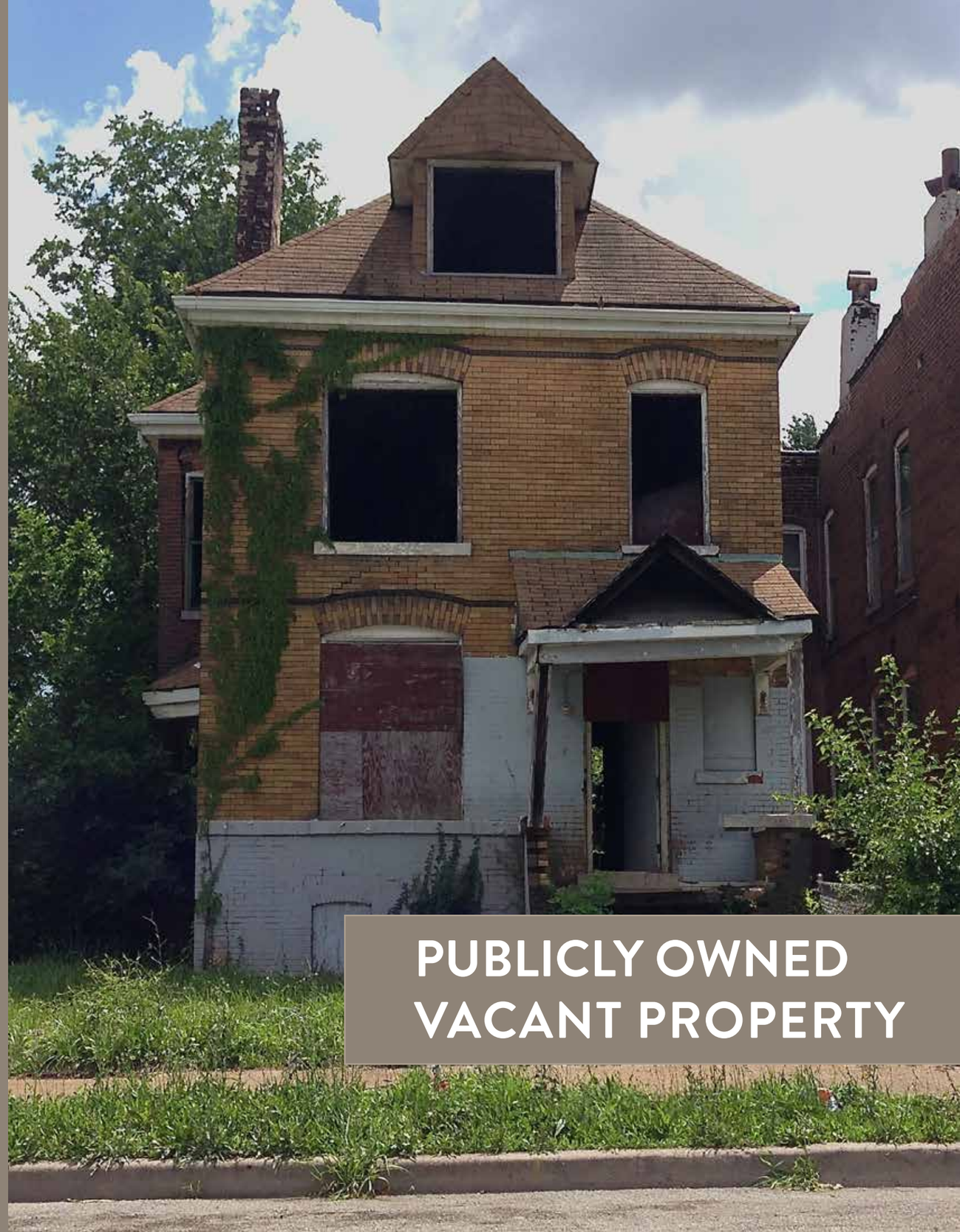
The LRA typically takes title to property in one of two ways:

- **Tax-Delinquent Properties:** The LRA serves as the owner of last resort for tax-delinquent property not bid on at tax sales. (See page 16 of this Guide).

- **Property Donations:** The LRA receives donated property from individuals or organizations desiring to donate their property to the City.

For property that becomes owned by the LRA, the SLDC Real Estate Department is responsible for assembling, managing, and disposing of it. To encourage productive reuse of property it receives, the property may be

- offered for sale;
- offered for lease for a nominal fee through the Garden Lease Program; or
- offered for sale to a neighboring homeowner for a small fee through the Mow to Own Program.



PUBLICLY OWNED VACANT PROPERTY

NEIGHBORHOOD TOOLS



Neighborhood Tools to Address Privately Owned Vacant Property

Local government alone cannot adequately address the vacancy challenge in the City of St. Louis. Neighborhood leaders and other private stakeholders can help to slow the flow of privately owned vacant property by

- placing vacant property back into reuse as residential, commercial, or green space;
- working to prevent vacancy from occurring;
- collaborating with relevant City agencies and advocating for neighborhood planning processes and engagement;[65] and
- using grassroots community activism strategies such as press events, social media, and print media (including community newsletters) that draw attention to problem properties and their owners.

Like the other tools described in this Guide, the neighborhood-based tools described in this Section work best when they are used in strategic ways. For example, these tools can be used

- to motivate existing owners of vacant properties to reinvest in them and cause them to be reoccupied;
- to permit a neighborhood organization to acquire, rehabilitate, and repurpose vacant properties;
- to target a specific geographic area;
- to target owners of multiple vacant problem properties;
- in conjunction with one another and by both individuals and neighborhood organizations; and
- to make an impact on high-visibility, longstanding neighborhood eyesores.[66]

In 2015, Kansas State University graduate students worked with the City and other agencies to produce a set of tools intended to be used by both local residents and policy makers working to address the vacant property challenge. Their observations and the tools were produced in a report called "Parcels and Peppers: Savory Ideas for Addressing Vacancy in St. Louis" (2015). While a full summary of their observations and recommended tools is beyond the scope of this Guide, some key observations relevant for neighborhoods include:

- **Vacancy Opportunities:** Single and small groupings of vacant parcels provide affordable opportunity sites for neighborhood organizations dedicated to improving existing conditions in a way that is sensitive to local residents.[67]

- **Conceptual Framework:** An essential first step to enhancing or redeveloping vacant property must include a careful evaluation of the property that includes an evaluation of the parcel (i.e., site-specific conditions and how the property relates to its immediate surroundings), the structure (i.e., the size and type of the existing structure), and the location (i.e., a larger scale view of characteristics affecting the property).[68] This information can then be used to match the vacant property with appropriate enhancement or redevelopment strategies.[69]

- **Opportunity Mindset:** Instead of viewing high levels of vacancy as a liability, neighborhoods can choose to see it as an opportunity for new forms of recreation, entertainment, job opportunities, and transportation options.[70]

NEIGHBORHOOD LITIGATION TOOLS

Neighborhoods can use certain litigation-based tools to create leverage with existing property owners or to take control of or title to vacant property. Neighborhoods that want to use these tools should carefully consider both the benefits and challenges that come with using the tools. While the tools can provide a good opportunity for neighborhoods to reduce vacant properties, interested groups must have the organizational and financial capacity to take on one or more vacant properties and determine how to manage the related financial resource and risk questions.[71] Strong and committed leadership is important.

The four litigation tools described in this Guide are the Abandoned Housing Act, common law and statutory nuisance, zoning violation civil actions, and receivership. In most cases, a multi-pronged strategy that includes all available legal claims as well as non-legal actions (such as putting public pressure on the property owner) is likely to lead to better outcomes. Moreover, market conditions in any given neighborhood may impact these strategic decisions and the relative effectiveness of the tools.

The Abandoned Housing Act *(Mo. Rev. Stat. 447.620 et seq)*

The Abandoned Housing Act is a tool that permits a qualified neighborhood organization to ask a court to grant it possession, and then ownership, of a vacant property that meets certain conditions.

Qualified Neighborhood Organization: The neighborhood organization must be a Missouri nonprofit whose purpose includes the provision or enhancement of housing opportunities in its community and which has been incorporated for at least six months.[72] Examples of organizations that may potentially satisfy this requirement include community development corporations and neighborhood associations.

Remedy: The neighborhood organization must intend to cause the property to be rehabilitated (either by doing the work itself or by contracting with someone else) and should be able to demonstrate it has the ability and resources to cause the work to be done.[73] In essence, the neighborhood organization asks a court to declare the property abandoned and to give temporary possession to the neighborhood organization to abate the problems (i.e., rehabilitate the property). The neighborhood organization then submits a rehabilitation plan for court approval. Once the neighborhood organization completes the court-approved rehabilitation plan, it can request that the court transfer ownership to it.

Other Relevant Requirements: Anyone with an interest in the property must receive notice of the lawsuit. However, unlike the statutory nuisance tool described in this Section, no notice prior to filing the lawsuit is required. In addition, the neighborhood organization must establish that the property meets certain requirements, including that it (i) has been continuously unoccupied for at least six months prior to filing the lawsuit, (ii) has unpaid property taxes, and (iii) meets the statutory definition of a "nuisance."[74]

Abandoned Housing Act Example (Distressed Neighborhood)[76]

Linda Brown is a lifetime resident of the Blue Hills neighborhood in Kansas City, Missouri. She owns and operates the Luv Does Matter daycare at 55th and Woodland Avenue. For years, her daycare was surrounded by abandoned houses owned by out-of-state investors.

In early 2013, Linda attended a Blue Hills Neighborhood Association meeting where she learned about the Abandoned Housing Act and the free legal assistance provided to Blue Hills through Legal Aid of Western Missouri.

For the next four years, Linda funded four separate Abandoned Housing Act lawsuits brought by Blue Hills to get control of the abandoned properties closest to where the children played. One by one, she acquired each vacant home, rehabbing it and renting it to the families whose children stayed at the daycare.

Today Linda owns all four of the once vacant properties. All are occupied and nicely rehabbed. Linda's little corner of the world is dramatically better as a direct result of the Abandoned Housing Act.

Some organizations choose to use this tool in partnership with non-profit or for-profit rehabbers or homesteaders. For example, after identifying a property to target with this tool, a neighborhood organization can

- contract with another person or entity to take on some or all of the risks, financial obligations, and other responsibilities associated with the rehabilitation obligation in exchange for a $0 purchase price;
- include certain provisions in the contract that are intended to help stabilize the neighborhood, such as requirements concerning future code compliance, minimum rehabilitation standards, attendance at homeownership or property management seminars, or education of future tenants or buyers about the activities of the local neighborhood association; and
- transfer ownership to the other person or entity after the court-approved rehabilitation plan is complete, thereby causing that other person or entity to become the record owner with the right to occupy, sell, or rent the property.[75]

Because the neighborhood organization is only granted temporary possession during the course of the lawsuit and cannot request that the court transfer title to it until after the work specified in the rehabilitation plan is completed, most organizations will not be able to obtain traditional financing to finance the rehabilitation work (i.e., because the organization does not own the property and therefore cannot use it as collateral for a loan). Therefore, some organizations choose to conduct the rehabilitation in two phases: (i) the minimum work required to abate the nuisance and satisfy the court for purposes of the rehabilitation plan (the self-financed phase), and (ii) the additional (usually interior) work that will be completed after receiving title to the property (the traditional financing phase).

Importantly, during the process of the lawsuit, the owner may ask the court to give possession of the property back to the owner. If the court determines possession should be restored to the owner, the owner is required to fully compensate the neighborhood organization for its expenses related to any work it already completed.

Though this tool can lead to a transfer of legal control and ultimately title, courts are protective of owners' property rights. Therefore, it is typically worthwhile to utilize this tool for properties that show multiple strong indicators of abandonment (e.g., deceased owners, defunct corporations, multiple years of delinquent taxes, etc.) and to bring these actions with additional counts for nuisance. While these lawsuits can lead to a change of ownership where property is truly abandoned, these actions also can act as leverage to compel property owners to bring their vacant property into code and tax compliance, both of which are positive ends in themselves.

Statutory and Common Law Nuisance *(82.1025 et seq)*

Problems associated with vacant property typically require the balancing of two conflicting rights. On one hand, a property owner has a right to control and benefit from his or her own land. On the other hand, the public and neighboring owners have a right to prevent unreasonable use of that land that impairs their right to use and enjoy their own land or that interferes with common community rights. Statutory and common law nuisance actions are separate, but related, legal tools that can provide an avenue for neighborhoods to stop a property owner from using property in ways that cause harm to a specific resident or to the neighborhood.

Statutory nuisance is a tool that permits a qualified property owner or neighborhood organization to ask a court to order the owner of a "nuisance" property to take certain actions.

Qualified Property Owner or Neighborhood Organization: If the lawsuit is brought by a property owner, that owner must own property within 1,200 feet of the property that is the subject of the lawsuit.[77] If the lawsuit is brought by a neighborhood organization, the organization must (i) be a member-based Missouri nonprofit corporation organized for the "preservation and protection of residential and community property values," (ii) have geographic boundaries that include no more than two adjoining neighborhoods, (iii) be open to all neighborhood property owners and residents, (iv) charge membership dues of $25 or less per year, (v) permit only members who own property or reside in the neighborhood to serve as directors and elect directors,[78] and (vi) not have any directors who own any interest in any property with delinquent real estate taxes or open code violations.[79]

Remedy: A property owner can ask the court to order the owner of the nuisance property to take action to remedy the problem[80] and can also ask the court to order the owner to pay money damages for the diminished property value.[81] A neighborhood organization can ask the court to order the owner to take action to remedy the problem, but does not have the option of requesting money damages.[82]

Other Relevant Requirements: Before filing the lawsuit, the property owner or organization planning to file the lawsuit must first provide certain notices in the manner specified by statute.[83] In addition, the property owner or neighborhood organization must establish that the property meets certain requirements, including that it has open code violations and satisfies the statutory definition of a "nuisance."[84] Unlike the Abandoned Housing Act tool described in this Section, there is no requirement that real estate taxes be delinquent.

In establishing the statutory nuisance tool, the Missouri legislature specifically stated its intention not to do away with the previously existing concept of common law nuisance. Under common law nuisance, a property owner can bring a lawsuit against an owner whose property is a "nuisance."

Qualified Property Owner: A property owner may bring a common law nuisance claim if the condition of, or activity at, the property that is the subject of the lawsuit substantially impairs his or her use of his or her own property (e.g., depreciation in market or rental value)[85] or interferes with a right common to the general public.[86]

Remedy: The property owner bringing the lawsuit may request that a court issue an order requiring the owner of the nuisance property to take certain actions to remedy the problem (e.g., abate the nuisance conditions or sell the property to a buyer who can abate the nuisance conditions) or that the court award monetary damages.[87]

Because money damages can be a remedy in both common law nuisance claims and in statutory nuisance claims brought by a property owner, these types of claims tend to be more effective in compelling an owner to act. For example, money damages can result in judgment liens against the property and could even potentially compel a foreclosure sale if properly pled. While there can be value to neighborhood organizations seeking injunctive relief under statutory nuisance, these types of lawsuits are more likely to be ignored by a non-responsive property owner because there is no threat of money damages. As a result, statutory nuisance lawsuits for injunctive relief tend to be most effective when brought as secondary counts to other causes of action such as receivership claims or claims under the Abandoned Housing Act. Those types of lawsuits, which can result in the owner losing control of or title to the property, are more effective at getting an owner to respond. The secondary count for injunctive relief then can be used to enforce local housing code standards. Moreover, as a legal strategy, it may be more beneficial for the neighborhood organization to bring claims for money damages itself (when possible) or recruit residents who reside near the nuisance property as co-plaintiffs so that money damages may be sought.[88]

Statutory Nuisance Example One (Middle Market Neighborhood)

Tower Grove Neighborhoods Community Development Corporation (TGNCDC) has worked for decades addressing vacancy and blight in the South St. Louis City neighborhoods of Shaw, Tower Grove South, and Southwest Garden. Through an extensive vacant property database of owners, addresses, and photographs, they are committed to pressuring long-term vacant and nuisance property owners in middle market neighborhoods to improve or sell properties. TGNCDC identified two vacant property owners: one at 3708/3710 Bamberger and one at 3451 S. Grand.

The first attempt to use the statutory nuisance tool was against the owner of 3708/3710 Bamberger. TGNCDC assembled a group of neighbors within 1,200 feet of the nuisance property, including itself (TGNCDC owns property within 1,200 feet); the group decided to file suit as property owners. With pro-bono legal work provided by the law firm of Beck Ostrom Sweet, the plaintiffs (as property owners) brought statutory nuisance claims for both injunctive relief and monetary damages against the owner of the nuisance property. The case successfully influenced the owner to make improvements to the property, including fresh paint, new windows, new doors, new trim, and related improvements. It was evident that the threat of the lawsuit (i.e. the statutorily required notice letter) was enough to motivate the start of construction. The result is two improved facades, the removal of blight, and a reduction of the perception of neighborhood disinvestment.



3708 Bamberger and 3710 Bamberger

Statutory Nuisance Example Two (Middle Market Neighborhood)

The second attempt to use the statutory nuisance tool was against the owner of 3451 S. Grand. This time, TGNCDC decided to form an overlay neighborhood association that met the definition of a qualified neighborhood organization under the statute; the overlay organization served as the plaintiff in the lawsuit. With pro-bono legal work provided by the law firm of Stinson Leonard Street, the overlay organization filed a statutory nuisance suit against the owner of 3451 S. Grand to request injunctive relief only (since monetary damages are not an option when suit is brought only by a neighborhood organization). This lawsuit is still in process. As of December 2017, the owner has not responded to the statutorily required letter requesting improvements and threatening suit, nor has he responded to the petition filed in court for equitable relief. There is a court date set for January 19th requesting a default judgement that potentially could lead to a contempt of court, depending on the ruling. In the end, the lawsuit against the owner of 3451 S. Grand will likely result in a judgment against the owner, but without monetary damages. The result of this lawsuit is less satisfactory because, to date, it has not led to the desired outcome. TGNCDC learned that it is essential to have a multi-pronged strategy and that a strategy that lacks the threat of a monetary judgment is much easier for a property owner to ignore. This example also highlights that, at least in middle market neighborhoods, there may need to be different or enhanced private legal action options that include significant financial penalties or loss of the property.



Zoning Violation Civil Actions *(Mo. Rev. Stat. 89.491)*

A zoning violation civil action is a tool that permits a qualified individual or neighborhood organization to ask a court to order the owner of a property in violation of a zoning ordinance to take certain actions.

Qualified Individual or Neighborhood Organization: The lawsuit may be brought by an individual or a neighborhood organization harmed by a violation of a zoning ordinance on the property that is the subject of the lawsuit.[89] If the lawsuit is brought by a neighborhood organization, the organization must "perform community services or economic development activities" in Missouri and meet at least one of the following conditions: (i) have an IRS determination letter recognizing the organization as exempt from income tax, or (ii) be a Missouri nonprofit corporation organized under Chapter 355 of the Revised Statutes of Missouri, as amended, or (iii) be designated as a community development corporation pursuant to Title VII of the Economic Opportunity Act of 1964.[90]

Remedy: The individual or organization can ask the court to enforce the ordinance, order the owner to take action to correct the violation, and impose any monetary penalty provided for the violation.[91] In addition, the court may award the costs of litigation (including reasonable attorney's fees) to the prevailing party.[92]

Receivership *(441.500 et seq)*

Receivership is a tool that permits a county, a municipality, and certain neighborhood organizations to ask a court to appoint a receiver to eliminate a "nuisance" with respect to property that "constitutes a threat to the public health, safety or welfare."[93]

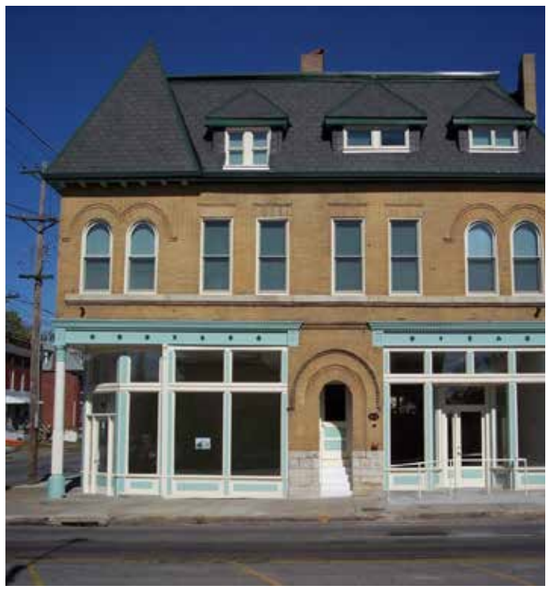
Qualified County, Municipality, or Neighborhood Organization: The lawsuit can be brought by any county in Missouri, any municipality in Missouri, a local housing corporation that is a Missouri nonprofit organized for the purpose of "promoting housing development and conservation within a specified area of a municipality or an unincorporated area," or a neighborhood association that is organized "for the sole purpose of improvement of a particular geographic area having specific boundaries within a municipality . . . [and] is recognized by the municipality as the sole association for such purpose within such geographic area."[94]

Remedy: The entity bringing the lawsuit may request that a court issue an order appointing a receiver to take temporary possession of the property and eliminate the nuisance. If appointed, the receiver has the power to take possession of the property to fix the problems, use income from the property to pay certain fees, borrow against the property,[95] and ultimately become the owner of the property if the owner does not take action to regain possession within two years.[96]

Other Relevant Requirements: Before filing the lawsuit, the entity planning to file the lawsuit must first provide certain notices to the property owner and other interested parties in the manner specified by statute.[97] In addition, the entity must establish that the property has open code violations.[98] Unlike the Abandoned Housing Act tool described in this Section, there is no requirement that real estate taxes be delinquent.

During the course of the litigation, the property owner may fix the problems and ask the court to discharge the receiver. The court may do so if the owner reimburses the receiver for certain unpaid costs or expenses the receiver has incurred.[99]

While receivership can be an important tool, the fact that the property owner has up to two years to move to regain possession can be problematic where the goal is to quickly transfer the property to responsible ownership. In addition, the statute specifically provides that the court can allow the owner "reasonable time" to correct the deficiencies before appointing a receiver, which can add to the timeframe for eliminating the problems. Financing rehabilitation under receivership can also be challenging. While the statute specifically authorizes the receiver to borrow against the property, most traditional lenders will likely be uncomfortable financing the rehabilitation when a receiver does not yet have title to secure the loan.



VACANCY PREVENTION TOOLS

In addition to understanding tools that can be used to address existing vacant properties, a key strategy for reducing vacancy is to prevent it from occurring in the first place. While a full exploration of vacancy prevention is beyond the scope of this Guide, the four vacancy prevention tools included in this Guide are (i) clearing title "clouds," (ii) beneficiary deeds, (iii) the Missouri Property Tax Credit, and (iv) home repair programs.

Other vacancy prevention tools not specifically highlighted here include helping lower-income homeowners challenge tax assessments, deal with utility problems that can threaten the ability to remain in their homes, and connect to foreclosure prevention resources.

Clearing Title "Clouds"

In general, a piece of real property has the greatest value for its owner if there is no reasonable doubt that the owner is the sole owner of the property and that that owner's interest is not diminished by possible third-party claims. Therefore, any document, claim, unreleased lien, or other encumbrance that might negatively affect the title to the property can create what is commonly referred to as a "cloud" on the title. Common "clouds" on title include unreleased deeds of trust, judgment liens, tax liens, fraudulent prior transfers, undisclosed marital interests, deceased owners with ownership interests that potentially have passed to heirs, missing or misrecorded information, and issues related to prior tax foreclosures.[100]

A related issue also can arise in situations where the record owner has died and a relative or friend of that person continues living in (or moves into) the home without taking any of the required legal steps to become the legal owner of the property. When this occurs, the person living in the property may sincerely believe that he or she is the owner of the property and that he or she has the right to sell and borrow against the property. However, without certain legal steps, the person has no such power.

