

City of Cincinnati
An Ordinance No. _____

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EESW

- 2025

MODIFYING the provisions of Title XI, “Cincinnati Building Code,” of the Cincinnati Municipal Code by **ORDAINING** new Chapter 1125, “Vacant Building Registration,” to provide a system for the registration of vacant buildings in the City, and **MODIFYING** Chapter 1501, “Code Compliance and Hearings,” by **AMENDING** Section 1501-3, “Class A Civil Offenses” and Section 1501-9(b), “Class D Civil Offenses” to correct a clerical error and add violations of Section 1125-17 to Section 1501-3 and Section 1501-9(b).

WHEREAS, the health, safety, and welfare of Cincinnati residents are negatively impacted by commercial and residential buildings that become and remain vacant for extended periods of time because they contribute to blight and attract nuisance activity; and

WHEREAS, vacant buildings constitute a greater safety hazard than occupied buildings because there is no person on site to alert first responders in the event of an emergency, such as a fire; and

WHEREAS, the United States Fire Administration, a division of the Federal Emergency Management Agency (FEMA), reports that in any given year there are approximately 23,800 fires in vacant residential properties that cause an estimated 75 deaths, 200 injuries, and \$785 million in property loss, including loss or damage to adjacent properties; and

WHEREAS, the risks associated with vacant commercial and residential properties are exacerbated when the owner or manager of a vacant building does not reside in the immediate vicinity; and

WHEREAS, fires at vacant buildings are an immediate health and safety threat to nearby residents, whose homes may be jeopardized by emergencies at vacant buildings, and first responders, who are required to respond to emergencies at vacant buildings without prior knowledge of the building’s conditions, including whether it is safe to enter; and

WHEREAS, there are approximately 5,500 vacant buildings throughout the City, including in its most densely populated communities; and

WHEREAS, the City has expended significant resources addressing fires at vacant properties, including in response to the December 2019 fire that nearly destroyed the historic Jackson Brewery located in Over-the-Rhine, which required over sixty firefighters working over 36 hours to bring the fire under control, and

WHEREAS, an effective registration and inspection program will help keep vacant commercial and residential properties secure from trespassers and provide safer entry for first responders in the event of an emergency; and

WHEREAS, requiring property owners to provide limited information about the maintenance and condition of vacant commercial and residential buildings will benefit the City by reducing the safety hazards facing first responders and nearby residents; facilitating early warning of abandonment; protecting the City's limited housing stock and historic structures; preventing the unnecessary decline of property values; reducing the well-documented and significant costs annually incurred by the City in responding to vacant buildings, including demolishing, stabilizing, barricading, cleaning costs, and providing for safer conditions for first responders; and

WHEREAS, this ordinance further reclassifies a portion of Section 1501-9(b) of the Cincinnati Municipal Code to correct an error created when Ordinance Number 640-2022 was enacted; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Chapter 1125, "Vacant Building Registration," of Title XI, "Cincinnati Building Code," of the Cincinnati Municipal Code is hereby ordained to read as follows:

Chapter 1125 - Vacant Building Registration

Sec. 1125-01. - Definitions.

- (1) For the purposes of this Chapter, words and phrases shall have their ordinary meaning unless defined herein or in the preceding Chapters of Title XI, "Cincinnati Building Code."
- (2) "Vacant building" means a building that for 180 days or more:
 - (a) has not been occupied by human inhabitants with legal authority to be on the premises;
 - (b) where substantially all lawful business or construction operation has ceased;
or
 - (c) that is 95 percent or more unoccupied.
- (2) "Vacant building maintenance plan" means a written plan submitted to the director that sets forth the owner or person in control's intentions for maintaining the vacant building in a manner that complies with all applicable provisions of the Cincinnati Municipal Code and Cincinnati Building Code, and that includes a timeline for rehabilitating and reoccupying, or demolishing the building.

Sec. 1125-03. - Scope.

- (1) The provisions of this Chapter apply to all vacant buildings except those listed below:

- (a) buildings subject to CBC Chapter 1123, "Vacant Foreclosed Residential Property Registration";
 - (b) buildings subject to CBC Section 1101-77, "Obligations of Owners and Persons in Control of Vacated Buildings"; or
 - (c) buildings owned by the federal government, the State of Ohio and its political subdivisions, including, but not limited to, the Hamilton County Land Reutilization Corporation, the Hamilton County Treasurer, or the City of Cincinnati.
- (2) Notwithstanding the provisions of this Chapter, the director may exempt from registration certain vacant buildings by issuing a written determination pursuant to CBC Section 1101-80.1 or those vacant buildings that meet one of the following criteria:
- (a) The building is undergoing active renovation, rehabilitation, or construction that will result in a legally occupied building, conditioned upon the following:
 - i. the owner or person in control demonstrates to the director's satisfaction that all necessary approvals and permits for such renovation, rehabilitation, or construction have been obtained; and
 - ii. the director approves a time period for completing the renovation, rehabilitation, or construction.
 - (b) The building is a single-family or owner-occupied two- or three-family residential building in which the owner has resided for at least three of the previous nine months, and in which the owner has a present intent to reside within the next three months.
 - (c) Buildings for which a vacant building maintenance plan has been submitted to the director for approval and which, when the vacant building maintenance plan is implemented, the need for monitoring of the building by the Department of Buildings and Inspections is eliminated. The director may revoke a vacant building maintenance plan and impose registration obligations upon determining that the owner or person in control of a vacant building violated the vacant building maintenance plan or other law governing the rehabilitation or condition of the subject building. Upon such revocation, the owner or person in control of a vacant building shall register the property within fourteen days of the director's issuance of written notice of default. Fees reinstated under this section shall be a debt due and payable to the City within thirty days of the director's decision.