- **Negative Effects of Clouded Title for Sellers:** Clouded title can cause a property owner to have significant problems selling his or her property. Most property sales "close" through a title company that examines the title and insures the title (i.e., promises to defend the buyer from any adverse claims against title). The title company will not insure a clouded title. Without insurable title, a seller may not be able to sell the property at all, or may be able to sell it for only a fraction of its value.

- **Negative Effects of Clouded Title for Borrowers:** Clouded title can cause an individual attempting to borrow money using the property as collateral to be unable to obtain the necessary loan. Most lenders require a title examination before making a loan for which the property will be used as collateral. The title examination allows the lender to ensure its lien will be enforceable and that no other liens or ownership interests could adversely affect the lender's ability to market or collect its loan. If there is a cloud on the title, the lender will not make the loan until the issue is resolved.

- **Negative Effects of Clouded Title for Neighborhoods:** Clouds on title can be a disincentive for the property owner to make any further investment in the property, causing the property to further deteriorate and negatively affect neighboring owners.

Clouds on title can range from relatively minor to serious, and the tools to address clouded title likewise range from more simple to more complex.

- **More Simple:** In some instances, the issue can be resolved with a simple request that a lienholder release its lien, that an individual with a potential ownership interest in the property sign a quit claim deed, or that other third parties sign affidavits or waivers.[101] Depending on the circumstances, the lienholder or individual (i) may be more responsive if the request comes from a title company, an attorney, or some relevant stakeholder group (e.g., neighborhood association or other community organization) and (ii) may be willing to sign only in exchange for some negotiated amount of money.

- **More Complex:** More serious title problems are typically resolved through a litigation tool known as an action to quiet title.[102] An action to quiet title is a lawsuit brought in a court having jurisdiction over the property to establish a person's title to real property, thereby "quieting" any challenges or claims to the property and removing the cloud on the title.

Resolving clouds on title can help to stop the further deterioration of property and prevent vacancy from occurring. For example, a property owner without resources to invest in the property can be enabled to sell the property to a new owner who can make those investments. Or, a property owner who is able to use the property as collateral can get access to capital that can be used to improve a deteriorating property. In this way, the property can be sold or improved rather than being abandoned and left to deteriorate.

Importantly, local governments such as the City can play a role in clearing some potential title clouds by releasing certain existing municipal liens to incentivize individuals and organizations to take title to vacant properties and put them back into productive use.

Beneficiary Deeds

A beneficiary deed is a simple document that operates as a non-probate transfer of title to real estate. This type of deed permits an existing property owner (or owners, if the property is owned by more than one person) to name an individual, individuals, or an organization to become the owner of the property when the existing owner dies.[103] The deed does not take effect until the existing owner dies. The existing owner can change or revoke the designation at any time prior to his or her death.[104]

In addition to its estate planning benefits, a beneficiary deed is a simple and low-cost tool for preventing vacancy. Homes often sit vacant because the owner died without a will or beneficiary deed, leaving ownership of the property unclear until certain legal actions are taken. In the meantime, the property often deteriorates, loses value, and creates problems for the neighborhood. A beneficiary deed can prevent such problems because ownership automatically transfers at the time of death.







Missouri Property Tax Credit

In Missouri, low-income property owners who are over 65 or who are fully disabled may be eligible for the Missouri Property Tax Credit for a portion of the real estate taxes paid for the year. For owner-occupied properties, the credit is based on the amount of real estate taxes actually paid and total household income. Eligible property owners can receive up to $1,100 for the tax credit.[105] The tax credit can help offset the property taxes for the home, which helps to prevent vacancy by lessening the real estate tax burden associated with the property. Such individuals also may qualify for free tax preparation assistance (including claiming the credit) from organizations such as Volunteer Income Tax Assistance (VITA).[106]

Home Repair Programs

In the City of St. Louis, certain homeowners may be eligible for a home repair program that can assist with making home repairs. These kinds of programs can enable low- and moderate-income homeowners to make repairs that allow them to remain in their homes, thereby preventing vacancy.

Home Repair Programs

Program Name	Contact Information	Eligibility
Healthy Home Repair Program (administered by City of St. Louis Community Development Administration) *Assistance is provided in the form of a forgivable loan.*	314.657.3888 *Given the high demand and the limited resources devoted to the program, the program has a waiting list. In addition, the program's eligibility requirements present challenges for some homeowners.*	▯ City resident for at least two years ▯ have clear title to the home ▯ be current on real estate taxes and any mortgage ▯ have homeowner's insurance ▯ be low- or moderate-income (less than 80% of Area Median Income)

Due to high demand, the Healthy Home Repair Program often has long wait lists. Local nonprofit organizations often operate similar programs. CDA can provide information about the programs in your area. Moreover, some banks and credit unions also offer low-interest home repair loan products for this purpose.

Importantly, an individual who wants to take advantage of this type of program must be the record owner of the property. If the individual is not the record owner, the individual may need to take one or more of the title cloud clearing steps described on pages 28-29 of this Guide before receiving assistance.



NEXT STEPS



Next Steps

While a comprehensive description of current vacancy-related initiatives is outside the scope of this Guide, it is important to note that significant work has already been done to lay the groundwork for the next steps in addressing the vacancy challenge in the City of St. Louis. The City has benefited from the work of two major reports, both of which contain recommendations and ideas for meeting the challenge. In addition, many neighborhood leaders, nonprofit organizations, and City officials not only recognize the challenge, but are already working to meet it.

CENTER FOR COMMUNITY PROGRESS RECOMMENDATIONS

In 2015, the Center for Community Progress selected the LRA for its Technical Assistance Scholarship Program, a competitive program that provides technical assistance related to large-scale vacancy and abandonment. The LRA requested support in evaluating the policies and systems impacting its inventory. In connection with this work, the Center for Community Progress produced "Developing a Shared Vision and Strategies to Address Vacancy and Abandonment in the City of St. Louis" (June 2016) (the "CCP Report").





While a full summary of the CCP Report is beyond the scope of this Guide, some key recommendations from that report relevant to this Guide include:

- **Create a task force and commit to the elimination of vacancy and abandonment:** Convene a group of local government and community stakeholders to coordinate initiatives, increase communication among all stakeholders, develop a common understanding of the problem, and create quantifiable goals to support vacancy reduction.[107] Use this structure as a means to engage the larger community through a combination of neighborhood-based dialogues and a dedicated webpage to share information and ways to get involved.[108]

- **Improve delinquent property tax enforcement process:** The process should be modified to (i) begin priority enforcement proceedings for vacant properties at the earliest possible date to shorten the time frame for transferring ownership of property to responsible ownership, (ii) include constitutionally adequate notice so that the new owner receives marketable and insurable title, and (iii) use the tool to strategically target priority properties and reduce inventory of privately owned vacant property.[109]

- **Expand the use of Special Tax Bills:** Expand the use of this tool to (i) target more privately owned properties, (ii) increase the City's cost recovery for public expenditures related to vacant property, including boarding, mowing, and trash removal, and (iii) use it to strategically target priority properties and reduce inventory of privately owned vacant property.[110]

- **Create disincentives to keeping properties vacant and boarded:** Consider new ordinance requirements related to boarding that feature progressively increasing boarding fees and a higher standard for secure and attractive boarding.[111]

- **Increase the total acreage devoted to green space:** Reuse vacant property as productive green space.[112]

ASAKURA ROBINSON COMPANY RECOMMENDATIONS

After the CCP Report, the LRA was the subject of an additional and much more extensive engagement commissioned by the U.S. Environmental Protection Agency. The EPA engaged a community development consultant, Asakura Robinson Company, to provide recommendations concerning the LRA's operations and national best practices. In connection with this work, Asakura Robinson Company produced "St. Louis Land Bank Assessment: Final Report" (February 2017) (the "AR Report").

While a full summary of the AR Report is beyond the scope of this Guide, some key recommendations from that report relevant to this Guide include:

- **Incorporate new approaches to vacancy that have been established as national best practices:** This includes, for example, using vacant land for community greening and food access activities; stormwater management; intentional mixed-income housing; art and community activities; mothballing, stabilization, and deconstruction; and low-cost sale to neighbors.[113]

- **Redefine the CCP Task Force:** Build on the CCP recommendation to create a task force by creating a structure that includes both internal meetings with city staff to administer ongoing vacancy initiatives and external meetings with community stakeholders to gather feedback and help communicate with the public.[114]

- **Manage vacant properties comprehensively:** In addition to the CCP recommendations concerning tax-delinquent properties and continuing the Mow to Own and MSD programs, define strategic maintenance and demolition programs, facilitate alternative land uses, define strategic redevelopment areas, and create more small-scale redevelopment opportunities that local residents and small developers can access.[115]

- **Foster clear communication and transparency:** Clarify and publicize LRA decision-making systems and create clear understanding about LRA inventory, programs, and requirements.[116] Conduct outreach seminars to help neighborhood residents participate in purchasing and redeveloping LRA owned properties.[117]

- **Recognize the LRA's deep resource constraints and need for partnerships:** Hire additional staff, increase the LRA's revenue, work to ensure multiple sources of data related to vacancy can be reliably accessed and utilized with a single database, especially among the Forestry Division, Problem Properties Section, Municipal (Housing) Court, the CSB, and the Building Division.[118]

As detailed throughout this Guide, there are a variety of legal tools and enforcement strategies to address vacancy. Using these tools and strategies effectively requires a coordinated effort from a variety of local government and private actors. It requires collaboration among the public sector, private stakeholders, and neighborhood leaders. By building on existing efforts and working together, these stakeholders can reduce the negative impacts of vacancy.

END NOTES

[1] Tyler Swehla et al., Kan. State Univ., Dep't of Landscape Architecture and Reg'l & Cmty. Planning, *Parcels and Peppers: Savory Ideas for Addressing Vacancy in St. Louis* xix, 7 (Tyler Swehla ed., 2015), http://krex.k-state.edu/dspace/bitstream/handle/2097/20390/Book_Parcels%26Peppers_FINAL_reduced%20digital.pdf?sequence=1&isAllowed=y.
[2] *Id.* at 7. Importantly, these numbers are approximations because there is no single method for measuring and tracking vacant property.
[3] Alexandra Miller et al., Asakura Robinson Co., *St. Louis Land Bank Assessment: Final Report* 18 (Feb. 2017), https://www.stlouis-mo.gov/government/departments/sldc/documents/upload/St-Louis-Land-Bank-Assessment-Final-Report-February-2017-Document.pdf.
[4] Swehla et al., *supra* note 1, at 8; s*ee also* Miller et al., *supra* note 3, at 18.
[5] Miller et al., *supra* note 3, at 6.
[6] For example, studies have found that violent crime increases by more than 15% within 250 feet of a vacant property. *See* Max Weinstein et al., Mass. Office of the Att'y. Gen. Foreclosure Impacts Task Force, *Final Report of the Foreclosure Impacts Task Force of the State of Massachusetts* 41 (2014).
[7] *See* GAO-12-34 U.S. Gov't Accountability Office, *Vacant Properties: Growing Number Increases Communities' Costs and Challenges* 45 (2011); Nigel G. Griswold & Patricia E. Norris, The MSU Land Policy Institute, *Economic Impacts of Residential Property Abandonment and the Genesee County Land Bank in Flint, Michigan* 4 (2007).
[8] Jonah Klein-Barton, Vacancy in St. Louis (Mar. 11, 2017) (unpublished economics research, Washington University) (on file with author).
[9] *Id.*
[10] Charlie Foley, Strong Cities, Strong Communities, Presentation at the Vacancy Property Summit: Legal Tools to Spur Renewal of Privately Owned Vacant Property, Challenges and Solutions and Case Study: Vacant and Abandoned Property in Kansas City, at slide 4 (October 20, 2016) (transcript available at http://law.slu.edu/event/vacant-property-summit-legal-tools-spur-renewal-privately-owned-vacant-property) (on file with author); Peter Hoffman, Legal Aid of W. Mo., Presentation at the Vacancy Property Summit: Legal Tools to Spur Renewal of Privately Owned Vacant Property, The Abandoned Housing Act & The Community Development Toolbox, at slide 3 (October 20, 2016) (transcript available at http://law.slu.edu/event/vacant-property-summit-legal-tools-spur-renewal-privately-owned-vacant-property) (on file with author); Kermit Lind, Vacant Property Research Network, *Data-Driven Systems: Model Practices & Policies for Strategic Code Enforcement* 4 (2016); Dan Immergluck, *The Cost of Vacant and Blighted Properties in Atlanta: A Conservative Analysis of Service and Spillover Costs* 1 (2015) (asserting vacancy reduces nearby home values and vacant properties are associated with higher crime rates); Charles C. Branas et al., *Urban Blight Remediation as a Cost-Beneficial Solution to Firearm Violence*, 106 Am. J. Pub. Health 2158, 2158, 2161 (2016) (finding abandoned building remediation significantly reduced firearm violence by 39%); Editorial Board, *When Property Neglect Leads to Tragedy, Who Holds Owners Accountable?* St. Louis Post Dispatch, July 27, 2017, at A10 (stating abandoned properties pose threats to first responders).
[11] *See* Center for Community Progress, *Developing a Shared Vision and Strategies to Address Vacancy and Abandonment in the City of St. Louis* 6 (2016). *See also* Foley, *supra* note 10, at slide 4.
[12] Stacy Ross, *Working Together: The St. Louis Vacancy Summit Final Report* 3 (February 24, 2017) (on file with author).
[13] Jesse Bogan, *A Mass Killer: St. Louis Heroin Deaths Hit New High*, St. Louis Post Dispatch, Feb. 20, 2017, http://www.stltoday.com/news/local/metro/a-mass-killer-st-louis-heroin-deaths-hit-new-high/article_2fd6130c-3c35-524a-891e-e51eff2e40b4.html.
[14] Editorial Board, *supra* note 10, at A10.
[15] Steven E. Barlow, Daniel M. Schaffzin, & Brittany J. Williams, *Ten Years of Fighting Blighted Property in Memphis: How Innovative Litigation Inspired Systems Change and a Local Culture of Collaboration to Resolve Vacant and Abandoned Properties*, 25 J. of Affordable Housing 347, 367 (2017) (noting that this can happen if the lender does not record the deed once the foreclosure is completed or if the lender decides to merely "charge off" the debt rather than pursuing foreclosure, and therefore does not release its lien).
[16] *Id.* at 366 (explaining that, while the debt is discharged in bankruptcy, "if there is no voluntary transfer of the property to the lender (in a "deed-in-lieu of foreclosure" transaction) or foreclosure sale once the stay is lifted, the title remains in the name of the debtor").
[17] *Id.* at 370-71.
[18] *Id.* at 371.
[19] *Id.*
[20] Barlow et al., *supra* note 15, at 372.
[21] Hank Webber and Todd Swanstrom, Center for Social Development: George Warren Brown School of Social Work, *Rebound Neighborhoods in Older Industrial Cities: The Story of St. Louis* 8 (2014).
[22] Lind, *supra* note 10, at 7.
[23] Foley, *supra* note 10, at slide 20. *See also* Barlow et al., *supra* note 15, at 351 (noting that streamlined property tax foreclosure and enhanced code enforcement were the principal strategies Memphis used to address its vacant property problem).
[24] Lind, *supra* note 10, at 2.
[25] *Id.* at 8.
[26] *Id.* at 10-11.
[27] *Id.* at 2.
[28] *Id.* at 2, 8.
[29] Lind, *supra* note 10, at 8-9.
[30] Mo. Rev. Stat. § 67.451 (2016).
[31] St. Louis, Mo., Rev. Code of Ordinances 5.08.060 (1994).
[32] City of St. Louis Dep't of Pub. Safety, 622-028 (Rev. 2/14), Neighborhood Improvement Specialist (2014), https://www.stlouis-mo.gov/government/departments/public-safety/neighborhood-stabilization-office/documents/neighborhood-improvement-specialists.cfm.
[33] St. Louis-Mo Government, *Building Division*, https://www.stlouis-mo.gov/government/departments/public-safety/building/index.cfm (last visited Oct. 6, 2017).
[34] St. Louis, Mo., Rev. Code of Ordinances 25.33.040 (1994).
[35] *Id.* at 25.64.010-.020.
[36] *Id.* at 25.66.010-.020.
[37] *Id.* at 25.01.030, § 109.2.12.
[38] *Id.* at 25.01.030, § 119.13.2 and § 119.5.
[39] *Id.* at 11.08.370 (rats), 11.18.040 (litter on vacant property), 11.18.210 (snow and ice removal), 11.58.240 (unsanitary standing water), 11.58.270 (garbage), 10.20 (animals), 11.64 (hazardous waste).
[40] St. Louis, Mo., Rev. Code of Ordinances 11.95.050 (1994).
[41] *Id.* at 11.58.030-.120.
[42] *Id.* at 11.04.130.
[43] *Id.* at 15.77.040.
[44] *Id.* at 11.04.090, 11.04.110.
[45] *Id.* at 15.77.040-.050.
[46] Mo. Rev. Stat. § 478.230 (2016).
[47] St. Louis, Mo., Rev. Code of Ordinances 3.08.070 (1994).
[48] *Id.* at 1.12.010.
[49] *Id.*
[50] *Id.* at 1.12.050.
[51] *Id.* at 3.08.420.
[52] Mo. Rev. Stat. § 479.070 (2016).
[53] St. Louis, Mo., Rev. Code of Ordinances 3.08.140 (1994).
[54] Mo. Rev. Stat. § 140.640 (2016).
[55] *Id.* § 92.750.2.
[56] *Id.* § 92.875.
[57] *Id.* § 92.830.
[58] *Id.* §§ 92.700-.930. See also Dale Sweet, "A User's Guide to Sheriff's Real Estate Tax Sales in the City of St. Louis" (unpublished, April 2013) (on file with author)
[59] *Id.* § 92.815.1.
[60] Mo. Rev. Stat. § 92.720.1 (2016).
[61] *See* Peter Hoffman et al., Urban Neighborhood Initiative, *Stimulating Redevelopment by Clearing Tax Sale Titles: A Collective Impact Report by the Urban Neighborhood Initiative of Kansas City, Missouri* 15 (May 2017) (on file with author).
[62] Mo. Rev. Stat. § 67.451 (2016).
[63] Foley, *supra* note 10, at slide 20.
[64] St. Louis-Mo Government, *About SLDC*, https://www.stlouis-mo.gov/government/departments/sldc/about-SLDC.cfm (last visited Oct. 10, 2017).
[65] Foley, *supra* note 10, at slide 21.

END NOTES (CONTINUED)

[66] Hoffman, *supra* note 10, at slide 14.
[67] Swehla et al., *supra* note 1, at 8.
[68] *Id.* at 35.
[69] *Id.* at 19. A worksheet intended to guide neighborhoods through this evaluation is included at pages 36-39.
[70] *Id.* at 83.
[71] Barlow et al., *supra* note 15, at 372-74.
[72] Mo. Rev. Stat. § 447.620(5) (2016).
[73] *Id.* § 447.622.
[74] The statute defines "nuisance" as "any property which because of its physical condition or use is a public nuisance or any property which constitutes a blight on the surrounding area or any property which is in violation of the applicable housing code such that it constitutes a substantial threat to the life, health, or safety of the public." *Id.* at § 447.620(4).
[75] Hoffman, *supra* note 10, at slide 19.
[76] This example was provided by Peter Hoffman, a staff attorney in the Economic Development Unit of Legal Aid of Western Missouri.
[77] Mo. Rev. Stat. § 82.1025.2 (2016).
[78] *Id.* § 82.1027(2).
[79] *Id.* § 82.1029.7.
[80] *Id.* § 82.1025.3.
[81] *Id.* § 82.1025.2.
[82] *Id.* § 82.1029.1.
[83] Mo. Rev. Stat. §§ 82.1025.2, 82.1029 (2016).
[84] *Id.* §§ 82.1025.2, 82.1027(3).
[85] Frank v. Environmental Sanitation Management, Inc., 687 S.W.2d 876, 880 (Mo. 1985); Hulshof v. Noranda Aluminum, Inc., 835 S.W.2d 411, 418 (Mo. Ct. App. 1992); Peters v. ContiGroup, 292 S.W.3d 380, 385 (Mo. Ct. App. 2009).
[86] City of St. Louis v. Varahi, Inc., 39 S.W.3d 531, 535 (Mo. Ct. App. 2001).
[87] Cook v. DeSoto Fuels, Inc., 169 S.W.3d 94, 106-07 (Mo. Ct. App. 2005).
[88] This litigation strategy explanation was developed in consultation with Peter Hoffman, a staff attorney in the Economic Development Unit of Legal Aid of Western Missouri.
[89] Mo. Rev. Stat. § 89.491.1 (2016).
[90] *Id.* § 32.105(13).
[91] *Id.* § 89.491.3.
[92] *Id.* § 89.491.4.
[93] Mo. Rev. Stat. § 441.510.1 (2016).
[94] *Id.* § 441.500(5), (9), (10), (11).
[95] *Id.* § 441.590.
[96] *Id.* § 441.641.
[97] *Id.* § 441.510.2.
[98] *Id.* § 441.510.1.
[99] Mo. Rev. Stat. § 441.600 (2016).
[100] Hoffman, *supra* note 10, at slide 30.
[101] *Id.* at slide 31.
[102] Mo. Rev. Stat. §§ 527.150-.180 (2016).
[103] *Id.* § 461.025.
[104] *Id.* § 461.033.
[105] Missouri Department of Revenue, *Property Tax Credit*, http://dor.mo.gov/personal/ptc/ (last visited Oct. 10, 2017).
[106] St. Louis-Mo Government, *Volunteer Income Tax Assistance*, https://www.stlouis-mo.gov/government/departments/treasurer/Volunteer-Income-Tax-Assistance.cfm (last visited Oct. 10, 2017).
[107] Center for Community Progress, *supra* note 11, at 9.
[108] *Id.* at 16.
[109] *Id.* at 10-11, 13, 16.
[110] *Id.* at 12, 13, 16.
[111] *Id.* at 15.
[112] *Id.* at 15. *See also* Swehla et al., *supra* note 1, at 15.
[113] Miller et al., *supra* note 3, at 8.
[114] *Id.*; S*ee also* Swehla et al., *supra* note 1, at 151.
[115] Miller et al., *supra* note 3, at 9, 21.
[116] *Id.* at 10.
[117] *Id.* at 56.
[118] *Id.* at 11, 62.

SLU LAW
SAINT LOUIS UNIVERSITY SCHOOL OF LAW

RISE
lifting our communities

TOWER GROVE NEIGHBORHOODS
COMMUNITY DEVELOPMENT
CORPORATION

Priority Area:
Address Declining Neighborhoods

Goal:
Establish well defined standards for rental housing.

Action Steps:

1. Review model practices and ordinances.
2. Determine if existing State regulations are sufficient.
3. Determine if there is a need to actively investigate or enforce state regulations or continue to defer to the state using the legal process.
4. If State regulations are insufficient, determine which regulations are necessary.
5. Codify new regulations.
6. Identify resources necessary to properly investigate and enforce regulations.
7. Develop educational material that addresses both landlord and tenant responsibilities.

Resources Required:

1. If the Council chooses to codify new regulations, additional personnel and equipment will be necessary.

Total Plan Cost:
Total Additional FTE: To be determined.
One Time Costs: TBD
Staffing Annual Costs: TBD
Program Annual Costs: TBD

Desired Outcome/Benefit:

- Establishes fair standards between landlords and tenants
- Improves the quality of housing
- Improves property value

Missouri's Landlord-Tenant Law

The Rights & Responsibilities of Landlords & Tenants



ERIC SCHMITT

MISSOURI ATTORNEY GENERAL

Introduction

Disputes between landlords and tenants are common, and many could be avoided if both parties better understood Missouri law and were more aware of their rights and responsibilities.

To help Missourians become better informed, I am glad to provide this basic guide on Missouri's Landlord-Tenant Law and the rental process.

Sincerely,



Eric Schmitt
Attorney General

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General Obligations

Landlord-tenant disputes are a common occurrence in the renting process. Some of these disputes could be avoided if landlords and tenants were aware of their rights and responsibilities.

Tenants should:

- Pay rent on time.
- Use reasonable care and not damage property.
- Properly dispose of garbage.
- Refrain from taking on additional occupants or subleasing without the landlord's written permission.

Landlords should:

- Make property habitable before tenants move in.
- Make and pay for repairs due to ordinary wear and tear.
- Refrain from turning off a tenant's water, electricity or gas.
- Provide written notice to tenants when ownership of the property is transferred to a new landlord.
- Not unlawfully discriminate.

PUT IT IN WRITING

The best way to avoid later problems is to address issues in a lease. Put it in writing who has to mow the lawn, fix a clogged sink or pay the utility bills.

Missouri's Law

Missouri's landlord-tenant laws offer protection for tenants renting from unresponsive landlords as well as options for landlords to get rid of drug dealers, destructive tenants and persons unlawfully occupying a premises.

State statutes:

- Authorize county courts to order the quick removal of tenants involved in drug-related criminal activity or violence even when there is no arrest, and persons occupying the property without the landlord's permission. Prior written notice is not required.
- Allow landlords to remove abandoned personal items once they have complied with notice requirements.
- Make a landlord guilty of forcible entry for willfully interrupting utility service, unless it is done for health and safety reasons.
- Allow a tenant, under certain circumstances and after giving a landlord 14 days' notice, to deduct one-half month's rent or up to $300 (whichever is greater) for repair of code violations when a landlord neglects property.
- Allow a landlord to double the rent when a tenant lets another person take over the premises without the landlord's permission.
- Limit occupancy to two persons per bedroom except for children born during the lease period.



The Lease

Renters are bound either by an oral or written agreement.

WRITTEN AGREEMENT

Written agreements are more common and better protect the tenant and the landlord.

When a lease is signed by both parties, it becomes a binding legal contract. If any party does not fulfill the terms of the lease, the person who defaults can be sued, which can be expensive.

A tenant is not excused from honoring a lease simply because he does not understand or did not read it.

When considering a written lease agreement, tenants should:

- Read the entire contract and ask questions or obtain a legal opinion about unclear provisions.
- Ask for changes. If tenants dislike certain provisions in the lease, they have the right to ask landlords to amend the lease with written changes.
  A landlord has the right to refuse the requested change, and the tenant must then decide whether to sign the lease.
- Do not rely on verbal statements. All promises and agreements should be in writing for your protection.

BASIC LEASE PROVISIONS

At a minimum the lease should include:

- Landlord's name, address and phone number.
- Address of rental property.
- Amount of monthly rent.

- Rent due date and grace period (if any).
- Amount of security deposit and conditions for its return.
- Length of lease.

OTHER QUESTIONS

Before renting, tenants might get other questions answered or address them in the lease:

- Who will pay for electricity, gas and water?
- What repairs and cleaning will the landlord do?
- What is the policy on keeping pets?
- Are fees charged for late payments?
- Who takes cares of the yard and removes snow?



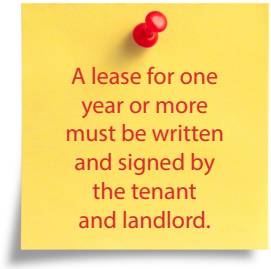
ORAL AGREEMENT

An oral agreement obligates the landlord and tenant for only one month. A landlord can evict the tenant or raise rent with only one month's notice. Likewise, the tenant can give notice to vacate on one month's notice.

(One month's notice means a full calendar month, and must include a full rental period. For example: If your rent is due on the third day of the month, your rental period runs from the third of the month to the third of the following month.)

The tenant or landlord must give written notice to terminate the tenancy.

Oral notice from either party to the other is not valid.



LANDLORD CAN END LEASE

A landlord can end a lease:

- When a tenant doesn't pay rent.
- At the end of a written lease.
- When a tenant damages property.
- When a tenant violates a condition of a written lease.
- When a tenant is involved in criminal activity.

Expiration of Lease

Leases specify a date on which the tenant must move. Neither the landlord nor tenant is required to give notice.

Some leases contain an automatic renewal clause. These are automatically renewed unless the tenant notifies the landlord he will move when the lease ends.

Any agreement between a tenant and landlord allowing the tenant to stay after the lease ends should be in writing. Otherwise if there is a disagreement, the tenant may be charged double rent.

MILITARY PERSONNEL PROVISIONS

Active-duty members of the armed forces may end a lease with 15 days' notice if they:

- Receive a permanent change of station.
- Receive temporary duty orders to a station at least 25 miles away for 90 days or more.
- Are discharged or released from active duty.
- Are ordered to live in government-supplied quarters.

Under these conditions, a tenant is entitled to a full refund of the security deposit if other lease provisions have been met. Tenants in the military may have additional rights under the Service Members Civil Relief Act.

CYBER LAW

You can find the state statutes at www.moga.mo.gov/. Chapters 441, 534 and 535 address landlord-tenant issues.

Subleasing

If a tenant wishes to move out before a lease ends, he may choose to sublease. This means leasing your lease to another person who moves in and pays rent to you or to the landlord.

Before subleasing to another individual, the tenant must get the landlord's approval. Missouri law allows the landlord to double the amount of rent if a tenant subleases without approval.

If you sublease, you still are responsible to your landlord for the original lease payments and other terms. You can be held responsible for any problems created by the new tenant.

If a tenant needs to move out before the lease terminates, the lease may be canceled only if the landlord agrees. The tenant and landlord should sign a statement that the lease has been canceled by mutual agreement.

Bottom Line: You need a written agreement to sublease or cancel your lease.

Security Deposit

Under Missouri law, a landlord cannot charge more than two months' rent as a security deposit.

At the end of the lease, the landlord has 30 days to return the security deposit with an itemized list of damages for which any portion of the deposit is kept.

During that 30-day period, the landlord must provide reasonable notice to the tenant of the time and date when the landlord plans to inspect the dwelling.

The tenant has the right to be present during the move-out inspection, which must be conducted at a reasonable time.

To avoid last-minute problems, tenants should ask the landlord in what condition he expects the unit to be left. Then allow plenty of time for cleaning.

The landlord may keep all or part of a deposit to pay for actual damages (not for normal wear and tear), unpaid rent, or lost rent due to the tenant moving out without adequate notice.

The tenant may not use the security deposit to pay the last month's rent.

Remember to give the landlord your forwarding address in writing. Otherwise, he may not be able to send your deposit. (When moving, it is also a good idea to provide a "forwarding order" to the post office.)

If the landlord has wrongfully withheld all or part of a deposit, the tenant may sue to recover up to twice the amount wrongfully withheld.

Repairs

One way to avoid problems with repairs is to have a written agreement, preferably in your lease. The agreement should state which repairs are the landlord's responsibility and which are the tenant's.

The landlord should be responsible for repairs caused by ordinary wear and tear and natural forces such as the weather. Tenants should pay for damages resulting from their own negligence or the negligence of a guest.

If repairs are needed, ask the landlord to make repairs within a reasonable period of time. If repairs are not made, make a written request for the necessary repairs and keep a copy of the letter.

If the repairs still are not made, the tenant may seek legal assistance. If the dwelling becomes unsafe due to the repair problems, the tenant should contact local health or housing authorities.

If a tenant withholds rent payments until repairs are completed, the renter may be in violation of the lease and may be subject to eviction.

In most circumstances, a tenant has no right to withhold rent. Missouri law provides only a very narrow exception to this rule for dangerous or unsanitary conditions that a landlord fails to fix.

Only under these very limited circumstances may the tenant make the necessary repairs and deduct the cost from rent:

- The condition affects the sanitation, security or habitability of the property and violates city code.

(If the landlord disputes this, a tenant must obtain written verification from city inspectors as to the code violation.)

- The tenant has lived on the property for at least six consecutive months.
- The tenant has paid all rent owed.
- The tenant is not in violation of the lease.
- The tenant has provided written notice to the landlord of the problem and the tenant's plan to fix it.
- The tenant has allowed at least 14 days for the landlord to respond to the notice.

If the landlord still does not fix the code violation within 14 days of receiving the city's notice, then the tenant can proceed with the repairs.

The amount of the repair must be verified by receipts. In most cases, the cost of repair must be less than $300 or one-half month's rent (whichever is greater).

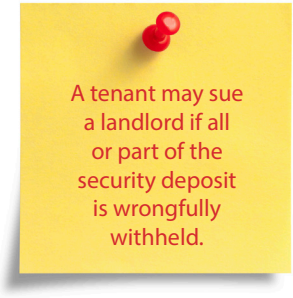


Eviction

A landlord may not evict a tenant without a court order.

The landlord may begin eviction proceedings if a tenant:

- Damages property.
- Fails to pay rent.
- Violates the terms of the lease.
- Injures the lessor or another tenant.
- Allows drug-related criminal activity on the premises.
- Fails to vacate at the end of the lease term.
- Gambles illegally on the property.
- Allows a person to reside on the property whom the landlord has previously excluded.



The tenant will receive a notice that an eviction lawsuit has been filed and will have the opportunity to be heard in court before any eviction.

Missouri law also allows landlords to remove persons who are not lawfully occupying the property.

Discrimination

Landlords cannot refuse to sell, rent, sublease or otherwise make housing available based on a renter's race, color, religion, sex, disability, familial status or national origin.

Landlords also cannot charge some individuals higher rent or falsely state that housing is not available for discriminatory reasons.

However, there are some exceptions to these rules. If you believe you have been a victim of housing discrimination, contact one of these agencies:

Missouri Human Rights Commission
Toll-free: 877-781-4236
Jefferson City: 573-751-3325
St. Louis: 314-340-7590

U.S. Department of Housing and Urban Development
Housing Discrimination Hotline: 800-669-9777

Housing Authority of Kansas City
For residents of Kansas City: 816-968-4100

Metropolitan St. Louis Equal Housing Opportunity Council
For residents of St. Louis city and St. Louis, St. Charles, Franklin and Jefferson counties: 314-534-5800 or 800-965-3462

Publications

The Missouri Attorney General's Office publishes information on a variety of topics. These brochures may be accessed at ago.mo.gov.





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Revised March 2019

COMMITTEE SUBSTITUTE FOR RESOLUTION NO. 190934

Establishing a Tenants Bill of Rights in the City of Kansas City, Missouri.

WHEREAS, the nation's housing crisis has reached emergency levels, in that, in 2019, a fulltime worker earning minimum wage cannot afford a two-bedroom apartment in any U.S. county, more than half of all Americans spend over 30 percent of their income on housing, only one in five households qualifying for federal housing assistance receives it, leaving more people to rent from private landlords than ever before and under these conditions, most people—especially low-income people and communities of color—live one emergency away from an eviction or homelessness; and

WHEREAS, like many other American cities, Kansas City is haunted by a history of racial segregation, restrictive covenants, redlining, predatory lending, and disinvestment; and

WHEREAS, 46 percent of Kansas City residents rent their homes, a historically high rate, with 44% of the City's renting households being "cost burdened," meaning, spending over 30 percent of their income on rent, such that tenants earning minimum wage would have to work over 92 hours a week to afford an average two-bedroom apartment; and

WHEREAS, on average, approximately 34 formal evictions were filed per business day in Jackson County, Missouri in 2018, and those evictions were filed on the basis of nonpayment of rent, a reflection of growing strains in the rental market; and

WHEREAS, tenants in Kansas City, as in many other communities, face discrimination in the rental market on the basis of race, gender, sexuality, mental and physical ability, immigration status, country of origin, and much more, and these factors limit tenants' ability to access and keep safe and truly affordable housing; and

WHEREAS, the intersecting and sometimes competing costs of housing and health force an undue burden on our City's poorest and most vulnerable tenants; and

WHEREAS, tenants who experience eviction, exhibit higher rates of depression, anxiety, psychological distress, and physical health problems than others; and

WHEREAS, mold, lack of heat, inadequate ventilation, infestations, and lead are just some threats to tenants' health in substandard housing, often exacerbating chronic illnesses such as asthma and lung disease; and

WHEREAS, the City Council believes that every person should have safe, accessible, affordable home, and affirms, in partnership with grassroots tenant leadership and housing providers, its active commitment to tenant and housing provider rights now and in the future; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Council hereby establishes the Tenants Bill of Rights to read as follows:

I. RIGHT TO SAFE AND ACCESSIBLE HOUSING

All residential rental property units must meet minimum health and safety standards of basic utilities and facilities, ventilation and heating, safety from fire, and safe and sanitary maintenance. (Section 34-830)

1. Rental property units must also maintain working amenities including but not limited to water heating facilities, heating facilities, water and sewer lines, plumbing and electrical fixtures, lighted common halls and stairways, and, if provided, cooking equipment.
   (Sections 56-186; 56-188; 56-189; 56-233; & 56-252)

2. It is illegal to discriminate against any person on the basis of disability. For accessibility, reasonable modifications of premises must be allowed, as well as accommodations in rules, policies, practices, or services. Design and construction of covered multifamily dwellings for first occupancy must be accessible to and usable by disabled persons.
   (Section 38-105(d))

II . FREEDOM FROM DISCRIMINATION AND RETALIATION

1. Federal and municipal law prohibits discrimination in rental of housing because of race, color, national origin, religion, sex, familial status, disability, marital status, sexual orientation, gender identity, being a victim of domestic violence, sexual assault or stalking.
   (Federal Fair Housing Act) (Section 38-105)

2. No person can retaliate against a tenant for complaining regarding a violation of City Code. A person also cannot retaliate against a tenant or their dependent for being the victim of domestic violence, sexual assault, or stalking. Increasing charges, reducing services, passing any rental permit fees from the owner to the tenant, evicting or threatening to evict the tenant, or otherwise harassing the tenant in retaliation is prohibited.
   (Sections 50-109; 48-51(g)(1); 34-848(c); & 38-111)

III. RIGHT TO FAIR COMPENSATION AND RESTORATIVE JUSTICE

1. No person can enter another person’s residence by force, with weapons, through threats, by taking away property, or by breaking open doors or windows, regardless of if anyone is inside or not. A landlord cannot evict or remove

someone from the premises by force or threat. Those found guilty of doing so must pay double the sum of the damages to the person whose home they entered. (Sections 534.020 & 534.330, RSMo.)

2. If a landlord wrongfully withholds all or any portion of a security deposit, the tenant may recover twice the amount wrongfully withheld. (Section 535.300, RSMo.)

IV. RIGHT TO ORGANIZE AND BARGAIN

1. A landlord or its agent may not retaliate by increasing rent or decreasing services, threatening to evict or evicting the tenant because the tenant has organized or become a member of a tenants' union or similar organization. (Section 50-109)

2. If there is a condition in a property that detrimentally affects its habitability, sanitation, or security, violates a municipal housing or building code, and was not caused by the tenant, the tenant may be able to deduct repair costs from their rent. If the tenant has lived in the rental property for six consecutive months, paid all rent and charges without any lease or house rule violations, and the landlord fails to correct or provide a written statement disputing the necessity of the repair within fourteen days, the tenant may submit an itemized statement with receipts to the landlord and repair the condition. The cost of this repair can be deducted from no more than a month's rent, but up to either three-hundred dollars or half the rent, whichever is more. (Section 441.234 RSMo.)

Section 2. The Council supports the creation of legislation on the federal, state and local level that is necessary to establish the following rights:

I. RIGHT TO SAFE, HEALTHY, ACCESSIBLE, AND TRULY AFFORDABLE HOUSING

1. Safe, healthy, accessible, and truly affordable housing includes mandatory disclosure from the landlord of past issues in rental units to prospective Tenants.

2. Tenants have the right to access estimates of utility costs. Tenants have the right to disclosure of an estimate of common space utilities charged to the tenant.

3. Tenants have the right to housing that can be heated to a habitable temperature.

4. Tenants have the right to relocation assistance from the City in the event of a forced move, like a displacement on the basis of uninhabitable conditions.

II. RIGHT TO PRIVACY AND SELF-DETERMINATION

1. The right to privacy and self-determination includes protecting the personal security of tenants, including the right to notice for landlord entry. Landlords may be refused entry to rental units if they do not give proper notice.

2. Tenants have the right to respectful communication with their landlord, and these communications must be transparent, timely, and from the property owner or manager.

III. RIGHT TO JUSTICE AND ACCESS TO FAIR, EQUITABLE TREATMENT UNDER THE LAW

1. The right to justice and access to fair, equitable treatment under the law means fair treatment regardless of ability to pay.

2. Tenants have freedom from unjust and unlawful evictions, and landlords may only evict according to state law.

3. Tenants have the freedom to accessible knowledge and education of their rights as renters. A Tenant Bill of Rights document must be available to tenants at the start of tenancy.

Section 3. To fully guarantee these rights and protections, the Mayor and City Council commit to passing legislation to establish an adequately-funded Division of housing and community development in Kansas City. This Division will serve as a permanent voice for residents within the City, and place leadership closer to communities in the City.

Increase Economic Opportunities

Priority Area:
Increase Economic Opportunities

Goal/Objective:
Grow the city business and residential base.

Strategy 1- Develop Intentional Annexation Program that actively monitors metro area for annexation opportunities:

Action Steps:

a. City staff develop parameters for, and issue RFP for services from contractor to aid city in development a forward looking, intentional annexation program. Program to include analysis of potential properties adjacent to city that may be options for future annexation. Properties will include both commercial and residential properties and will include analysis of individual and grouped properties as well as potential opportunities for community mergers. Will include development of a component for ongoing analysis of long-term costs/benefits of annexation. Will include development of educational tools to be used in ongoing annexation opportunity discussions.
b. City staff to develop and issue RFP for ongoing annexation opportunity development consultation services. Services would provide consultant to regularly have discussions with potential property owners about annexation benefits as well as assisting staff with successful annexation project completion.
c. Develop plan for additional city staff needed to provide ongoing oversight to program.

Resources Required:

1. Funding for RFP for consulting services to develop annexation program.
2. Funding for consultation services for ongoing annexation opportunity development.
3. Funding for 0.25 FTE for a planner in Planning, Zoning and Neighborhood Services for oversight of annexation program.

Total Plan Cost:
Total Additional FTE: 0.25
One-Time Costs: $100,000
Staffing Annual Costs: $16,500
Program Annual Costs: $50,000

Desired Benefit/Outcome:

- Create an efficient and coordinated plan for annexation.
- Ensure continued growth and opportunities for the city.

Proposed Annexation Criteria Policy

Annexation is a process by which the boundaries of a city are extended to encompass more land. Residents of a newly annexed area become citizens of the City of Joplin and share in the benefits and responsibilities which accompany that citizenship.

The City of Joplin seeks to annex property within its extraterritorial jurisdiction for the following purposes:

1. To promote orderly growth by facilitating long-range planning for the provision of municipal services and by applying appropriate land use regulations, development standards, property maintenance standards, fire codes, construction codes and environmental regulations.

2. To diversify the economic base and create job opportunities by annexing property for commercial and industrial development.

All land which may hereinafter be annexed to the City of Joplin shall be classified as "R-1", Single-Family Residential District, and shall be re-classified only after a public hearing by the Planning Commission and recommendation to the City Council as provided in these regulations for zoning district amendments. The public hearing by the Planning Commission to adopt a recommendation may be held prior to annexation of the subject parcel of land to the City. Fees for the rezoning of annexed land may be waived by the City Council (Sec. 29A-307).

The City of Joplin should indentify locations where public facilities and services can be extended to serve growth and to ensure proper land use and development. Additional plans may be prepared to achieve either voluntary or city-initiated annexations of land. City annexations would produce several benefits including:

1. Economic efficiency would be enhanced and spending reduced through less duplication of services and facilities.

2. Growth management would be improved and orderly development promoted.

3. Redevelopment and reinvestment would be promoted.

4. Governmental efficiency would be enhanced through rational and simplified city boundaries.

The City of Joplin has identified several locations that are in its interest to annex from a strategic perspective. Essentially, this perspective reflects the need to protect the City's economic base and financial integrity and to also ensure proper usage of land and orderly development. Important locations (no particular order) for the City of Joplin to annex include:

1. Highway, arterial/collector street interchanges and corridors.

2. Seventh Street corridor near Route 249. **ACTIVE**

3. ~~Flying "J" complex at East 32nd St and Route 71.~~ **COMPLETED**

4. ~~The remainder of the area near Route 43 and Interstate 44 commonly referred to as the "Petro area".~~ **COMPLETED**

5. The area referred to as E-1 (East 1 - see attachment). This is an area that is surrounded by the City of Joplin on the west, south and east. **ACTIVE**

6. The remainder of the area in E-2 (East 2 - see attachment). This area is located along the Route 249 corridor. **ACTIVE**

7. The area referred to as SE 1 (Southeast 1 - see attachment). This area has potential commercial and business development along 32nd Street and potential residential development further south. **PARTIALLY COMPLETED**

8. The area referred to as SE 2 (Southeast 2 - see attachment). This area includes private property and Crossroads Industrial Park properties, which has potential for industrial, commercial and residential development. **PARTIALLY COMPLETED**

9. The remainder of the area referred to as SW (see attachment). This area is generally bounded by Schifferdecker Avenue, the McClelland Park area, 32nd Street and Shoal Creek. The annexation of this area would consolidate properties and help unify City boundaries. **PARTIALLY COMPLETED**

10. The remainder of area referred to as WWR (Wildwood Ranch – see attachment). The property lies south of 20th Street to Shoal Creek. It is also bounded by Central City Road and the state line. The City currently has an annexation agreement with the owner of property in Wildwood Ranch itself. **PARTIALLY COMPLETED**

ANNEXATION NEEDS

As an attachment to the report, there is a City map that we have color coded to identify zones of annexation that have common boundaries because of topography, existing city limits of Joplin and other communities. The first topics are the areas of high priority.

The first priority should be the Flying "J" complex at East 32nd and New Route 71. The City is providing wastewater service to them under contract. Steps should be initiated to contact the home office to initiate voluntary annexation. If this negotiation fails, then we should do the same by involuntary annexation.

The second priority should be the Route 43/Interstate 44 area commonly called the Petro area. We still have desires by businesses in this area to come into the City of Joplin for city services. Since the original southwest annexation proposal, two businesses have constructed their own pumping facilities to the City of Joplin, and we have voluntary annexation agreements with them. Further, Missouri American has extended water mains in this area that would reduce the development costs. This voluntary annexation should be developed using a voluntary strip along I-44 from the present city limits at Shoal Creek up to and including the interchange.

The following areas will be discussed without any significant priority. We will start on the east boundaries of the city. The area identified as E-1 is an area that is surrounded by the City of Joplin on the west, south, and east. There is an economic advantage to proceeding with this annexation because it includes Joplin Cement Redi-Mix, whose sales tax income we have lost since their relocation into this tract.

Area E-2 is the Route 249 corridor. A detailed plan needs to be resolved by July of 2006.

Southeast 1 is an area that has future potential commercial and business development along 32nd Street, and residential south of that location.

Southeast 2 includes the remainder of the Crossroads Industrial land and future potential expansion of the industrial park, with residential development south. This portion should be performed on an as-needed basis through voluntary annexation as development takes place. Wastewater facilities will cost $1,750,000 when the area is totally developed.

Southwest is an area generally bounded by Schifferdecker Avenue, the McClelland area, 32nd Street, and Shoal Creek. This is the area that was a portion of the originally proposed southwest annexation. This area needs to be consolidated into unifying the boundaries of the City. There are some large ownerships in this area which could provide acreage for residential development. The interceptor system runs through the western portion of this tract, and Missouri American Water serves most of the area.

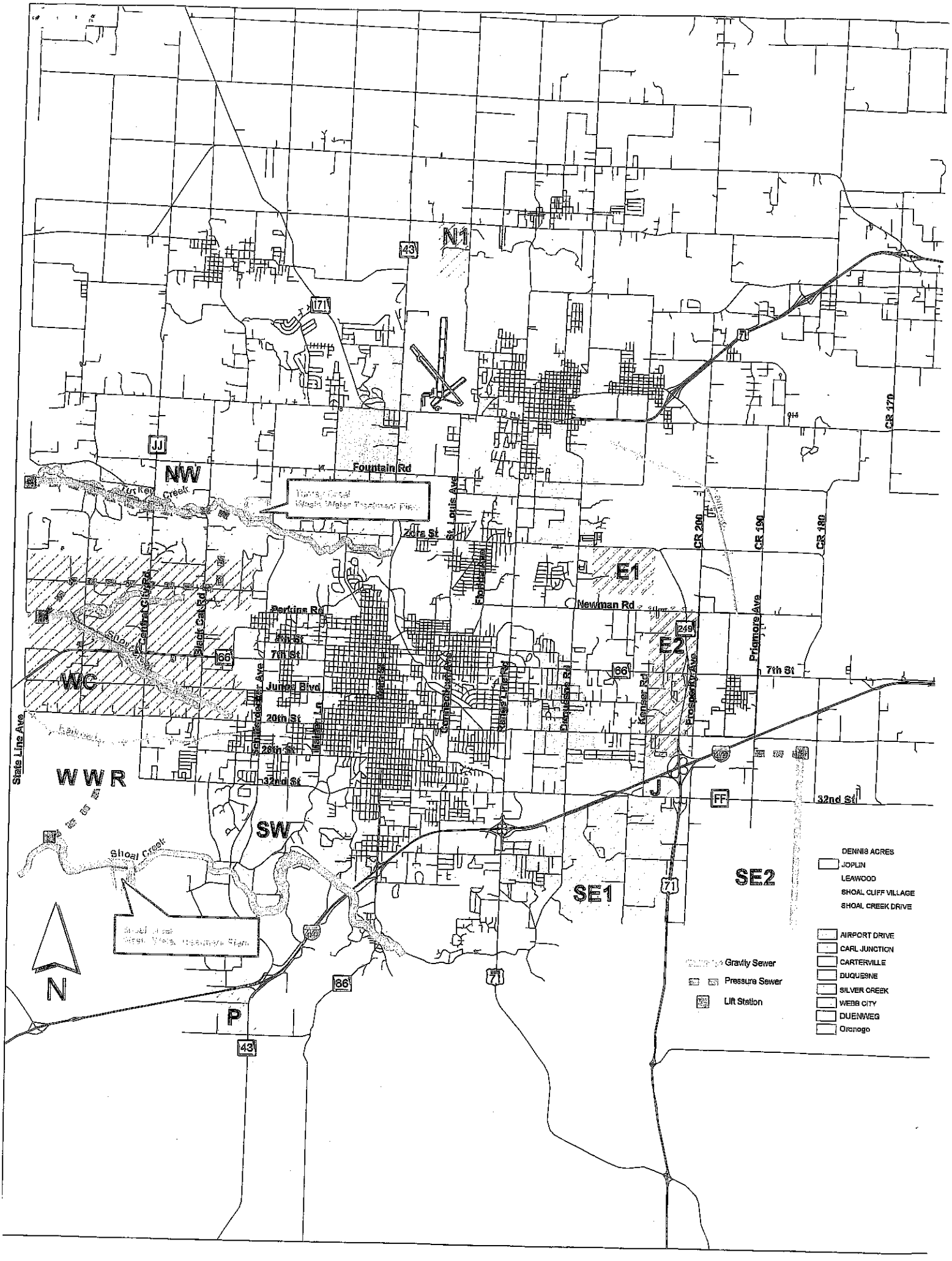
The tract identified as WWR is commonly called by the staff the Wildwood Ranch. This property lies south of 20th Street to Shoal Creek between Central City Road and the state line. This is a large tract of land, and it has all the necessary utilities except sanitary sewers, making it a prime large industrial site. In addition, there are other parcels adjacent that will provide ideal expansion of the on-going residential development adjacent to Twin Hills. This area will require a first-phase expenditure of $1,750,000 for wastewater services.

The area identified as West Central (WC) is an area of land that will require a substantial investment in wastewater collection and pumping facilities in order to provide sanitary sewers to support development in this area. The estimated cost for sanitary sewers is $5,750,000. The area does have land suitable for a residential tract development. The boundaries are approximate, depending upon the

topography changes. It will be difficult to undertake a westward expansion from the City without the major investment in sanitary sewers and pumping facilities.

The area identified as the Northwest is an area that lies parallel to each side of Turkey Creek from the west city limits to the state line. It is the staff's recommendation that we start at Main Street and start a progression of voluntary and/or involuntary annexations until we reach the existing wastewater treatment plant at Peace Church Road. Development westward from the wastewater treatment plant will require a substantial investment in sanitary sewer collection and pumping facilities to provide service to this area. The estimated cost for these improvements is $5,250,000. There are substantial tracts of land that would provide future development once the sanitary sewer services are available in this area.

The tract identified as N-1 is a tract of ground that is the extension of airport property. The staff's concern is the runway approach to the north/south runway. The southernmost portion of this is in the Center Creek flood plain area. Development has started north. The north/south runway is the main runway at the airport, and this approach needs to be protected by annexation or acquisition.


N1
NW
WC
WWR
SW
SE1
SE2
E1
E2
J
P
N
Fountain Rd
Newman Rd
Perkins Rd
Jumer Blvd
7th St
20th St
26th St
32nd St
Shoal Creek
Turkey Creek
State Line Ave
Black Cat Rd
Central Ct Dr
Connecticut Ave
Kentucky Ave
Duquesne Rd
Kenser Rd
Prospect Ave
Belmont Ave
St Louis Ave
Florida Ave
CR 200
CR 190
CR 180
CR 170
DENNIS ACRES
JOPLIN
LEAWOOD
SHOAL CLIFF VILLAGE
SHOAL CREEK DRIVE
AIRPORT DRIVE
CARL JUNCTION
CARTERVILLE
DUQUESNE
SILVER CREEK
WEBB CITY
DUENWEG
Oronogo
Gravity Sewer
Pressure Sewer
Lift Station

Priority Area:
Increase Economic Opportunities

Goal/Objective:
Enhance internal services and activities supporting economic development.

Strategy 1- Conduct an operational assessment of economic development functions in city to determine possible enhancements to processes:

Action Steps:

a. Assemble work group of city staff to develop and issue an RFP for assessment consultant search. Assessment to include analysis of current internal economic development practices and procedures in the city. This will include a review of city permitting, licensing, inspection processes, etc. to identify opportunities for improvements to these processes that make them more user friendly. Assessment will look at best practices and suggest tools for improving processes.
b. Conduct search for consultant.
c. Bring results of search to city council for consideration.

Resources Required:

1. Staff time to develop, advertise RFP.
2. Staff time to review recommendations, submit to city council.
3. Funding for consultant.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $85,000
Staffing Annual Costs: $0.00
Program Annual Costs: TBD

Desired Benefit/Outcome:

- Enhance process for entrepreneurial opportunities in the city.
- Improve the abilities of staff to conduct economic development activities.
- Increase destination value to residents, visitors, and potential residents.
- Streamline business development procedures in the city.

Priority Area:
Increase Economic Opportunities

Goal/Objective:
Intentionally promote a positive image of city to current and prospective residents and businesses.

Strategy 3- Increase positive messaging in promotion of City:

Action Steps:

a. Conduct analysis of existing city messaging capabilities and determine where gaps exist.
b. Create plan for best methods of increasing capacity (i.e. additional staff and/or use of outside marketing expertise). Additional staff could include one or more positions in the Public Information area of the City Manager's Office, and skills sought would include a marketing emphasis (graphic design, website enhancement, video production). For the purpose of Total Plan Cost below 1.0 FTE has been calculated. Position would allow for promotion of constant positive message of city functions and the community. Along with the existing position of City PIO, could provide some redundancy in this area of city office. City could look to outside partners (university, school district, chamber, etc.) to coop message development and could utilize student interns for additional assistance.
c. Develop new job description or develop RFP if necessary for marketing assistance.
d. Inform community partners in marketing effort to gain input and deliver coordinated message.
e. Determine marketing messages and format.

Resources Required:

1. Staff time for research and development of project.
2. Funding for new city staff position, equipment, etc. An additional 4.0 FTE for Public Information positions.
3. Funding for message production and placement.

Total Plan Cost:
Total Additional FTE: 4.0
One-Time Costs: $15,000
Staffing Annual Costs: $300,000
Program Annual Costs: $50,000

Desired Benefit/Outcome:

- Increased positive marketing presence for city.
- City is more attractive to new residents and business.

Priority Area:
Increase Economic Opportunities

Goal/Objective:
Make the City of Joplin more attractive to new residents and business through improving technology.

Strategy 1- Implement Smart City Initiative relating to internet/broadband connectivity to make the City more attractive to business development.

Action Steps:

a. Working with Guidehouse and US Ignite to formulate strategies for Smart City development for the City and identify potential project list to benefit the business community and its residents/workforce.
b. Established Smarter Joplin Steering Committee to advance community-focused Smart Cities development for the City
    1. Reviewing previously developed (and City Council approved) Joplin Smart Cities Roadmap.
    2. Established workgroup to function under the Steering Committee to identify internet/broadband connectivity issues and potential solutions.
    3. Undertake concurrent Smart Cities projects while awaiting completion of the recommended City of Joplin Internet/Broadband Gap Analysis Study.
c. At request of City of Joplin staff following input from the Joplin Smart Cities Steering Committee, partnered with Guidehouse to solicit an Internet/Broadband Gap Analysis Study. Responses to the RFP to undertake this study are due back to Guidehouse on 2/4/2021.
d. Complete survey for Steering Committee's Internet/Broadband Workgroup from various community resources seeking additional connectivity information based on the impact of the COVID-19 Pandemic.
e. Based on data received, assist the Workgroup and Steering Committee to select project(s) and funding sources that enhance internet capacity.

Resources Required:

1. Staff time for participation in initiative; 1.0 FTE in Planning, Zoning and Neighborhood Services as Guidehouse transitions off project. (All subject to results of Internet/Broadband Gap Analysis proposals for community improvement projects).

Total Plan Cost:
Total Additional FTE: 1.0
One-Time Costs: TBD
Staffing Annual Costs: $66,000
Program Annual Costs: TBD

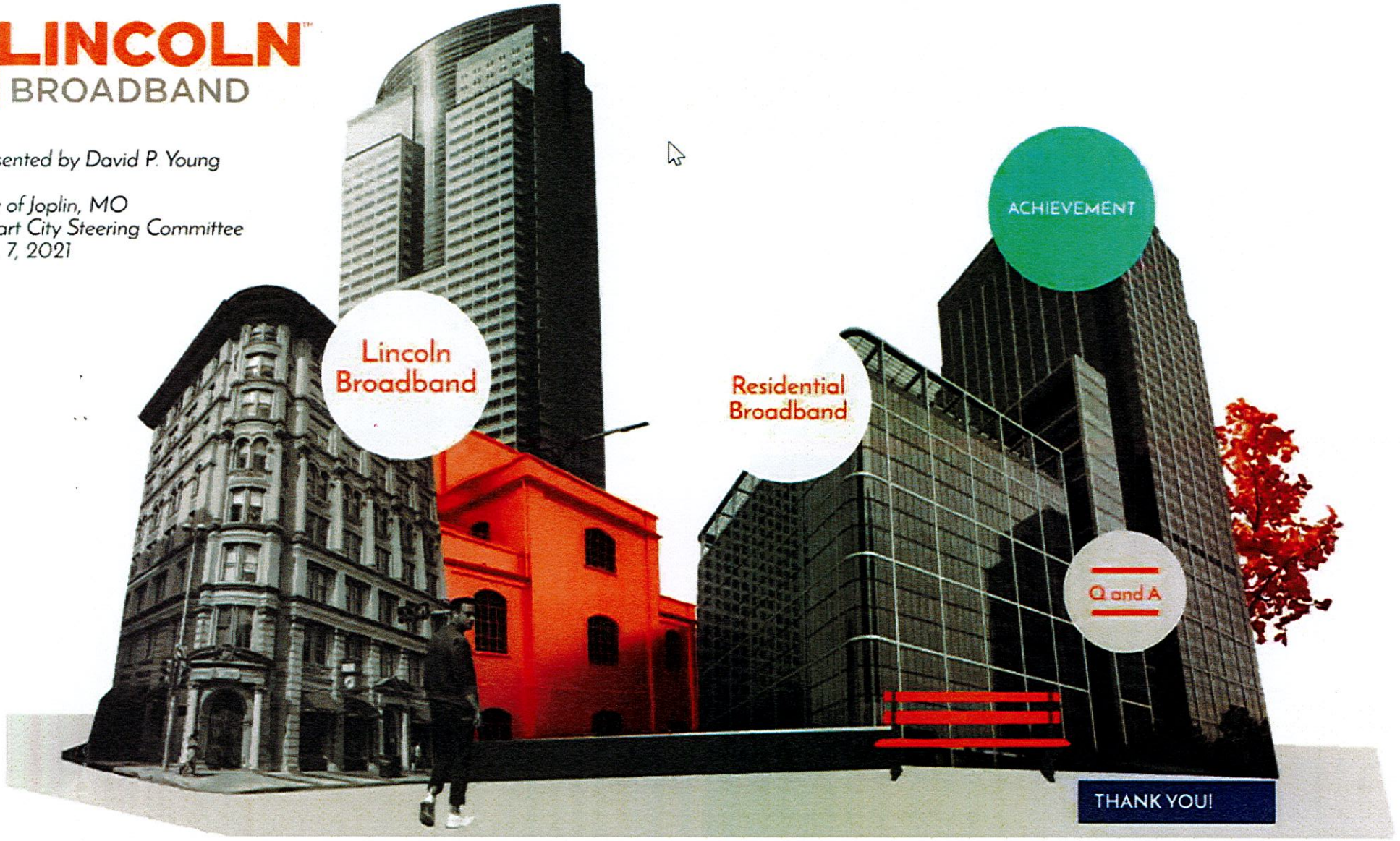
Desired Benefit/Outcome:

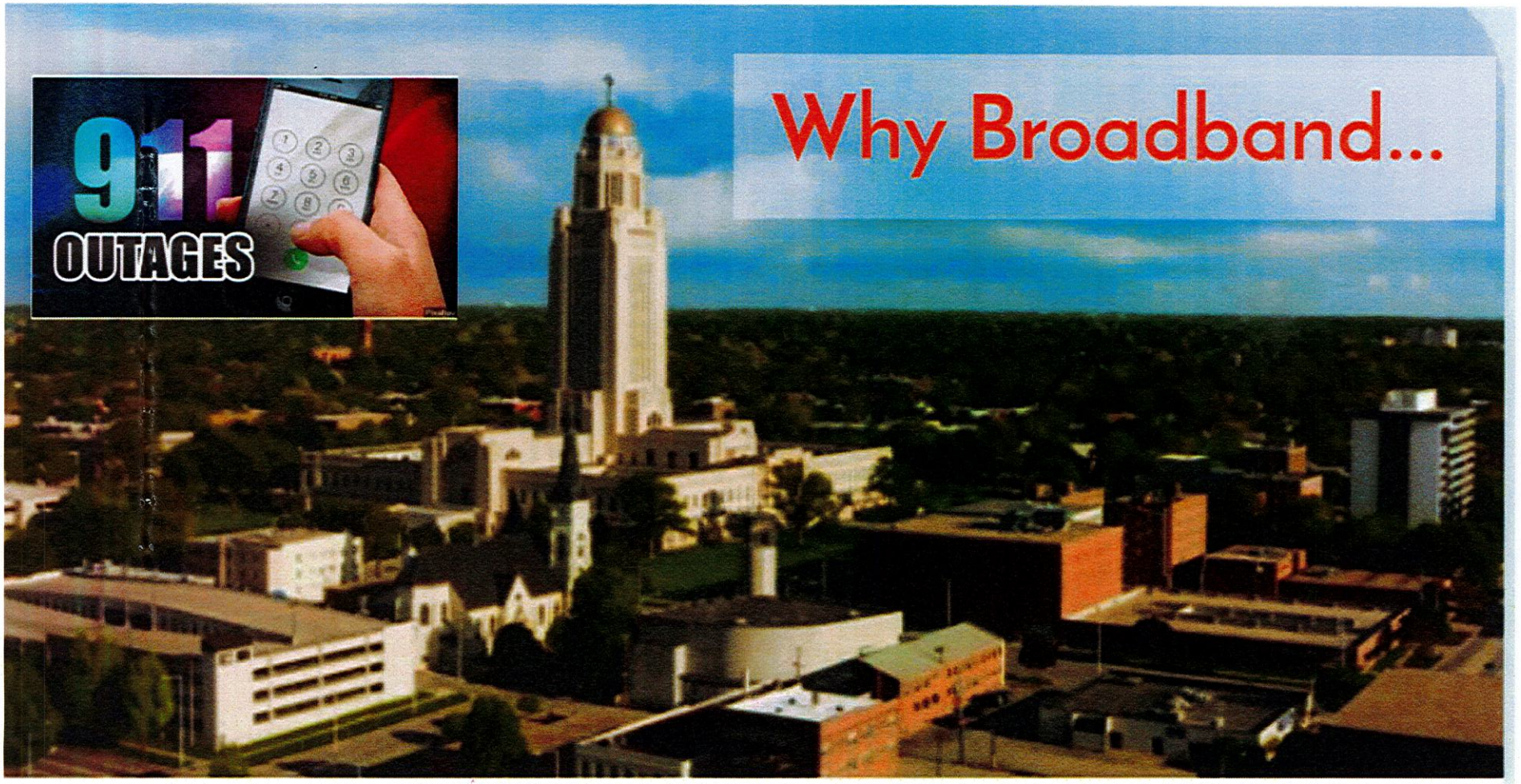
- Improved technology capabilities in the City of Joplin to support sustainable economic development.
- Increase the community's ability to attract entrepreneurs, startup companies, and technology based businesses.
- Attract and retain youthful population and prevent "Brain Drain".

LINCOLN BROADBAND

Presented by David P. Young

City of Joplin, MO
Smart City Steering Committee
Jan. 7, 2021





THE SILICON PRAIRIE

ROBLEMS

LINCOLN BROADBAND

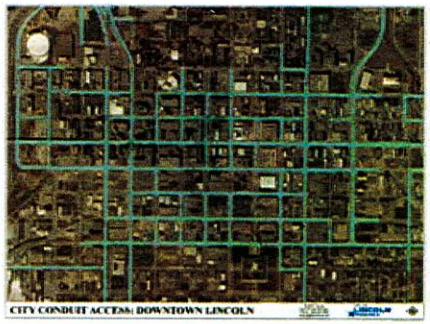


01. Lack of affordable access to Business Class Broadband

02. Lack of competitive access to regional and international broadband providers

03. New networks are expensive to deploy

OLUTIONS



LINCOLN BROADBAND

Unite PRIVATE NETWORKS

braskaLink Broadband Network

2012: Partner with LPED, DLA, Lincoln Chamber and UPN to invest $700 thousand in downtown broadband conduit



DOWN TOWN LINCOLN

University of Nebraska Lincoln

2013 - 2014: Partner with private companies to invest in affordable, competive and fast broadband services



LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT

windstream communications

2015 - 2017: Partner with local engineering firms and contractors to connect every downtown building to the conduit system



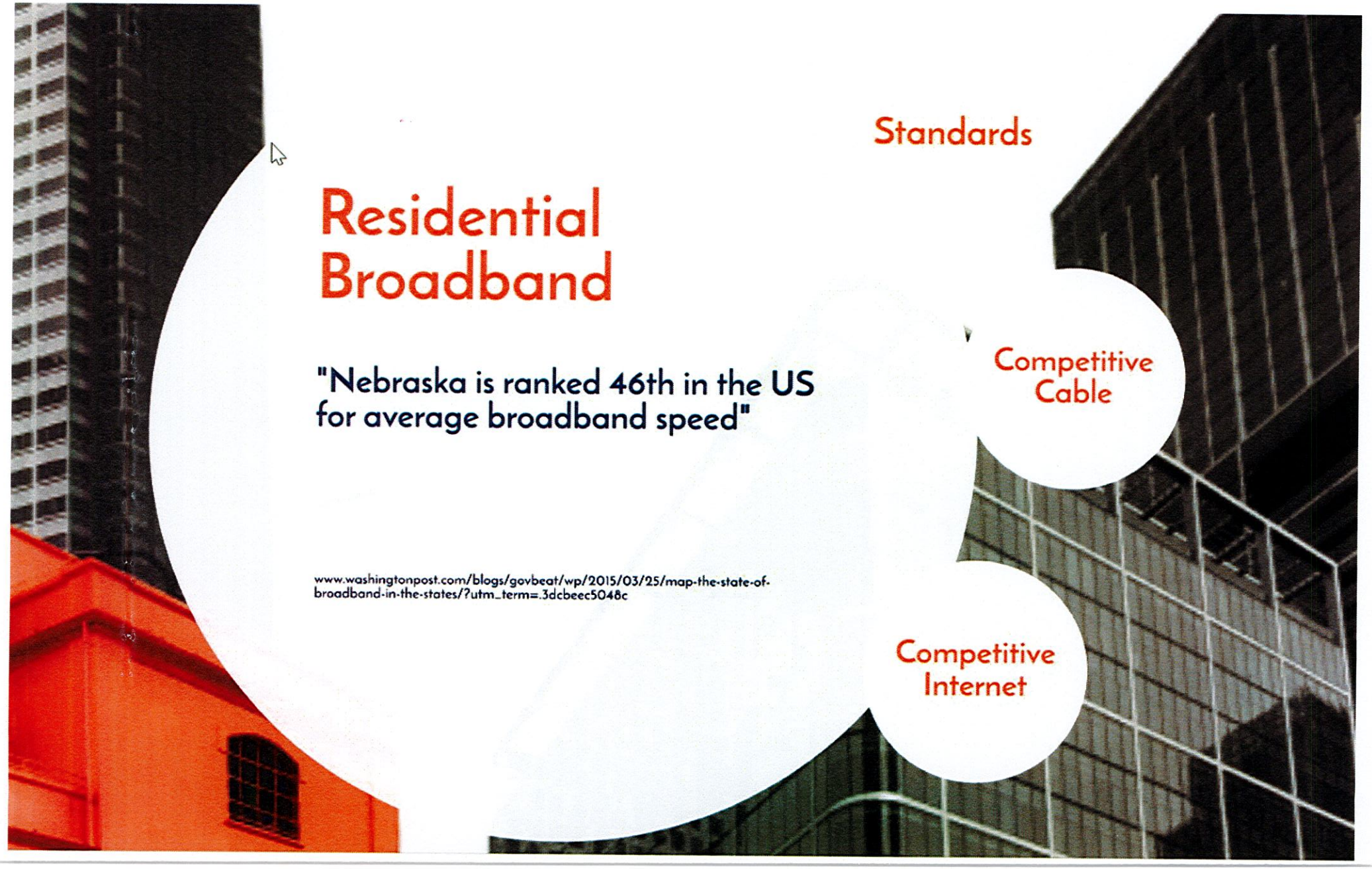
LINCOLN CHAMBER OF COMMERCE

Level (3) COMMUNICATIONS

CenturyLink

ALLO

University of Nebraska Lincoln



Residential Broadband

"Nebraska is ranked 46th in the US for average broadband speed"

www.washingtonpost.com/blogs/govbeat/wp/2015/03/25/map-the-state-of-broadband-in-the-states/?utm_term=.3dcbeec5048c

Standards

Competitive Cable

Competitive Internet

Competitive Internet

LINCOLN BROADBAND

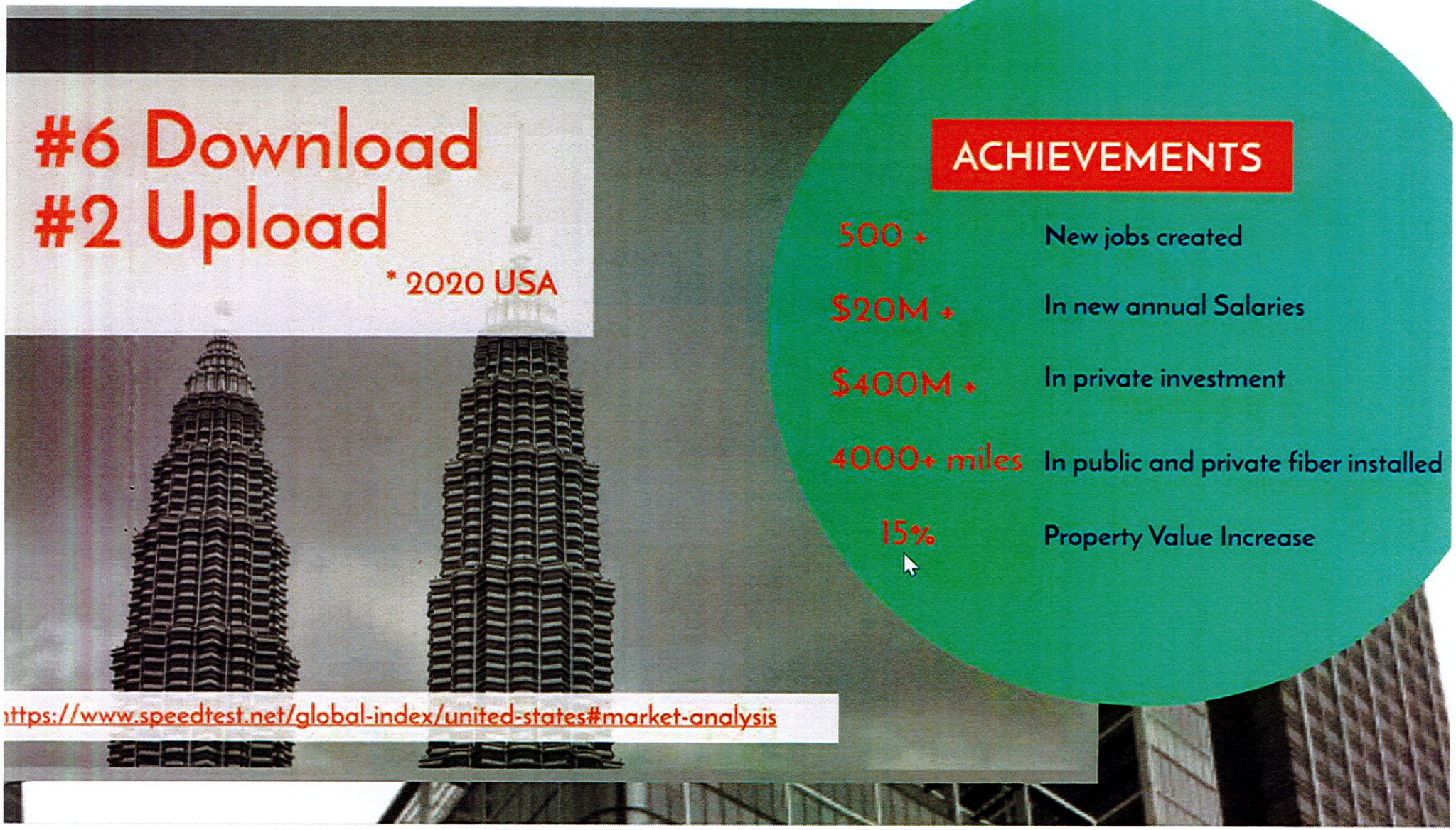
windstream communications

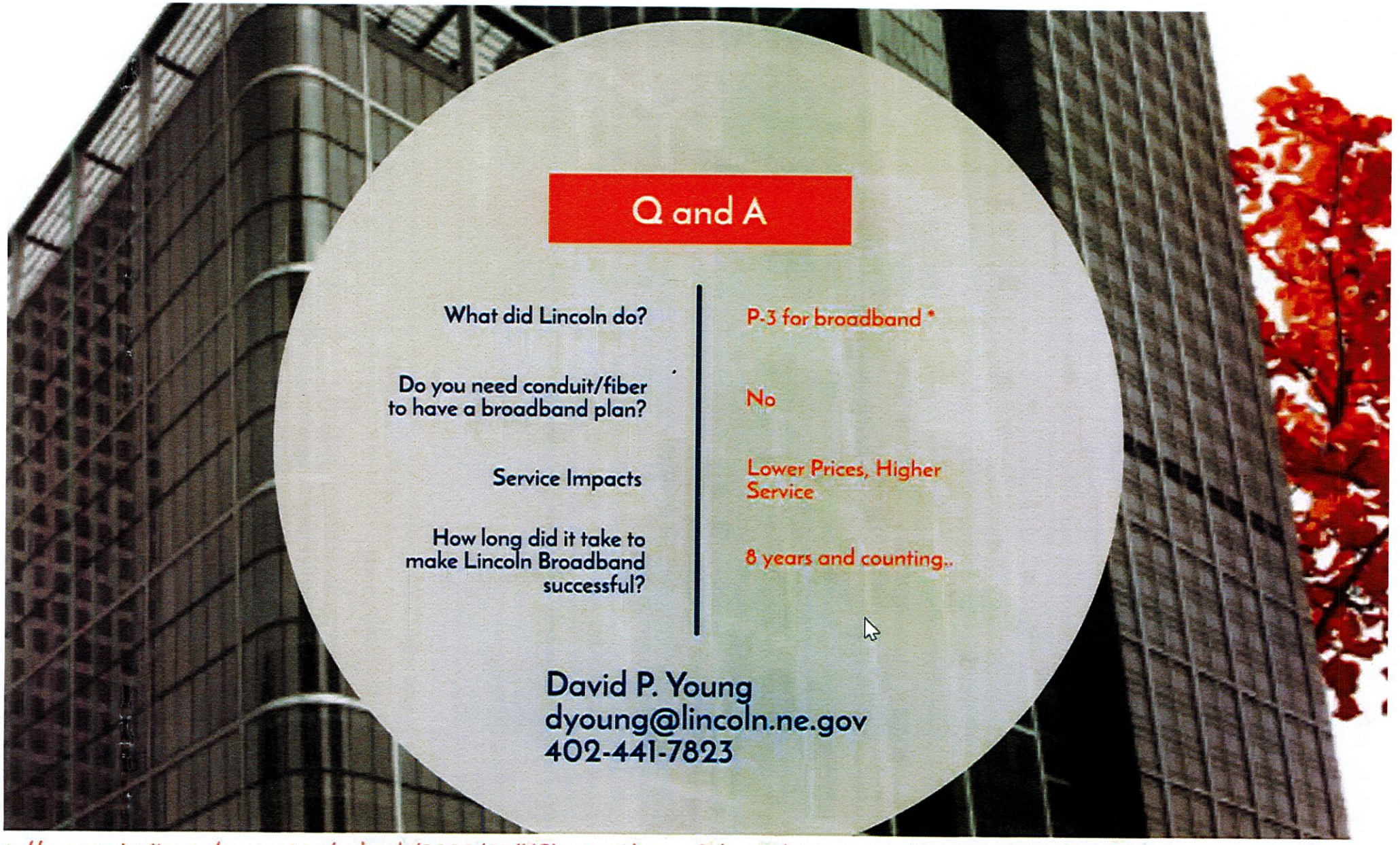
From 3 to 1000 Mbps at home

Allo A nelnet COMPANY

Spectrum

bluestem fiber


#6 Download
#2 Upload
* 2020 USA
ACHIEVEMENTS
500 + New jobs created
$20M + In new annual Salaries
$400M + In private investment
4000+ miles In public and private fiber installed
15% Property Value Increase
https://www.speedtest.net/global-index/united-states#market-analysis



ps://www.us-ignite.org/wp-content/uploads/2020/07/USIgnite_Altman-Solon_Whitepaper-on-Broadband-Models_FINAL_7-9-2020.pdf

Address Homelessness

Priority Area:
Address Homelessness

Goal/Objective:
Address transient issues in neighborhoods and overall homelessness problem of Joplin residents.

Strategy 1 -Partner with existing organizations who serve the homeless to develop a community education campaign for donations.

Action Steps:

a. Research programs used in other communities.
b. Meet with local homeless service providers, churches, etc. active in homeless services to discuss initiative.
c. Identify a scope of work and finalize a public service agreement
d. Design community education program (signs, social media, etc.).
e. Determine resources needed to implement program.
f. Begin implementation phase (print and install city street signs, implement social media campaign, etc.)

Resources Required:

1. Staff time to research programs used in other cities and develop local program.
2. Funding for street sign development and other methods of public education program.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $15,000
Staffing Annual Costs: $0.00
Program Annual Costs: $6,000

Desired Benefit/Outcome:

- Reduce issues associated with panhandling at various locations in city through education of residents on effective ways of homeless service donations.
- Increase donations to effective community homeless service providers.

Priority Area:
Address Homelessness

Goal/Objective:
Address transient issues in neighborhoods and overall homelessness problem of Joplin residents.

Strategy - Maintain city properties to discourage illegal camping.

Action Steps:

a. Inventory city properties where tree/brush undergrowth is or may be encouraging transient or criminal activity.
b. Develop GIS map layer of properties.
c. Develop maintenance program processes and procedures for regular removal of underbrush and any debris found at sites as illegal camp sites are identified.

Resources Required:

1. Staff time to identify and inventory sites.
2. Staff time to develop GIS map layer.
3. Staff time to develop maintenance program process and procedures.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Reduce unwanted negative effects of transient trespassing and camping on public properties.
- Allow citizens to feel safe and enjoy our parks.

Priority Area:
Address Homelessness

Goal/Objective:
Address transient issues in neighborhoods and overall homelessness problem of Joplin residents.

Strategy 4 - Develop program to encourage private property owners to maintain properties to discourage illegal camping.

Action Steps:

a. Inventory private properties where tree/brush undergrowth is or may be encouraging transient or criminal activity.
b. Develop GIS map layer of properties.
c. Review city ordinances to determine if proper authorities are present for requiring private property owners to maintain properties in a way to discourage transient or criminal activity.
d. Meet with municipal court staff and prosecutor's office to receive input into plan.
e. Develop processes and procedures for proactive code enforcement program to require private property owners to maintain properties.
f. Inform stakeholders of program development to seek input.

Resources Required:

1. Staff time to identify and inventory sites.
2. Staff time to develop GIS map layer.
3. Staff time to review ordinances for authorities.
4. Staff time to develop process and procedures for program.
5. Funding for additional 0.50 FTE for a Neighborhood Improvement Officer and operational costs for the program.

Total Plan Cost:
Total Additional FTE: 0.50
One-Time Costs: $1,000
Staffing Annual Costs: $32,500
Program Annual Costs: $5,000

Desired Benefit/Outcome:

- Reduce unwanted negative effects of transient trespassing and camping on private properties.

"I would love to see some of the abandoned buildings addressed. I believe Pittsburg had a process of giving building owners timelines to clean up the buildings or they become city property that is then either sold to a developer or torn down." – Listening Tour Respondent

Priority Area:
Address Homelessness

Goal/Objective:
Address transient issues in neighborhoods and overall homelessness problem of Joplin residents.

Strategy - Participate in ongoing dialogue with Homeless Service Providers in community to develop and encourage long-term homelessness solutions for Joplin residents.

Action Steps:

a. Planning, Development and Neighborhood Services Dept. to participate in monthly Homeless Coalition meetings to provide opportunity for dialogue and planning.
b. By being an active participant in the coalition staff can support homeless initiatives that are both collaborative and accountable in their implementation.
c. City staff to encourage effective initiatives to address homeless issues of Joplin residents.

Resources Required:

1. Staff time of PDNS Dept. to participate in Homeless Coalition and other homeless initiative meetings.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Establish regular dialogue with Homeless Service Providers.
- Encourage development and operation of effective programs to address homelessness issues of Joplin residents.

Reduce Crime and Increase Safety

Priority Area:
Increase Citizen Safety

Goal/Objective:
Increase citizen safety within the city limits of Joplin.

Strategy 1- Community Outreach and Education: Establish an informational program to educate citizens on crime prevention, safety, and crime deterrence through social media and media outlets.

Action Steps:

a. Solicit feedback from community stakeholders regarding concerns and safety risk within the community.
b. Monitor and tailor responses to current trends concerning scams, cyber and online threats.
c. Work with local media resources and the city PIO to disseminate information and promote public safety announcements.

Resources Required:

1. Use existing resources, groups, and committees to accomplish engagement steps.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Increase citizen, business, and community safety awareness through education and continued engagement.

Priority Area:
Increase Citizen Safety

Goal/Objective:
Increase citizen safety within the city limits of Joplin.

Strategy 2- Traffic Safety: Focus on traffic enforcement to reduce the number of traffic fatalities, crashes and traffic violations within the City of Joplin.

Action Steps:

a. Continue to publish Traffic Tips to encourage driving safety.
b. Increase Hazardous Motor Vehicle (HMV) enforcement patrols (manpower dependent).
c. Apply for additional Missouri Department of Transportation grants for additional traffic officers and a supervisor.
d. Evaluate current shift schedule to maximize traffic enforcement.

Resources Required:

1. Apply for MODOT Grants for a traffic supervisor and a traffic officer. 100% reimbursement during the first year. 75% reimbursement during the second year and 50% reimbursement from year three onward.
2. Adequate staffing levels

Total Plan Cost:
Total Additional FTE: 2.00
*Costs shown depict year three reimbursement and onward.
One-Time Costs: $15,000
Staffing Annual Costs: $80,500
Program Annual Costs: $10,000

Desired Benefit/Outcome:

- Reduce traffic crashes and traffic violations within the city limits of Joplin.
- Reduce the number of yearly fatality crashes.

Priority Area:
Increase Citizen Safety

Goal/Objective:
Increase citizen safety within the city limits of Joplin.

Strategy 3- Training and Assistance: Continue to provide aid and training with workplace violence, active threat, cyber security, and CPTED:

Action Steps:

a. Fill two officer positions who focus on Crime Prevention Through Environmental Design (CPTED).
b. Reimplement Crime Free and Crime Free Multi Housing programs (manpower dependent).
c. Partner with neighborhood groups to target specific area crime issues.
d. Develop a personal safety program for citizens.
e. Replace bailiff to return fulltime officer to regular duties.

Resources Required:

1. Fill 2 open Support Services officers (Budgeted) who administer the crime free programs.
2. Increase current part-time Bailiff to a fulltime Bailiff.
3. Adequate staffing levels.

Total Plan Cost:
Total Additional FTE: 0.50
One-Time Costs: $10,000
Staffing Annual Costs: $50,000
Program Annual Costs: $1,000

Desired Benefit/Outcome:

- Provide assistance and education to businesses and multifamily housing locations within the city limits of Joplin to reduce citizen risk and crime.
- Provide focused enforcement and planning for emergent crime trends and problems.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 4 -Community Engagement: Establish and maintain a strategy to provide information to our community regarding tactics and strategies, including the "how" and "why" used to target high crime areas or locations, or violent offenders.

Action Steps:

a. Solicit feedback from community stakeholders regarding programs, initiatives, and procedures.
b. Provide information to the community concerning technology, crime analysis, and offender identification and focus.
c. Establish working partnerships with neighborhood groups, coalitions, and others to support crime reduction and safety.

Resources Required:

1. Use existing resources, groups, and committees to accomplish engagement steps.
2. Communication and educational materials.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $1,000

Desired Benefit/Outcome:

- Increase citizen and community involvement in assisting with the reduction of crime within the community.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 5- Visibility: Increase officer visibility and presence in schools, residential and commercial areas, and on roadways.

Action Steps:

a. Convert corporal and below vehicles assigned to Uniformed Services to marked units.
b. Increase visibility patrols (manpower dependent).
c. Limit plain clothes used to job specific duties when necessary.
d. Create a visible and engaged presence with schools and youth activities.

Resources Required:

1. LPR (License Plate Reader) System (Drug Forfeiture Fund)
2. Adequate staffing levels

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Increased officer presence and visibility to assist in crime reduction and citizen safety.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 6- Technology: Ensure that the departments strategic and tactical needs are being met with current and future technological programs and assets.

Action Steps:

a. Utilize technology to prioritize deployment of resources based on current needs and crime trends (IMPACT/Analytics).
b. Acquire information of technology hardware and software in a manner to ensure against rapid obsolescence.
c. Ensure that technology has the capacity and capability that is actionable in real time.
d. Upgrade drone camera and controller.

Resources Required:

1. Drone Upgrade (Completed)
2. Adequate staffing levels
3. Future Analytics Purchase (Regular budget)

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Ensure proper technology is in place in order to stay current with industry standards and increase crime reduction capabilities.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 7 - Analytics: Utilize crime reduction analytical software and programs to track and predict crime, and to correlate crime trends.

Action Steps:

a. Utilize Critical Incident Analysis for emerging or immediate threats to public safety.
b. Explore the feasibility of facial recognition systems.
c. Invest additional resources in our crime analysis function and scope.
d. Utilize Leads Online and Power Plus system upgrades for more efficient tracking.
e. Utilize resource allocation study to assist in guiding future crime reduction efforts.
f. Establish a fulltime Crime Analysist.

Resources Required:

1. Full-time senior clerk position for crime free and CALEA accreditation management.

Total Plan Cost:
Total Additional FTE: 1.0
One-Time Costs: $2,000
Staffing Annual Costs: $50,000
Program Annual Costs: $3,000

Desired Benefit/Outcome:

- Increase use of analytical information to assist in identifying and tracking crime and crime trends.
- Allow current crime analysist to function in a fulltime analysis position to increase efficiency and information distribution.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 8 - Habitual Offender Identification and Concentration: Identify those individuals within our jurisdiction that are a violent, repeat, or prolific risk to the community and concentrate efforts for prosecution and incarceration.

Action Steps:

a. Pursue habitual offenders under Prior and Persistent Offender laws.
b. Utilize federal partnerships and task force officers to adopt federal cases against offenders.
c. Coordinate with Missouri Probation and Parole to seek revocation for repeat or persistent offenders.
d. Coordinate with county prosecutors to prosecution of offenders.

Resources Required:

1. Adequate staffing levels

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Focus resources on repeat and violent offenders withing the community that create the greatest risk to our citizens.
- Reduce the number of offenders by arrest and prosecution.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 9 - Facilities: Ensure public safety departments have adequate facilities now and with room for increased personnel following community growth.

Action Steps:

a. Conduct a Space Needs Study for Police HQ, Fire HQ, and Municipal Court

Resources Required:

1. Space Needs Study

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $150,000
Staffing Annual Costs: $0.00
Program Annual Costs: TBD

Desired Benefit/Outcome:
Conduct Space Need study to properly evaluate current needs and predict future growth requirements.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 10 – Increased Drug Enforcement: Refocus efforts on enforcement and prosecution of narcotic offenses.

Action Steps:

a. Reassign two investigators back the Ozark Drug Enforcement Team.
b. Utilize federal partnerships and task force officers to adopt federal cases against narcotic offenders.
c. Lease two undercover vehicles.

Resources Required:

1. Adequate staffing levels
2. 2 Lease vehicles.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $13,200

Desired Benefit/Outcome:

- Focus resources on those individuals transporting and distributing narcotics within the community.
- Reduce the number of offenders by arrest and prosecution.

Priority Area:
Crime Reduction

Goal/Objective:
Reduce property and violent crime within the city limits of Joplin

Strategy 11 – Recruiting and Retention: Establish an update recruiting and retention plan to address the possibility of 22 officer openings during 2021.

Action Steps:

a. Update Recruiting plan.
b. Conduct a study for implementation of a Recruitment Incentive Program.

Resources Required:

1. Conducted inhouse by staff.

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $0.00
Staffing Annual Costs: $0.00
Program Annual Costs: $60,000

Desired Benefit/Outcome:

- Develop a plan that will enhance the ability to recruit qualified officers.

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

CHIEF OF POLICE SLOAN A. ROWLAND

www.joplinpolice.org

PROPOSAL

Recruitment Incentive Program

JOPLIN POLICE DEPARTMENT

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RECRUITMENT INCENTIVE PROGRAM

Background

Over the last decade, the Joplin Police Department has experienced severe levels of attrition within its ranks. This has been due to terminations (both voluntary and involuntary), transfers to other city positions, and retirements. The police department has experienced an approximate turnover rate of 100% since 2012. The ability to recruit, hire and retain officers has also been a difficult and troubling task. Incidents like the rioting in Ferguson, Missouri in 2014 and the national rioting against law enforcement in 2020, coupled with a growing "defund the police" movement, has exacerbated the problem of hiring quality officers nationwide. While the Joplin Police Department is allotted 110 sworn officer positions, there are currently only 92 officers available for duty (2- light duty/injury, 5- in training, 1- in MSSU academy, 10- position vacancies).

Need for Lateral/POST Certified Officers

The Joplin Police Department is in dire need of officers who are POST certified (have their Missouri Peace Officer License) and/or have law enforcement experience from another agency and meet Missouri eligibility requirements to take and pass the Missouri Police Officer Licensing Exam. This is based on several facets:

1) The hiring process for police officers takes place over a 3-to-4-month time period in order to accommodate all phases of testing and hiring. The hiring process includes interviews, background investigation, polygraph and psychological examinations, as well as physical and drug screening processes.

2) Officers who DO NOT have their POST certification and/or law enforcement experience at other agencies must attend a Law Enforcement Academy in the State of Missouri. The academy is a 600 hour training academy that is spread over a 5 month period that is equivalent to a full college semester. This is followed by a 7 week in-house training academy at the Joplin Public Safety Training Facility. Once this is complete, the trainee enters their Field Training and spend 16 weeks in "on the job" training, which is broken into 4 phases. Therefore, it will take a non-POST certified officer over a year before they are hired and fully trained in order to work as a solo Police Officer for the Joplin Police Department.

3) POST certified and/or employees with law enforcement experience will only have to undergo the 7 week in-house academy, followed by their field training program, which can be shorted based

upon their experience and aptitude. A POST certified officer or an employee with prior law enforcement experience may be available to work as a solo officer in as little as 6-7 months (half the time of a non-POST or officer with previous law enforcement experience).

4) POST certified and officers who have previously worked in law enforcement bring that experience with them to Joplin. Experience is crucial in a profession that consistently requires officers to make critical decisions, some of them being a matter of life and death, in a very short time frame.

5) In addition to the 10 current vacancies, there are 6 planned retirements at the Joplin Police Department in 2021. This is in addition to another 5 officers who have given notice of intent to pursue other career options in the near future.

6) Hiring non-POST certified or lateral officers requires the City of Joplin to send those employees to a law enforcement academy. The city currently pays $7,791.98 just for academy fees per employee.

7) While a new officer attends the law enforcement academy, he or she earns an hourly wage while going through training. According to the current pay plan, a new Police Officer Trainees earn $15.44 per hour. Over the course of their law enforcement academy training this would equate to approximately $11,000 in wages earned during that time frame. If J.P.D. were only to hire "non-POST" employees in 2021, the city could have the potential to spend $375,839.60 (academy fee and salary expenses) to fill current opening, planned retirements and expected voluntary departures.

8) According to current accounting data obtained from the city finance department, the average cost of hiring a new police officer per year to be $82,392.80. This figure includes wages, average overtime, insurance coverage and other fringe benefits, uniform and equipment, and several other costs associated with the hiring of a new officer. A complete breakdown of this cost is provided in Exhibit E. Using this current figure, the City of Joplin could be looking at a cost of $1,647,856 to fill current openings, planned retirements and expected voluntary departures in 2021.

JOPLIN POLICE DEPARTMENT

HONOR COURAGE COMMITMENT SERVICE

CHIEF OF POLICE SLOAN A. ROWLAND

www.joplinpolice.org

PROPOSAL

Currently, staffing within the Joplin Police Department is at a critical stage and a new and unique manner of bringing experienced employees is needed to help solve this complex issue. The implementation of a Recruitment Incentive Program is needed in order to attract lateral applicants for the position of Police Officer, which is one of the most difficult-to-fill positions in the City of Joplin. This program would allow all city employees an opportunity to help promote the City of Joplin by having an active role in attracting applicants to the City of Joplin. It also brings a new benefit to help attract potential applicants, which is needed to help convince applicants to leave their current employer for the City of Joplin.

Recruitment Incentive Defined

The proposal is comprised of two separate components, with one being aimed towards potential applicants and the other directed towards current city employees.

-Applicant Incentive

The proposed applicant incentive is to offer a onetime $5,000 compensation payment to LATERAL police applicants who:

1) Complete a City of Joplin application for employment.
2) Complete all stages of the LATERAL police officer hiring process
3) Complete all In-House Academy training and all required phases of the Field Training Officer (FTO) program.

It is highly recommended that the LATERAL applicant enter into a contract with the City of Joplin with an understanding that he or she must complete all of the listed requirements in order to qualify and receive the listed compensation.

-Referral Incentive

The proposed referral incentive is to motivate and reward current city employees to actively recruit applicants for the LATERAL police officer position. This would only be for LATERAL police applicants who have previous law enforcement experience, are Missouri POST certified, and/or are currently enrolled and attending a Missouri POST approved law enforcement academy. A referral incentive of $1,000 would be paid to the current city employee who refers a LATERAL applicant only if the lateral applicant completes all requirements listed above. All city employees would be eligible (except for certain circumstances listed below under “restrictions”) as this would be a force multiplier for the JPD recruiting team.

Eligibility

-Applicant Incentive:

-Any applicant who is or has:

1) Currently has passed the Missouri Peace Officer License Exam and has their Missouri Peace Officer License
2) Has previously worked in the position of Police Officer for a law enforcement agency in the last 5 years and meets the Missouri eligibility requirements to take and pass the Missouri Police Officer Licensing Exam
3) Currently enrolled and attending a POST approved law enforcement academy

-Referral Incentive:

- All full-time employees (both exempt and non-exempt) would be eligible to receive the recruitment incentive for the referral of a LATERAL (POST certified, prior law enforcement experience, and/or current academy student) applicant. Certain positions would be ineligible in order to maintain integrity within the program. Those positions are listed below under "restrictions"

-In order to receive the referral incentive, the LATERAL applicant must complete the following:

1) Complete a City of Joplin application for employment.
2) Complete all stages of the LATERAL police officer hiring process
3) Complete all In-House Academy training and all required phases of the Field Training Officer (FTO) program.

Only one City of Joplin employee per applicant may receive the referral incentive. The referral incentive will only be paid to the first employee listed on the City of Joplin application in the referral source section. The LATERAL applicant must list the employee making the referral as he or she cannot add that information after the application has been submitted and received. The referral incentive will only be paid after the LATERAL applicant completes all requirements of the applicant incentive (contractual requirements).

Restrictions:

As a matter of integrity and safeguards for the recruitment incentive program, the following restrictions are recommended:

1) Employees in the following positions shall not be eligible to receive the referral incentive:
   a. Chief of Police, Assistant Chief of Police, any Captain or other supervisor who has an active role in the vetting, interviewing and hiring recommendation process of prospective employees
   b. Any member of the Police Department recruiting team
   c. Any member of Human Resources

   d. City Manager
2) Background investigators shall not be assigned to investigate any applicant in which they have been listed as a referral source.
3) Polygraph examiners shall not be assigned to conduct polygraph examinations of any employee in which they have been listed as a referral source.

Cost Savings & Funding Source

Currently, the City of Joplin incurs a fee for any police applicant that is hired and sent to the law enforcement academy to receive their training and POST certification. This fee is $7,791.98 per officer. If the City of Joplin changed its focus to LATERAL applicants, the city would not have to pay this academy fee. In addition, the city would not incur the salary expenses of an employee who is going through the academy for that 5-month period. Currently, Police Officer Trainees earn $15.44 per hour. This equates to approximately $11,000 in an officer's salary during their initial academy training.

The proposal set forth above would be to utilize $6,000 of the academy training fee ($7,791.98) and put it towards the recruitment and referral incentive program. By implementing this program, it would save the City of Joplin $1,791.98 in academy fees per employee or approximately $12,791.98 if wages are factored in. Based on current staffing and attrition information, this has a potential cost savings of approximately $268,631.58 in 2021. In addition, the City of Joplin benefits by gaining employees who have experience and can start operating as a solo Police Officer in a much quicker time frame versus an officer who has no law enforcement experience or POST certification.

Legalities

In order to be successful and compliant with laws and regulations, the recruitment incentive program detailed above was constructed and brought forth with the following legal issues in mind:

Article III, Section 39 of the Missouri Constitution states:

"The general assembly shall not have power: To grant or to authorize any county or municipal authority to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor after service has been rendered or a contract has been entered into and performed in whole or in part"

Additionally, an official opinion (opinion 72-1955) written by Missouri Attorney General John M. Dalton on June 14, 1955 states:

"The Constitutional provision prohibits the General Assembly from granting extra compensation, fees or allowances to a public officer, agent or servant after service has been rendered. Likewise, a government agency which derives its power and authority from the Constitution and laws of this state would be

prohibited from granting extra ·compensation in the form of bonuses to public officers or servants after the service has been rendered."

Reference sources on these are available in Exhibit A.

Therefore, it is understood that "bonuses" in the State of Missouri are not legal and not authorized. However, the recruitment incentive program should not be considered a "bonus". This reasoning is based on the following:

1) It is recommended that the compensation payment to a LATERAL applicant be made only as a condition of an employment contract entered into between the City of Joplin and the LATERAL applicant. If the contract specifically stipulates the requirements of the applicant and all of those requirements are achieved, then the applicant has fulfilled the obligations of the contract and are entitled to the contractual compensation listed, and no more. Any additional payment above what is listed in the employment contract could be considered a violation of the Missouri Constitution Article III, section 39.

2) The referral incentive for city employees is specifically based on a performance measure that must be clearly defined, outlined and disseminated to all city employees. We are asking for city employees to actively recruit people to come and work for the city of Joplin. If a city employee is active in recruiting employees for difficult to fill positions, such as a Police Officer, then that work, or performance, should be rewarded. But, as mentioned above, this would only take place after the applicant meets all of the prescribed and contractual requirements.

These two points are consistent with recent statements made by the Missouri State Auditor Nicole Galloway. In an audit report published in March of 2017, Auditor Galloway was quoted as saying "While the use of an incentive program may be allowable if implemented and executed appropriately, the absence of consistent documentation about performance goals to be met and the lack of defined objective criteria to determine the achievement of incentives gives the appearance the payments represent additional compensation for past performance". In a news article on this audit, Auditor Galloway was also quoted as saying "In other words, incentives are predetermined in an employment contract and have specific requirements to be met in order to receive payments. Bonuses reward extra compensation for work the employee was already expected to perform." Reference sources on these statements are provided in Exhibit B.

In addition, this exact program is currently being utilized by the City of St. Louis, however they have expanded the program to include other positions that have been deemed as "hard to fill". The City of St. Louis implemented this program in September of 2019 and in conversations with their personnel department, this program has been very effective and beneficial for their city. The St. Louis recruitment incentive program announcement, along with their administrative regulation/policy and the list of difficult-to-fill positions, are included in Exhibit C.

Other cities also actively use their own form of recruitment incentives to attract Police Officer applicants. The following are only a few examples of what some other agencies in the State of Missouri currently offer:

- Hannibal Police Department- $2,000
- Excelsior Springs Police Department- $2,250
- Riverside Police Department- $10,000 (POST certified) & $5,000 (non-POST certified)
- Springfield Police Department
  - Employee who refers new officer with no experience: $500
  - Employee who refers LATERAL officer: $1,000
  - Springfield is also currently awaiting approval of sign-on bonus for police applicants. According to staff, it is anticipated this amount would be $10,000.

The City of Columbia has also implemented a different version of their own recruitment incentive program. Their program utilizes city funding to provide rent and down payment assistance to newly hired officers and firefighters (hard to fill positions).

Reference sources for these programs are provided in Exhibit D.

Conclusion

The implementation of this recruitment incentive program is needed to help address growing issues with the hiring of police officers. This is an issue nationwide, not just in the City of Joplin. Providing additional compensation incentives would attract experienced Police Officers to the City of Joplin. By hiring officers with experience and their POST certification, it results in a major cost savings to the City of Joplin, it's citizens and taxpayers of Joplin. In addition, this program would comply with all legal requirements regarding additional compensation of government employees. It is anticipated that the Joplin Police Department would be able to attract talented and experienced officers and bring the agency back to full staff in a shorter amount of time.

EXHIBIT

A

STATE BOARD OF COSMETOLOGY:

1. Fees collected by Board payable to Director of Revenue;
2. No prohibition against employee of Board discharging duties of an inspector and secretary at the same time if, in Board's discretion, action is conducive to efficient operation.
3. An officer of this state may authorize an increase in salary to an employee different from that listed in the official Manual.
4. Board may not grant bonuses to employees.
5. Employees of Board may travel beyond State and receive reimbursements therefor, if such expense is incurred in discharge of official duties, in matter in which government has an interest, and within appropriation provided for that purpose.

FILED 73

June 14, 1955

Miss Edna Marie Pray
President, Missouri State
Board of Cosmetology
420 West 11th Street
Kansas City, Missouri

Dear Miss Pray:

Reference is made to your request for an official opinion which request reads in part as follows:

> "Should the checks and money orders sent to Jefferson City from Shop owners, School owners, operators, and instructors be made payable, to, Director of Revenue-Jefferson City, or made payable to - -Division of Cosmetology - Jefferson City, Mo.
>
> "Would like an official opinion, if any of our office employees are entitled to hold two positions in our office to wit - First, as our Secretary and also as Inspector calling on all the Schools in the State of Missouri, with unlimited expense account. Thus making it necessary to hire another girl in the office.
>
> "I wish to know, Can The Board Members, legally raise the office secretary's salary of three hundred and seventy dollars per month, which is the listing in 'The Blue Book.' The Board also wishes to know if They can allow Bonus to Office employees?
>
> "The Board wishes an official opinion, as to whether or not the Secretary of our office can go to such places as Miami, Florida, Chicago, New York, Kentucky and California, etc. with all expenses paid by The State of Mo."

Your first inquiry is whether examination and annual

> "There shall be published in said manual the name, salary and post office address, and previous occupation, including street and number, of every officer and employee, of this state, and it shall be unlawful for any officer of this state to pay or authorize the payment of a salary to any appointee or employee unless he shall first file with the secretary of state, for publication in the manual, the name, salary, post office address and previous occupation of such employee."

This section was first enacted in Laws 1923, page 294, Section 2, and did not impose the requirement that the information filed with the Secretary of State should include the salary of the officer or employee. The Amendatory Act of 1941 imposed a requirement that the salary of said office or employee should also be included in the information filed.

It is a cardinal rule of statutory construction that effect should be given to the intention of the Legislature by adopting a construction which will harmonize the context and promote the apparent objects of the Legislature. State v. Ball, 171 S.W. 2d. 787.

Section 11.020, RSMo 1949, provides that the Secretary of State shall biennially as soon as practicable after the organization of each General Assembly prepare and publish a Missouri Manual.

Section 11.030, RSMo 1949, provides that there shall be published in said Manual the name, salary, post office address, including street, number and previous occupation of every officer and employee of the state. In view of the purpose of the filing of the aforementioned information (that is, publication) we do not think that it is unlawful to increase the salary of an employee who has once been listed in the "Blue Book" prior to filing such information with the Secretary of State, provided however, that such information should be filed with the Secretary of State at such time as he may direct prior to the next publication of said Manual.

In regard to the payment of bonuses to employees we direct your attention to Section 39 of Article III of the Constitution of Missouri which provides, in part, as follows:

"The general assembly shall not have power:

* * * * * * *

> "To grant or to authorize any county or municipal authority to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor after service has been rendered or a contract has been entered into and performed in whole or in part;"

The Constitutional provision prohibits the General Assembly from granting extra compensation, fees or allowances to a public officer, agent or servant after service has been rendered. Likewise, a government agency which derives its power and authority from the Constitution and laws of this state would be prohibited from granting extra compensation in the form of bonuses to public officers or servants after the service has been rendered.

Lastly, you inquire as to whether the office secretary to the State Board of Cosmetology is authorized to travel outside the state, the expenses of such travel to be borne by the state of Missouri. Section 33.090, authorizes and empowers the state Comptroller to promulgate rules and regulations governing the incurring and payment of reasonable and necessary travel and subsistence expenses actually incurred in behalf of the state. Pursuant to such authority the state Comptroller has adopted the following rule currently on file:

> "Rule 2. Traveling expenses which will be reimbursed are confined to those expenses essential to the transacting of official business of the State of Missouri."

We also note the following rule stated in 67 C.J.S. Officers, Section 91, page 329:

> "* * *However, in order to justify indemnification of a public officer for an expense incurred in the discharge of his official duties, the officer must have acted in good faith, in the discharge of a duty imposed or authorized by law, and in a matter in which the government has an interest."

No applicable rule of law or statutory provision or regulation is found which would limit the incurring of expenses for travel and subsistence to travel within the state and therefore we must conclude that a public official or employee may be reimbursed for expenses reasonably incurred in travel beyond the state in the discharge of official duties and in matters which the government has an interest. What has been said in relation to travel beyond the state would likewise be applicable to an employee traveling

EXHIBIT

B



Office of Missouri State Auditor

Nicole Galloway, CPA

University of Missouri System Administration

Report No. 2017-012
March 2017

auditor.mo.gov

The incentive program, in its current form, appears to violate the Missouri Constitution. While the use of an incentive program may be allowable if implemented and executed appropriately, the absence of consistent documentation about performance goals to be met and the lack of defined objective criteria to determine the achievement of incentives gives the appearance the payments represent additional compensation for past performance. In addition, including employees in the program without always formally notifying them and documenting their inclusion creates an appearance the incentive payment represents additional compensation for past performance. As such, the incentive program would be in violation of Article III, Section 39, Missouri Constitution, and Attorney General's Opinion No. 72- 1955 (June 14, 1955), which states,". . . a government agency deriving its power and authority from the constitution and laws of the state would be prohibited from granting extra compensation in the form of bonuses to public officers after the service has been rendered."

Without a formalized process being documented, the individuals participating in the program, as well as the individuals evaluating performance, cannot have a clear understanding of what level of performance is necessary to earn the incentive payments. Establishing clear and defined goals to be achieved in order to earn incentive payments, including what data sources will be used to measure progress toward goals, provides clarity to the employee and management, as well as to the public. Ensuring the goals to be achieved represent performance that warrants incentive payments, and not just performance of standard job duties, can reduce the perception these payments are merely additional compensation, and would make the executive incentive program more likely to be allowable under the Missouri Constitution.

No Board of Curators approval

The Board of Curators does not directly approve incentive payments made to any executives or administrators reporting to the President or Vice Presidents, but instead approves the funding for the incentive program as part of a larger payroll line item in the annual budget, and receives an annual presentation by the President about the general cost of the program. There is no documentation that the Board of Curators is presented the details of individual incentive payments made.

In addition to incentive payments described above, the UM System paid approximately $60,000 in retention payments to two executives during the 2 years ended June 30, 2016 that were not approved by the Board of Curators. See Appendix B for detail of these payments. They were made at the discretion of the President, and were accompanied by agreements with individual employees to ensure the employee stays with the university system for a specified period. If the employee leaves the university system prior to that specified date, the agreed retention payments are not released to the employee. The UM System could provide no documentation regarding the necessity of these payments.

U. of Missouri System bonuses might not be an outlier for state agencies

Two days after the Missouri State Auditor's office released a report showing the University of Missouri System paid top executives and administrators roughly $2.3 million in inappropriate bonuses, state Sen. Dan Hegeman, R-Cosby, criticized the university system during a meeting with three Board of Curators nominees.

"We don't give bonuses in the state of Missouri on any level of government, so this is very troubling for me what we're seeing, and I'm glad you're taking it to heart," Hegeman said to one nominee, according to the Columbia Daily Tribune. "Even if it's legal, it may not be the right thing to do."

Amid public and legislative scrutiny, newly appointed UM System President Mun Choi ended the executive compensation program on March 10.

But we were interested in looking into Hegeman's claim that public money is not used for employee bonuses in other areas of the state.

When asked to elaborate on the claim, Drew Dampf, a spokesman for Hegeman, said the state senator was speaking from his experience working in government at both the county and state levels, where giving out bonus pay is not standard practice.

In fact, Article III, Section 39 of the Missouri Constitution states that any unearned, extra compensation given after a service has already been rendered is unlawful. The UM System audit found that the executive compensation program appeared to violate that section along with the Attorney General's Opinion No. 72-1955, which extends the law on bonus pay to all government agencies within the state.

But the audit also noted a distinct difference between bonus pay and incentive pay.

"While the use of an incentive program may be allowable if implemented and executed appropriately, the absence of consistent documentation about performance goals to be met and the lack of defined objective criteria to determine the achievement of incentives gives the appearance the payments represent additional compensation for past performance," the audit read.

In other words, incentives are predetermined in an employment contract and have specific requirements to be met in order to receive payments, State Auditor Nicole Galloway said. Bonuses reward extra compensation for work the employee was already expected to perform.

Whether a violation has occurred at the state or the local level, it is up to law enforcement agencies to decide if any legal actions should be taken.

"Sometimes we find things that are clear violations, but we don't have power to seek any legal enforcement," Galloway told PolitiFact Missouri. "It can be very frustrating sometimes."

Bonus pay is not something a government body would broadcast to the public, so it's tough to tell whether the same thing is happening anywhere else in the state.

Gena Terlizzi, a spokeswoman for the auditor's office, said the office had not identified other concerns with bonus or incentive pay at the state level since Galloway assumed the office in April 2015. However, Terlizzi provided examples of several recent local audits that included findings that appeared to violate Article III, Section 39.

Problems at the local level

There are dozens of local government audits over the past decade showing various bonuses paid to employees and contractors. Terlizzi pointed out the five most recent examples:

1. In December 2014 and 2015, the Huntsville City Council approved year-end bonuses for all city employees. Full-time employees with more than a year of service received $100, while half-time employees and those with under a year of service received $50. In total, $2,000 in bonus pay was handed out each year.

2. A 2016 audit of Buck Prairie Road District in Lawrence County gave a poor rating to the district's budgetary system. A myriad of problems were identified, including $207,000 paid to three district employees over two years when the total should have been about $156,000, according to the district's payroll system. In violation of Article III, Section 39, the road district's three employees were paid bonuses of more than $2,000 per person in November 2014. These bonuses were given the label "special" payments in the district's accounting system.

3. Marion County Services for the Developmentally Disabled received a slap on the wrist in April 2016 for its financial documentation procedures. In addition, the services department spent $1,420 on 46 gift cards in 2014-2015 and $420 for small gifts and cash payments to reward employees for their work. The department had already been called out in a prior audit for similar misuse of funding.

4. Henry County was also unfazed by previous audits when State Auditor Nicole Galloway released a statement in December 2015 saying the office found the county failed to implement the office's recommendations in two prior audits. The county received a rating of "poor" that year. Along with many other reporting and documentation issues, the county paid $1,000 in bonuses to seven employees.

5. In November 2015, the Village of Leasburg, in Crawford County, also received a "poor" rating. Nearly $10,000 was missing from the village's budget from 2011-2013, and the auditor's office was unable to figure out exactly who was responsible due to outdated record and documentation management. In addition, several employees were given bonuses or were paid for hours they had not worked, including $350 Christmas bonuses paid to village employees and reserve police officers in December 2013. No documentation or reasoning was given for $3,505 paid to the Board of Trustees chairperson's son in 2013.

Past issues at the state level

The former state auditor, John Watson, found an instance in 2012 when a Missouri Department of Transportation employee received a $30,000 reimbursement from the department for a loss on a sale of the employee's property. The audit defined such a reimbursement as an impermissible extra compensation.

In 2009, the St. Louis Post-Dispatch reported that the state's retirement fund doled out $300,000 in bonuses to its 14-member investment team and $160,000 in "one-time incentive payments" to 58 operations staffers despite the fact that the pension system had lost $1.8 billion in investments in 2008. State workers hired before 2011 do not pay a portion of their salary to the pension program. Other funding comes from taxpayers and investment earnings.

Then-Gov. Jay Nixon described the bonuses as "unconscionable" and criticized the department for establishing a bonus program that avoided transparency requirements.

In 2011, the Missouri State Employees Retirement System discontinued the operations staff incentive program and modified the investment staff incentive program.

Our ruling

Sen. Hegeman called out the UM System for its inappropriate use of public and tuition funding by contrasting it with the rest of the state.

"We don't give bonuses in the state of Missouri on any level of government," he said in a Senate Gubernatorial Appointments Committee meeting.

While it is true that state law forbids bonuses, several government agencies have given them and legal retribution is inconsistent.

Hegeman's claim is accurate but needs clarification. We rate this claim Half True.

CLARIFICATION, April 22, 2017*: This article has been updated to clarify which state workers didn't pay a portion of their salary to the pension program. This change did not affect the ruling.*

Our Sources

Columbia Missourian State retirement system pays performance bonuses despite losses June 18, 2009

Columbia Missourian UM System ends executive incentive program, will not seek repayment March 10, 2017

Columbia Missourian UPDATED: State auditor says UM System paid out $2 million in 'inappropriate' bonuses

St. Louis Post-Dispatch Bonuses for all at state agency, Nixon calls for oversight as extent of 'incentive payments' is revealed, April 10, 2009

Columbia Daily Tribune Senators focus on critical states audit while questioning nominees for University of Missouri curators March 8, 2017

Missouri State Auditor's Office, audit of Missouri State Employees' Retirement System, December 2010

Missouri State Auditor's Office, audit of University of Missouri System Administration, March 2017

Missouri State Auditor's Office, audit of the City of Huntsville, October 2016

Missouri State Auditor's Office, "audit of Buck Prairie Special Road District," August 2016

Missouri State Auditor's Office, "audit of Marion County," April 2016

Missouri State Auditor's Office, "audit of Henry County," December 2015

Missouri State Auditor's Office, "audit of Village of Leasburg," November 2015

Missouri State Auditor's Office, "audit of the Missouri Department of Transportation," November 2015

Missouri State Auditor's Office press release, " Auditor Galloway releases Henry County audit, notes previous findings have not been addressed," December 23, 2015

Phone interview with Nicole Galloway, April 11, 2017

Phone interview with Gena Terlizzi, March 20, 2017

Read About Our Process



The Principles of the Truth-O-Meter

Browse the Truth-O-Meter

More by Allison Colburn

slide 6 to 8 of 6

EXHIBIT

C

STLOUIS-MO GOV

Recruitment Incentive Program

Recruitment Incentive Program for hiring Police Officer (Trainees)

Attention all City employees who are in permanent Civil Service positions

The Department of Personnel is conducting a recruitment incentive program for hiring Police Officer (Trainees).

The **incentive** shall be in the amount of five hundred **($500.00)**. It will be awarded to the employee responsible for the referral after the referred candidate has been appointed and successfully completed his/her police academy training.

For additional information about this recruitment incentive program, please refer to Department of Personnel Administrative Regulation No. 118.

DEPARTMENT OF PERSONNEL
ADMINISTRATIVE REGULATION NO. 118

RECRUITMENT INCENTIVE PROGRAM

Effective: September 30, 2019

The Department of Personnel has established a Recruitment Incentive Program to allow City employees an opportunity to promote the City Service and assist the Department of Personnel's recruitment efforts to fill designated, full-time positions. This administrative regulation outlines procedures of the Recruitment Incentive Program and incorporates it into the Department of Personnel's recruitment and selection program.

I. GENERAL GUIDELINES

A. Only employees who are in permanent full-time civil service positions are eligible to receive the recruitment incentive for the referral of a person who is appointed to a designated full-time position. Appendix A contains the currently designated positions.

B. The Director of Personnel shall determine the positions for which this incentive is available and will identify the positions in the Department of Personnel's Employment Opportunities list. In general, these positions will be limited to full-time, difficult-to-fill positions.

C. If funds are available, the recruitment incentive will be paid by the Department/Division which appoints the individual referred.

D. The incentive shall be in the amount of five hundred dollars ($500.00). It will be awarded to the employee responsible for the referral after the referred employee has been appointed and successfully completed his/her working test period [normally six (6) to eleven (11) months]; or in the case of the Police Officer (Trainee) job classification, after the referred employee has successfully completed his/her Police Academy training. If the referred employee does not successfully complete the working test period or Police Academy training, the incentive will not be awarded.

E. Only one employee per applicant may receive this incentive. If multiple employees are listed on the application, only the first employee listed shall receive the incentive.

F. The person referred must identify the City employee responsible for the referral by listing the name and department of that employee on the official Department of Personnel job application form at the time of filing the application. A name cannot be added to an application at a later date.

II. RESTRICTIONS

A. In order to safeguard merit principles and ensure there are no conflicts of interest in selection procedures the following individuals are not eligible for the Recruitment Incentive Program:

- Department of Personnel employees;
- Individuals who assist the Department of Personnel in the evaluation of candidates for a job class;
- Appointing Authorities or persons delegated by the hiring authority to make the final selection for the targeted position;
- Persons elected to office; or
- Any other employee who is assigned to duties that include recruiting officers or employees for the City of St. Louis.

B. Any City employee found attempting to falsify, misrepresent, defraud or deceive on matters pertaining to the Recruitment Incentive Program will be subject to disciplinary action up to and including dismissal. Further, applicants found responsible for fraud or deception may be eliminated from the exam.

Any questions regarding this administrative regulation should be referred to the Recruitment and Examination Section of the Department of Personnel at 622-4308.

DEPARTMENT OF PERSONNEL

Richard R. Frank
Director of Personnel

APPENDIX A

Current classifications approved by the Director of Personnel for the Recruitment Incentive Program:

Class Title	Code	Grade/ Schedule	OVTM Code
• Airfield Maintenance Worker	3324	12G	3
• Electrician	3223	36T	3
• Fleet Maintenance Technician III	3263	37T	3
• Police Officer (Trainee)	2512	11G	3
• Stationary Engineer	3423	36T	3

EXHIBIT

D

POLICE 1

Special Report

SCOTUS year in review: Decisions on vehicle stops & qualified immunity

Excelsior Springs - Police Officer

Police
Excelsior Springs PD - Excelsior Springs, Missouri

Feb 12, 2020

Application Deadline: Dec 31, 2020

SALARY INFORMATION

Entry Level: $38696 annual

JOB DESCRIPTION

EXCELSIOR SPRINGS POLICE DEPARTMENT

IS NOW ACCEPTING APPLICATIONS FOR

POLICE OFFICERS

$2,250 HIRING BONUS AGREEMENT IS AVAILABLE

Only applicants with current Missouri P.O.S.T. certification, or those currently enrolled in a P.O.S.T-approved law enforcement academy, will be considered.

GENERAL DUTIES

This is a responsible position in law enforcement involving the protection of life and property through the enforcement of laws and ordinances and performing other related work as required.

General duties involve responsibility for the protection of life and property, prevention of crime, apprehension of criminals, and the enforcement of laws and ordinances in a designated area on an assigned shift. Work includes the patrolling of assigned areas, enforcement of traffic regulations, accident and crime scene investigations, and special assignments. Work involves an element of personal independent judgment in meeting complex and emergency situations. Work assignments and instructions are received in general terms from a superior officer who reviews work methods and results through reports, observations, and discussions.

SALARY AND BENEFITS

The Excelsior Springs Police Department offers a starting base salary of $38,696 with excellent benefits, which includes ten (10) paid holidays, 12 hour shifts with alternating 3-day weekends, overtime pay, vacation pay, holiday pay, sick leave, life insurance, health, dental and vision insurance, and a pension plan. The City of Excelsior Springs supplies all of your police uniforms and equipment (including a duty weapon and an off-duty weapon), and uniform cleaning. A $2,250.00 hiring bonus with a signed employment agreement is available.

ABOUT THE CITY OF EXCELSIOR SPRINGS

The City of Excelsior Springs is a suburb of Kansas City that is in both Clay and Ray Counties, and has a population of over 11,500. Excelsior Springs is approximately 11 square miles in land area, and is home to the historic Elms Resort and Spa, a new $14 million community center, a progressive school district with excellent facilities, a large pasta manufacturing plant, a Walmart Supercenter, a new microbrewery restaurant, multiple wineries, and all three major US-based automobile dealerships.

The Excelsior Springs Police Department is authorized 25 full time police officer positions, which include administration, investigations, patrol and SRO staff. We have our own 9-1-1 PSAP, which dispatches for police, fire and ambulance.

HIRING PROCESS

The Excelsior Springs Police Department applicant screening process consists of the following steps:

- Employment Application
- Oral Board Interview
- Extensive Background Investigation
- Truth-Verification Examination
- Medical Examination
- Psychological Examination
- Drug Screening.

ADDITIONAL INFORMATION

Apply on PoliceApp: http://bit.ly/2Qz4D5K

JOB REQUIREMENTS

- Age: 21
- Education: Certified
- Experience: Certified

MINIMUM QUALIFICATIONS

- Must be 21 years of age and a U. S. citizen or lawfully authorized alien worker.
- Must be able to pass a background check.
- Ability to pass a physical exam and drug test.
- Knowledge of Federal, State, and local laws.
- Willingness to work shifts, holidays, weekends and be on call 24/7
- Missouri P.O.S.T certification, or currently enrolled in an approved academy

CONTACT INFORMATON

Emma H

recruit@policeapp.com
Excelsior Springs PD
301 S. Main
Excelsior Springs, Missouri 64024
phone: 8557202777

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777 Broadway, Hannibal, MO • 573-221-0987 (tel:5732210987)

HIRING INCENTIVE

HANNIBAL POLICE OFFICER HIRING INCENTIVES

The Hannibal Police Department is currently offering a $2000 incentive payable for up to 3 years.

All of the following must apply:

- Graduate from an academy with your POST License within the last 12 months
- Successfully complete all hiring requirements

The incentive is offered to help offset academy expenses. You must complete each full year to receive the incentive.

Those hired by the Hannibal Police Department as a Cadet are not eligible for this incentive.

LEARN MORE ABOUT BECOMING A HANNIBAL POLICE OFFICER → (https://www.hannibalpd.com/about-us/employment-opportunities/)

APPLY TO BECOME A HANNIBAL POLICE OFFICER TODAY → (https://www.hannibalpd.com/employment-opportunities/pre-employment-inquiry-for-hannibal-police-officer/)

777 Broadway, Hannibal, MO • 573-221-0987 (tel:5732210987)

What can I help you find?

(https://www.facebook.com/HannibalMOPD/)

HANNIBAL POLICE DEPARTMENT



EMPLOYMENT OPPORTUNITIES

Hiring Incentive (https://www.hannibalpd.com/employment-opportunities/hiring-incentive/)

Police Cadet Program (https://www.hannibalpd.com/employment-opportunities/police-cadet-program/)

Pre-Employment Inquiry for Hannibal Police Officer (https://www.hannibalpd.com/employment-opportunities/pre-employment-inquiry-for-hannibal-police-officer/)

777 Broadway, Hannibal, MO • 573-221-0987 (tel:5732210987)

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(https://www.facebook.com/HannibalMOPD/)

CONTACT HANNIBAL POLICE DEPARTMENT

HANNIBAL POLICE DEPARTMENT

olice Department (//w.google.com/maps/place/Hannibal+Police+Department/@39.7066931,-91.3620747,15z/data=!4m2!3m1!1s0x0:0xc173db96be53e2a7?ved=2ahUKEwj96dKUqc_fAhWn5oMKHezrDfQQ_BIwCnoECAYQCA)
777 Broadway
Hannibal, MO 63401

PHONE NUMBER
573-221-0987 (tel:5732210987)

FAX NUMBER
573-221-3966

CONTACT US ONLINE →
(https://www.hannibalpd.com/contact-us/)

NEWS ALERTS

Sign up for our news alerts and keep up with everything going on at the Hannibal Police Department.

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Email Address

CONSENT

I give Hannibal Police Department permission to collect and use my data submitted in this form.

I'm not a robot
reCAPTCHA
Privacy - Terms

SIGNUP

777 Broadway, Hannibal, MO 5[illegible]-7987 (tel:5732210987)

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HANNIBAL POLICE DEPARTMENT (/)

(/MAP/) • PRIVACY POLICY (/PRIVACY-POLICY/)

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VERVOCITY (HTTPS://VERVOCITY.IO)

CITY OF RIVERSIDE MISSOURI
Upstream from ordinary.

Find

Full-Time Police Officer

Job Status:
Open - open and accepting applications

Police Officer (Full-Time)

Job Status: Open- Applications accepted until position is filled.

Salary Range $42,895-62,430 (Annual Salary depending on experience)

Description:

The City of Riverside currently has a full-time opening for the position of Police Officer with the Riverside Police Department. It is the goal of the Riverside Police Department to provide quality service to the citizens of our city. Our Department strives to promote a team atmosphere among our employees and provide them with state of the art training and equipment.

Responsibilities include, but are not limited to, law enforcement activities in the protection of life and property by patrolling assigned areas and responding to calls for service; conducting investigations of crimes and incidents and perform other work as required. The Police Officer class is the working level position in the Police Department's Patrol Division. Incumbents are assigned to patrol by vehicle, ATV, motorcycle, bicycle, or on foot and are expected to provide a full range of law enforcement services during an assigned shift. Some positions may receive special assignments to work in Criminal Investigations, Crime Scene Unit, or Accident Investigation Unit. Successful candidates must be able to work in a fast-paced environment, be professional, and possess excellent communication and interpersonal skills.

Job Requirements:

- Minimum 21 years of age (at time of appointment)
- Height and weight in proportion

- Possess a valid driver's license.
- Be a U.S. Citizen
- High School Diploma or GED (college is preferred but not required)
- Applicants must be able to work in adverse weather conditions
- Applicants must be willing and able to work rotating shifts, which include nights, weekends, holidays and overtime assignments.

Disqualifying Factors:

- The commission of a crime classified as a felony under Missouri Statute regardless of conviction status
- Non-felony crimes and incidents involving moral turpitude may be a disqualifying factor but will be reviewed on a case-by-case basis.
- Excessive traffic tickets
- Conviction of a Domestic Violence related crime or the respondent of an active full order of protection.
- Sale, distribution, supplying of narcotics (to include prescription drugs)
- Deceit or otherwise lying in an official police investigation or administrative inquiry
- Use or possession of any controlled substance within the last five years (Where the use or possession of that controlled substance in itself would be classified a felony under Missouri Statute)
- Any illegal use of a controlled substance in the past two years (to include prescription drugs)
- Any misleading or false information on the employment application

Selection Guidelines:

Formal application, rating of education and experience, appropriate civil service testing, including written and physical agility test, oral interview, background check, polygraph examination, psychological examination, drug testing, medical exam and final selection.

Benefits:

The City of Riverside offers a comprehensive compensation and benefits package that includes vacation and sick leave, two retirement plans (457 plan and Missouri LAGERS), flexible benefits plan, GI bill benefits, medical/dental insurance, and a college tuition reimbursement plan.

$10,000 sign-on bonus for all POST Certified new hires spread over a two-year period.

$5,000 sign-on bonus for all Non-POST Certified new hires spread over a two-year period.

How to Apply:

Applications can be obtained on-line at http://www.riversidemo.com/jobs or in person during business hours at the Riverside Police Department located at 2990 NW Vivion Road, Riverside, MO 64150.

The following documents must be submitted with application:

- Copy of your valid state driver's license
- Copy of your birth certificate
- Copy of your high school diploma or GED certificate

- Copy of your police related training certificates
- Copy of your military DD-214

Completed applications should be turned in to the Riverside Human Resources Department. Applications may also be accompanied by a cover letter and resume. Incomplete, illegible or applications missing any of the above listed documents will not be considered for further processing and will be removed from the process.

The City of Riverside is an equal opportunity employer (EOE).

Supporting Documents

- Benefits Guide (19 MB)
- Qualifications & Testing Process (308 KB)
- Job Application (325 KB)
- Job Description (797 KB)

Human Resources Overview

Employee Benefits

Job Postings

CONTACT INFORMATION

Riverside City Hall
2950 NW Vivion Road
Riverside, Missouri 64150
Phone: (816) 741-3993
Fax: (816) 746-8349

View Full Contact Details

2950 NW Vivion Road, Riverside, MO 64150, (816) 741-3993



Referrals Wanted!

All eligible City employees who make a successful referral for a Lateral Police Officer hired before July 1, 2021 will receive a $1,000!



WHO IS A LATERAL?

- Someone who has been a police officer for at least 2 years within the past 5 years at another agency.
- Experience must include responding to calls for service, conducting preliminary/follow-up investigations, apprehending, arresting suspects, etc.

CITY OF Springfield

BUILD YOUR COMMUNITY.
BUILD YOUR CAREER.

- Candidates must apply in NEOGOV
- Referring employees must complete an **Employee Referral Application** prior to the applicant being hired
- This referral award only applies to Lateral Police Officers hired before July 1, 2021.

CityShare > HR > Employee Referral Application

https://www.columbiamissourian.com/news/local/new-incentive-program-would-target-police-firefighter-staffing-shortages/article_92246b86-1c06-11e8-a08e-0b620a9a54f0.html

New incentive program would target police, firefighter staffing shortages

BY MARGARET AUSTIN
Feb 27, 2018



Matt Pitzer speaks Tuesday at the Daniel Boone City Building about his proposal to recruit and retain police officers and firefighters, including housing incentives to draw new applicants and encourage retention.

MARGARET AUSTIN/MISSOURIAN

A new proposal would use $500,000 to incentivize police officers and firefighters in Columbia to “put down their roots here,” Fifth Ward City Councilman Matt Pitzer said Tuesday afternoon at a news conference.

Pitzer called the news conference to discuss his proposed Public Safety Recruiting and Retention Initiative, which would draw its funds from the city's fiscal 2017 budget surplus.

He said the initiative would "help to make Columbia a destination city for hardworking police officers and firefighters," and he will bring it before the Columbia City Council at Monday's meeting.

Altogether, Columbia police and fire departments have seen over 20 percent of their staff either resign or retire over the past two years, Pitzer said, and the initiative aims to increase the retention rate in both departments.

"When short-staffing can literally make the difference between life and death, we must do all that we can to recruit and retain the very best of our public servants," Pitzer said.

He also said the use of one-time funding would help bring in new employees and would make veteran employees want to stay by providing rent and down payment assistance. The funds would cover approximately 30 home buyers or new hires, according to a document handed out at the news conference.

The incentives include $500 dollars a month in rent payment assistance for new police officers and firefighters during their first six months of service, according to the document.

The initiative not only focuses on drawing new applicants to town, but it also looks at giving people already in these positions reasons to stay.

Any Columbia police officer or firefighter who has served for at least two years would be eligible for down payment assistance of either $5,000 for committing to live in town for five years or $10,000 for committing to ten years, according to the document. Those who also commit to living in one of the three neighborhoods specified in the city's strategic plan would receive an additional $5,000 bonus, which would make the cap for assistance $15,000.

The issue of staffing in the Columbia Police Department made the news earlier this year when the council discussed and approved a resolution in support of community-oriented policing. At the time, questions were raised about how effective the shift will be with the department's staffing problems.

“Unfortunately, here in Columbia, slowing revenue growth means that the size of our police and fire departments has not kept pace with the needs of a growing and vibrant city,” Pitzer said.

Although the recruiting and retention initiative won’t directly increase the staff of the police or fire departments, he said it can help foster meaningful relationships between police officers and Columbia residents.

“Community-oriented policing and the entire city will benefit from officers with deeper, more lasting connections to our neighborhoods,” Pitzer said.

Supervising editor is Tynan Stewart: news@columbiamissourian.com, 882-7884.

MORE INFORMATION

Community policing resolution approved despite lingering criticism

Community policing, animal tethering and water main upgrades on council agenda

Margaret Austin

Summer 2018 advanced reporter. I'm a junior studying business and economic journalism. Drop me a line at margaretaustin@mail.missouri.edu

EXHIBIT

E

City of Joplin

Average Cost of a New Police Officer

01-12-2021

DESCRIPTION	RATE PER HOUR	AMOUNT
Regular Wages	$15.44	$32,115.20
Avg Overtime Wages*	$23.16	$2,000
Dental Insurance- FAMILY	$0.28	$582.40
Health Insurance- FAMILY	$6.11	$12,708.80
Medicare	$0.22	$457.60
LAGERS **	$2.53	$5,262.40
Life Insurance	$0.19	$395.20
Worker's Compensation	$0.06	$124.80
Social Security	$0.00	$0.00
Disability	$0.03	$62.40
ICAM	$0.00	$0.00
Subtotal- Wages & Benefits:	$24.86	$53,708.80
Wearing Apparel & Accessories (5 years)		$2,000
Supplies		$1,245
Fuel for Vehicle		$2,600
Vehicle Maintenance		$3,100
Travel & Training		$750
Administrative Costs***		$5,825
Office Equipment (3-5 year life)		$200
Motor Vehicles (4 year life)		$12,964
Subtotal- Other Costs:		$28,684
GRAND TOTAL:		**$82,392.80**

*Average Actual Overtime Wages for Police Department in 2016

**LAGERS benefit began in 2020- Police & Fire Pension is no longer applicable

***Administrative Costs will differ for an additional 1-5 officers versus hiring 5-15 officers. An average has been used to account for this cost.

CITY OF JOPLIN
AVERAGE COST OF NEW POLICE OFFICER
13-Sep-17

DESCRIPTION	AMOUNT
REGULAR WAGES	33,894
AVERAGE OVERTIME WAGES*	2,000
SUB-TOTAL WAGES	35,894
DENTAL INSURANCE-FAMILY	554
HEALTH INSURANCE-FAMILY	11,764
MEDICARE (1.45%)	520
POLICE & FIRE PENSION (28.53%)	10,241
LIFE INSURANCE	102
WORKER'S COMPENSATION (4.12%)	1,479
SUB-TOTAL FRINGE BENEFITS	24,660
TOTAL PAYROLL	**60,554**
WEARING APPAREL & ACCESSORIES (5 YEAR LIFE)	2,000
SUPPLIES	1,245
FUEL FOR VEHICLE	2,600
VEHICLE MAINTENANCE	3,100
TRAVEL & TRAINING	750
ADMINISTRATIVE COSTS**	5,825
OFFICE EQUIPMENT (3 TO 5 YEAR LIFE)	200
MOTOR VEHICLES (4 YEAR LIFE)	9,750
TOTAL OTHER COSTS	**25,470**
GRAND TOTAL AVG COST FOR POLICE OFFICER	***86,024***

*Average Actual Overtime Wages for Police Department in 2016.

**Administrative Costs will differ for an additional 1-5 officers versus hiring 5-15 officers. An average has been used to account for this cost.

Priority Area:
Crime and Safety

Goal/Objective:
Address crime and vandalism issues on city properties.

Strategy 12 - Utilize environmental design techniques to provide additional security of public properties.

Action Steps:

a. Review city park properties or other city properties for current areas where criminal activity is occurring.
b. Design environmental controls (security lighting, cameras, park entry gates, etc.) to discourage issues.
c. Obtain cost estimates for projects.
d. Implement environmental design projects in immediate need areas (Phase One) of city parks where there are ongoing vandalism issues (e.g. Mercy, Cunningham, Ewert) utilizing readily available funding sources from Parks and Stormwater Sales Tax.
e. Identify additional problem areas (Phase Two) from Parks and Stormwater Master Plan for future improvements.
f. Include environmental design concepts into future city project design.

Resources Required:

1. Staff time to review existing properties for areas of concern.
2. Staff time to design controls and obtain cost estimates for existing properties.
3. Funding source for identified projects (included in Parks Master Plan List for Parks/Stormwater sales tax renewal).

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $2,060,000
Staffing Annual Costs: $0.00
Program Annual Costs: $20,000

Desired Benefit/Outcome:

- Reduce vandalism in city parks.
- Increase comfort level of residents utilizing city parks due to reduced crime activities.
- Increased usage of city parks by residents.

Priority Area:
Increase Citizen Safety

Goal/Objective:
Reduce response times and increase Fire Protection within the City Limits of Joplin

Strategy 13- Reduce Response Times and increase fire protection:

Action Steps:

a. Conduct a staffing and station location study. (in progress)
b. Utilize existing data and response times to aid in station relocation or adding an additional station.

Resources Required:

1. Firm to conduct the staffing and station location study.
2. Funding for staffing and station project including apparatus and personnel.
3. Additional support staff will likely be required, but is not identified in total plan costs.

Total Plan Cost:
Total Additional FTE: 18.0
One-Time Costs: $3,555,000
Staffing Annual Costs: $1,615,500
Program Annual Costs: $150,000

Desired Benefit/Outcome:

- Improved fire protection within the City limits of Joplin, increased efficiency within the fire department in reduced response times, an improved ISO rating if done correctly.

Priority Area:
Increase Citizen Safety

Goal/Objective:
Address crime and vandalism issues on city properties.

Strategy 14 – Create Park Security position in Parks Department to provide additional security of park properties.

Action Steps:

a. Research other communities on job responsibilities of position.
b. Determine if this will be full-time or part-time position.
c. Develop job description for position City of Joplin.

Resources Required:

1. No funding required for vehicle or equipment since this position would operate after park maintenance day staff, can use their vehicle and equipment.
2. Funding for 2.0 FTE position.

Total Plan Cost:
Total Additional FTE: 2.0
One-Time Costs: $2,000
Staffing Annual Costs: $107,000
Program Annual Costs: $5,000

Desired Benefit/Outcome:

- Provides the ability to secure restrooms and other park amenities once parks are closed to the public.
- Provides a sense of security when public can visually see city personnel in the parks.
- Provides the ability for shared information and education of our parks to the residents when visiting our parks.
- The liaison between the Parks Department and Police Department.

Priority Area:
Increase Citizen Safety

Goal/Objective:
Increase citizen safety within the city limits of Joplin.

Strategy 12- Adequate Staffing: Increase the number of officers to maintain adequate staffing levels within the Joplin Police Department.

Action Steps:

a. Conduct a Resource Allocation Study.
b. Complete an Officer Attrition study.
c. Review a Recruitment Incentive Program.

Resources Required:

1. Funding for 20 additional Sworn Police Officers (Based on projected numbers pending the Resource Allocation Study).
2. Additional support staff will likely be required but is not identified in total plan costs.

Total Plan Cost:
Total Additional FTE: 20.0
One-Time Costs: $0.00
Staffing Annual Costs: $823,000
Program Annual Costs: $100,000

Desired Benefit/Outcome:
Allow for sufficient manpower to respond to calls, conduct proactive enforcement, and investigate crimes. Staff current and future proposed programs to increase safety and reduce crime.

Increase Resilient Revenue

Priority Area:
Resilient Revenue

Goal/Objective:
Protect municipal revenue sources from erosion and economic risks

Strategy 1- Pursue "Use Tax":

Action Steps:

a. Identify plans or services needed within the community (Listening Tour and Council Goals)
b. Analyze funding capacity provided by the Use Tax
c. Select the plans or services that could funded by the use tax
d. Approve an ordinance calling for the use tax to be placed on a ballot
e. Develop public information materials and communicate with partners/citizens

Strategy 2- Pursue "Property Tax":

Action Steps:

f. Identify plans or services needed within the community (Listening Tour and Council Goals)
g. Analyze the financial impact on taxpayers based on the amount of funding needed
h. Select the plans or services that could funded by the use tax
i. Approve an ordinance calling for property tax to be placed on a ballot
j. Develop public information materials and communicate with partners/citizens

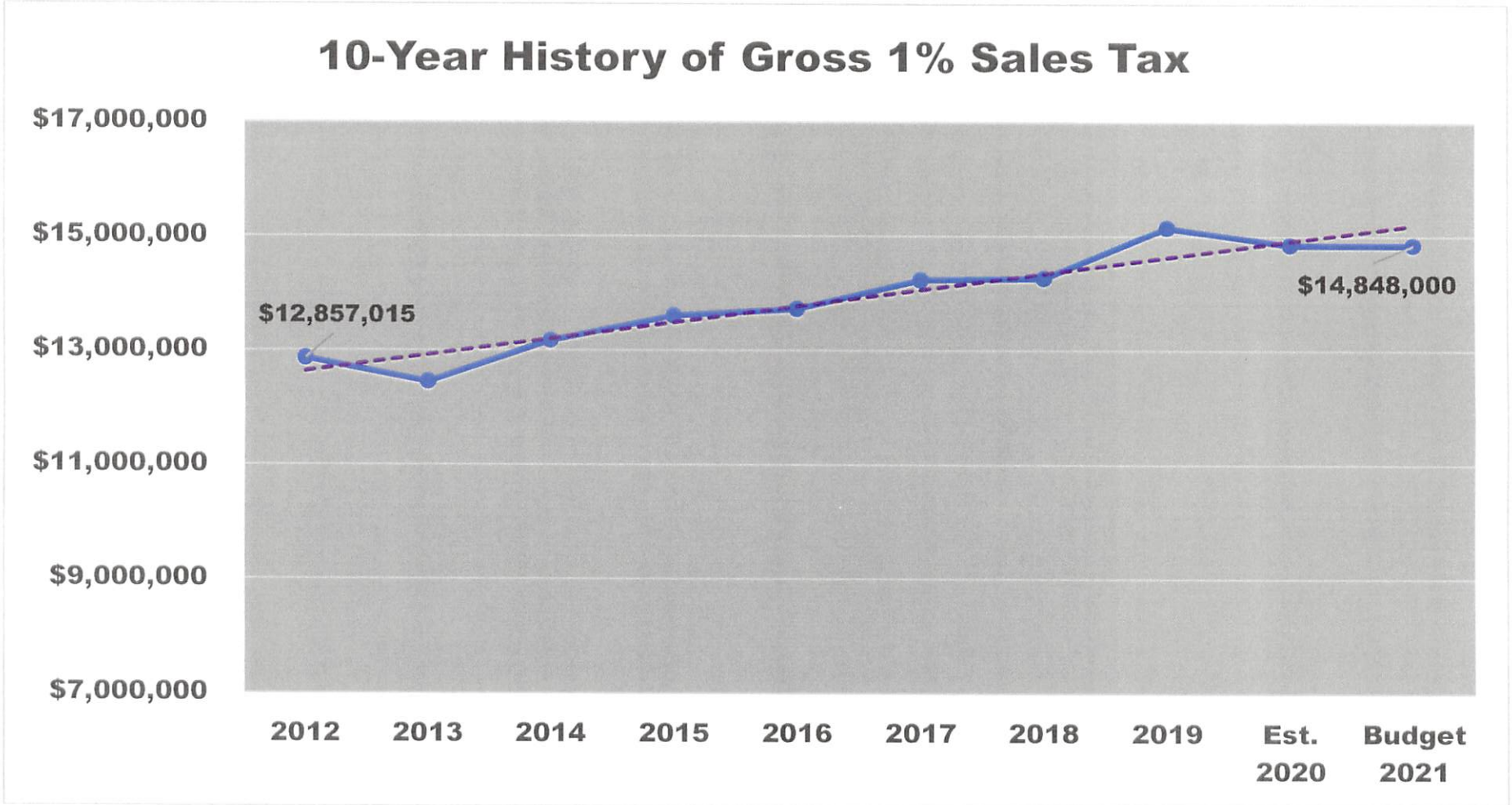
Resources Required:

1. Public Information materials (brochures, public service announcements, etc.) and election costs.
2. Existing staff time

Total Plan Cost:
Total Additional FTE: Existing staff time.
One-Time Costs: $100,000
Staffing Annual Costs: $0.00
Program Annual Costs: $0.00

Desired Benefit/Outcome:

- Additional tax revenue would allow for improved service and infrastructure for the community
- Diversifying revenue protects the community and citizens from external threats


10-Year History of Gross 1% Sales Tax
$17,000,000
$15,000,000
$13,000,000
$11,000,000
$9,000,000
$7,000,000
$12,857,015
$14,848,000
2012
2013
2014
2015
2016
2017
2018
2019
Est. 2020
Budget 2021

Various City General Sales Tax & General Use Tax Comparison

City	FY 2017			FY 2018			FY 2019			FY 2020		
	General Sales Tax	General Use Tax	Use Tax as a % of Sales Tax	General Sales Tax	General Use Tax	Use Tax as a % of Sales Tax	General Sales Tax	General Use Tax	Use Tax as a % of Sales Tax	General Sales Tax	General Use Tax	Use Tax as a % of Sales Tax
Excelsior Springs	1,729,956	113,690	6.6%	1,753,301	129,315	7.4%	1,824,746	124,774	6.8%	1,889,060	161,889	8.6%
Gladstone	3,790,940	226,596	6.0%	3,672,805	301,824	8.2%	3,716,878	272,021	7.3%	3,761,481	475,095	12.6%
Joplin	13,599,234	-	0.0%	14,596,539	-	0.0%	14,956,584	-	0.0%	15,165,608	-	0.0%
Kirksville	2,909,628	204,327	7.0%	3,018,112	299,604	9.9%	3,209,567	257,549	8.0%	2,460,890 *	251,634	10.2%
Moberly	2,322,067	202,641	8.7%	2,448,675	209,138	8.5%	2,485,248	237,302	9.5%	2,507,785	236,149	9.4%
Sedalia	Not Available		0.0%	Not Available		0.0%	4,807,675	366,226	7.6%	5,310,109	466,500	8.8%
Warrensburg	3,158,556	237,864	7.5%	3,400,290	294,658	8.7%	3,430,062	286,580	8.4%	Not Available		0.0%
Washington	4,333,183	234,752	5.4%	4,705,975	341,638	7.3%	4,670,452	336,824	7.2%	4,838,811	445,878	9.2%
Webb City	4,138,806	-	0.0%	4,223,074	241,524	5.7%	4,438,743	338,104	7.6%	4,941,537	400,737	8.1%
Average Sales Tax %			**6.9%**			**8.0%**			**7.8%**			**9.6%**

*Partial Year

CITY PROPERTY TAX BREAKDOWN*
Sorted by City Real Estate Property Tax Rate
2019 Property Tax Rates

City	City Real Estate Property Tax Rate	Library Real Estate Property Tax Rate	City Personal Property Tax Rate
Lee's Summit	1.3936	None	1.3936
St. Joseph	1.1400	0.4100	0.1400
Gladstone	0.9290	None	0.9290
St. Charles	0.8544	None	0.8544
Nevada	0.7344	0.2000	0.7344
Bentonville, Arkansas	0.7210	None	0.7210
Blue Springs	0.7175	0.3963	0.7175
Springfield	0.6218	None	0.6218
Independence	0.6078	None	None
Branson	0.6077	None	0.6077
Carthage	0.5852	0.1762	None
Jefferson City	0.5561	None	0.5561
Webb City	0.4657	0.2556	None
Pittsburg, Kansas	0.45489	0.06004	None
Columbia	0.4075	0.3064	0.4075
Cape Girardeau	0.3614	0.3152	None
Neosho	0.3529	None	None
Joplin	0.1797	0.2545	None

*Special Districts have been excluded.

Priority Area:
Resilient Revenue

Goal/Objective:
Strengthen entertainment options and cultural amenities

Strategy 1- Pursue ticket surcharge:

Action Steps:

a. Draft an ordinance to allow for the creation of a special district / political subdivision (like a CID) per statute. The political subdivision would be able to levy an admission fee or ticket surcharge on participating organizations to raise funds.
b. If approved, the property owners within the district will elect a board subject to the statute
c. Collect and disburse funds created from special district to those providing entertainment and cultural amenities. (Similar to the CVB grant process)

Resources Required:

1. Public Information materials
2. Legal/administrative resources to create district, draft bylaws, manage finances

Total Plan Cost: (City Cost)
One-Time Costs: $50,000 for initial formation
Staffing Annual Costs: $0
Program Annual Costs: $5,000 for managing agent

Desired Benefit/Outcome:

- Create a special funding source that could benefit local entities that provide entertainment and cultural amenities in the community.
- Operates like a CID, as a separate political subdivision.
- Participation is voluntary and allows for the pooling of resources.

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

SENATE BILL NO. 397

100TH GENERAL ASSEMBLY

2019

2100S.01T

AN ACT

To repeal section 184.815, RSMo, and to enact in lieu thereof one new section relating to the petition process for the creation of a museum and cultural district.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 184.815, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 184.815, to read as follows:

184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum and cultural district pursuant to the provisions of sections 184.800 to 184.880 shall be filed within **[**five**]** **fifteen** years after the Presidential declaration establishing the disaster area.

2. The proposed district area may contain one or more parcels of real property, which may or may not be contiguous and may further include any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district;

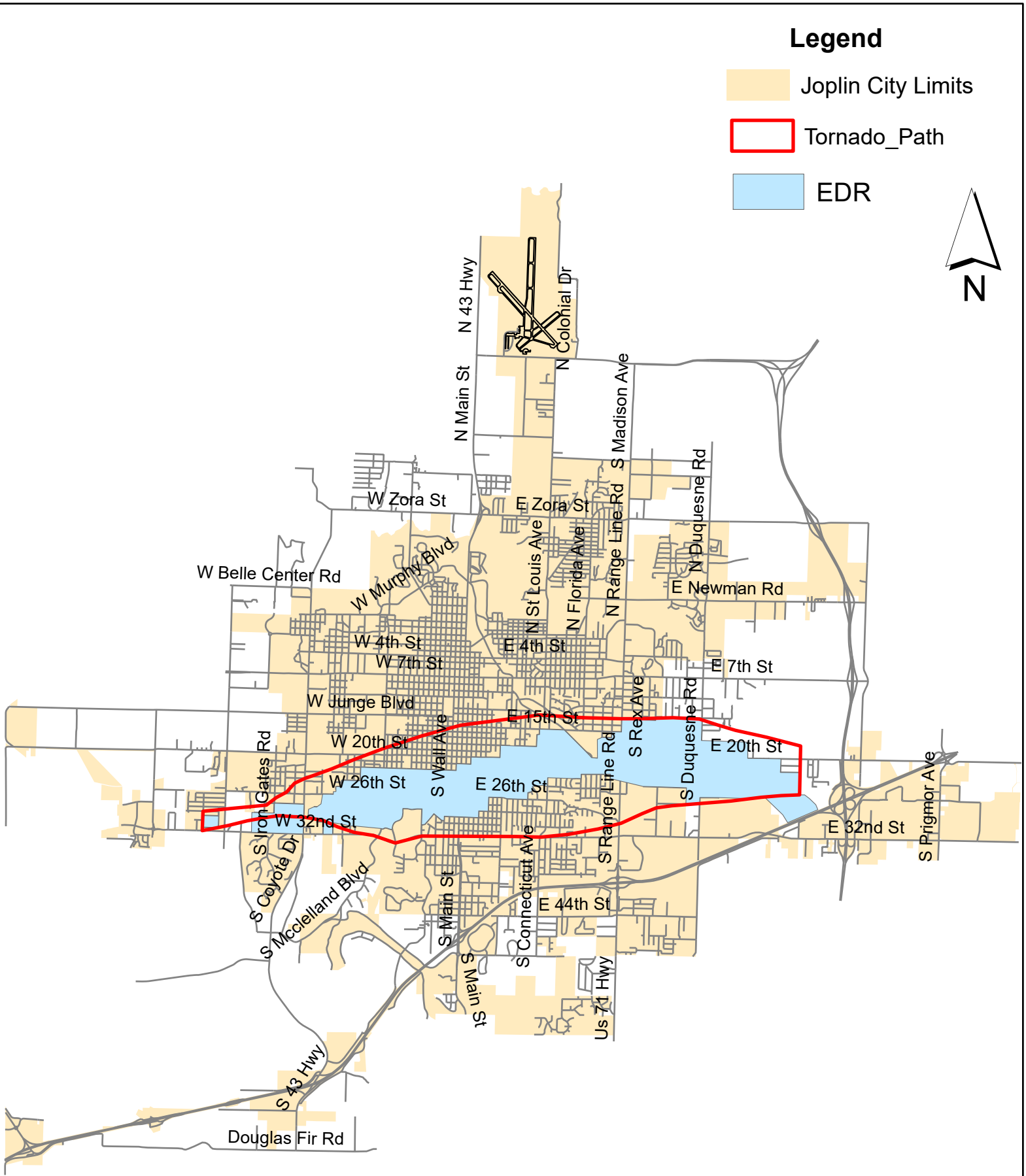
(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

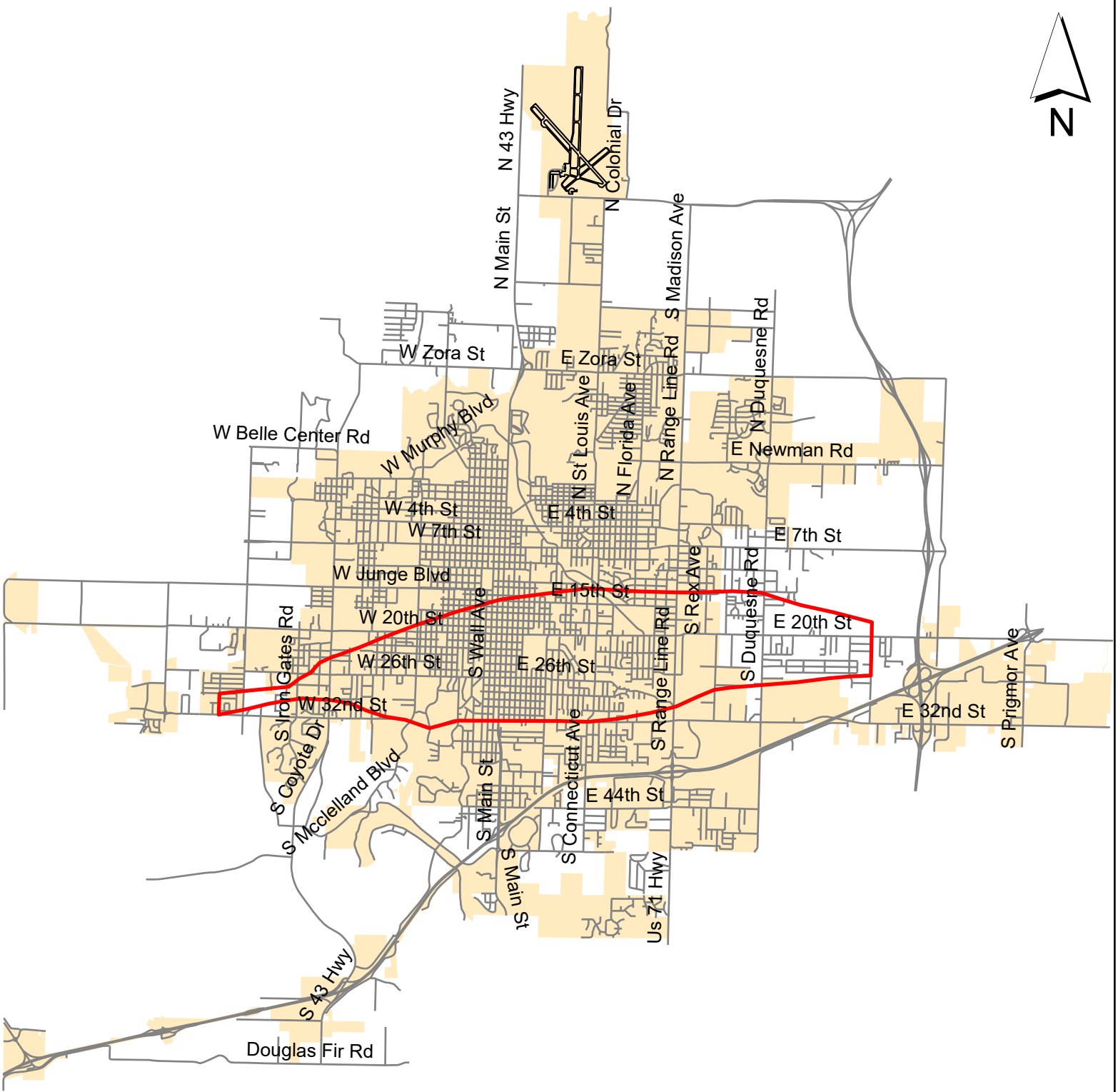
(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums and cultural asset or cultural assets and a general plan for operation of each museum and each cultural asset within the district; and

EXPLANATION–Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.


Legend
Joplin City Limits
Tornado_Path
EDR
N
N 43 Hwy
N Colonial Dr
N Main St
S Madison Ave
W Zora St
E Zora St
N Louis Ave
N Florida Ave
N Range Line Rd
N Duquesne Rd
W Belle Center Rd
W Murphy Blvd
E Newman Rd
N St
W 4th St
E 4th St
W 7th St
E 7th St
W Junge Blvd
E 15th St
S Rex Ave
S Duquesne Rd
W 20th St
E 20th St
S Iron Gates Rd
S Wall Ave
W 26th St
E 26th St
W 32nd St
E 32nd St
S Prigmor Ave
S Coyote Dr
S Mcclelland Blvd
S Main St
S Connecticut Ave
S Range Line Rd
E 44th St
S Main St
Us 71 Hwy
S 43 Hwy
Douglas Fir Rd


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Joplin City Limits
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S Madison Ave
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E Zora St
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S Main St
S Connecticut Ave
E 44th St
S Main St
Us 71 Hwy
S 43 Hwy
Douglas Fir Rd

Downtown Joplin Alliance

Priority Area:
Improve Community Appearance
Address declining neighborhoods
Increase economic opportunity
Reduce crime and improve safety
Create and grow revenue

Goal:
Downtown CID--this tool would be used to create a healthy, safe, clean, and thriving downtown core. Funds from a CID could be used for any number of public improvement projects in downtown including cleaning, maintenance, safety, as well as acquiring and updating structures, beautification, streetscaping, and many other action items that add to a healthy downtown.

Action Steps:
1. Determine type of CID (sales vs property tax) and boundaries
2. Determine immediate goals and actions with CID funding (Soul's Harbor? Streetscaping?)
3. Establish CID board and structure
4. Work to educate and reach business/property owners in designated and surrounding areas
5. Put initiative on ballot
6. Promote passage of CID

Resources Required:
1. Staff time
2. Marketing and education
3. Ballot costs?

Total Plan Cost:
One Time Costs: Unknown
Recurring Costs: Minimal; long term could save money due to planter, lights, security resources all being self-produced

Desired Outcome/Benefit:
Healthier, more resilient downtown that is perceived as safer, cleaner, and more desirable to live, work, shop, play, and invest.

1. Update Spiva Park facilities and appearance
2. Streetscaping south of 8th and to Pennsylvania and Wall
3. Relocation of Souls Harbor; redevelopment of those properties
4. Maintenance, cleaning, security
5. Landscaping, tree lights, banners, general beautification

Priority Area:
Neighborhood Improvement/Blight
Community Appearance
Grow Revenue
Economic Opportunity

Goal/Objective:
Encourage new locally owned businesses and growth and success of existing through resources and partnerships to provide low or no cost services and education https://www.lenoircc.edu/aboutlcc/sbc/

- Online platform for all area/regional entrepreneurial resources.
- Structured program to train and teach existing and new entrepreneurs the skills they need to succeed.
- One on one consulting with professional in areas of weakness

Action Steps:

1. Build database of professionals willing to consult with small business owners for low or no cost on business needs including:
   - Available properties
   - Bookkeeping
   - Business counseling
   - Business development
   - Business expansion or relocation
   - Business license
   - Business plan
   - Coworking/office space
   - Coaching and Mentorship
   - Education and training
   - Government Contracting
   - Hiring
   - Interior Design
   - Internet sales
   - Landscape design
   - Marketing
   - Small scale manufacturing
   - Merchandising
   - Networking
   - Social media
   - Taxes
   - Contracts
   - Grants and Tax Credits
2. Create resource and info website that is linked to various business points of contact including the City, Chamber, DJA, SBDC, etc.
3. Create print media for distribution
4. Create Start Your Own Business Class. This low cost option helps train new or existing businesses across a variety of subjects. https://emporiamainstreet.com/programs/business/start-your-own-business/
   https://www.cityofpsl.com/home/showdocument?id=8046&fbclid=IwAR17ZaImI6WpcwApa5Rj8Qfp69rkANhXUFstc8hnb_cai42ZrYx62DWygYc
5. Develop process for 1 on 1 training/consulting
6. Market the availability of program through all business-related entities, city information, and in person visits.

*Ideally shared initiative with Chamber, DJA, City, SBDC, MSSU all in partnership with area experts in various fields. May be housed outside of City umbrella.

Resources Required:

- 1 FT Staff
- Experts willing to donate/do low cost work (relationships)
- Website construction and hosting
- Marketing and print media

Total Plan Cost:

One Time Costs: Website, staff time to build program

Recurring Costs: Ongoing staff, digital upgrades, marketing and materials

Desired Outcome/Benefit:

Grow strength and resiliency of small businesses by training their leadership and providing resources and education for area that they may be weak on. Small businesses are the backbone of the economy and provide a vibrant, rich city culture.