Sec. 1125-05. - General Obligations of Owners and Persons in Control of Vacant Buildings.

- (1) The owner or person in control of a vacant building must register the building as set forth in this Chapter, unless expressly exempted under CBC Section 1125-03, "Scope."
- (2) The owner or person in control of a vacant building, once having registered, has a continuing obligation to notify the director in writing of any changes regarding the status and condition of the building during the registration period, including:
 - (a) any change in information on the vacant building registration form;
 - (b) any change in ownership, management, or control of the vacant building; or
 - (c) any reoccupation of the building.
- (3) The owner or person in control of a vacant building shall designate a person residing within 100 miles of the building who will respond to emergency or maintenance issues. The owner or person in control shall provide the name, address, and telephone for this individual, and for any and all persons in control of the vacant building to the director.
- (4) Satisfaction of the obligations set forth in this Chapter does not relieve the owner or person in control of a vacant building of their responsibility to maintain the property in compliance with any other provision of the CBC.

Sec. 1125-07. - Vacant Building Registration.

- (1) The owner or person in control of a vacant building must file a vacant building registration with the director within thirty calendar days of the property qualifying as a vacant building under CBC Section 1125-01(2) or within thirty calendar days of assuming ownership, whichever is later.
- (2) All vacant building registrations shall be made on forms and in the manner prescribed by the director.
- (3) All vacant building registrations shall be accompanied by the applicable fee. All fees required under this section are debts due and payable to the City.
- (4) All vacant building registrations shall be accompanied by verification of liability insurance in the amount prescribed by CBC Section 1125-05(1)(c).

Sec. 1125-09. - Vacant Building Registration Certificate.

- (1) The director shall issue a vacant building registration certificate upon determining that a vacant building registration complies with all requirements of this Chapter. Certificates issued under this section shall be valid for a six-month period from the

date of issuance. No vacant building shall be required to be certified more than twice per calendar year.

- (2) The director may issue a temporary vacant building registration certificate upon determining that a vacant building substantially complies with the requirements of this Chapter, subject to any conditions or orders the director deems necessary to bring the building into total compliance with this Chapter.

Sec. 1125-11. - Vacant Building Registration Certificate Renewal.

- (1) The owner or person in control of a vacant building shall have a continuing obligation to renew a vacant building registration before its expiration, so long as a building remains vacant.
- (2) All vacant building registration renewals shall be submitted on forms and in the manner prescribed by the director.
- (3) All vacant building registration renewals shall be accompanied by the applicable fee. All renewal fees required under this section are debts due and payable to the City.

Sec. 1125-13. - Periodic Inspections.

- (1) The director is authorized to inspect any vacant building subject to registration under this Chapter to ensure it is being maintained consistent with the CBC, is safe for entry by first responders in times of emergency and does not represent a threat to the public health, welfare, or safety.
- (2) All inspections performed by the director are subject to the provisions of CBC Section 1101-45, "Right of Entry and Credentials."

Sec. 1125-15. - Enforcement.

- (1) It shall be unlawful for any person to interfere with, obstruct, or cause delay in the performance of the director's duties under this Chapter.
- (2) The director is authorized to issue orders, notices, and citations to enforce the regulations of this Chapter in addition to any other enforcement authority granted to the director under this Chapter and the CBC.
- (3) The form and service of all orders and notices of violation issued by the director related to the enforcement of this Chapter shall comply with CBC Section 1101-61, "Orders and Notice of Violations."

Sec. 1125-17. - Penalties.

- (1) Failure to register a vacant building pursuant to Section 1125-07 shall constitute a Class D civil offense. The owner or person in control may be charged with a new

violation of Section 1125-07 for each unregistered vacant building on each day a person has failed to register such vacant building or buildings.

- (2) Failure to maintain accurate information pursuant to Section 1125-05 shall constitute a Class A civil offense. The owner or person in control may be charged with a new violation of Section 1125-05 on each day during which a person in control has failed to maintain accurate information for each registered vacant building.

Sec. 1125-19. - Severability.

If any provision or section of this Chapter or the enforcement of any such provision or section is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect or render invalid or unenforceable any other provision or section of this Chapter. To this end, each of the provisions and sections of this Chapter are severable.

Sec. 1125-21. - Appeals.

Any person who has a bona fide controversy with the interpretation, application, or enforcement of this Chapter may submit a written petition for reconsideration to the director under CBC Section 1101-80, "Director's Actions."

Section 2. That Sections 1501-3, "Class A Civil Offenses," and 1501-9, "Class D Civil Offenses," of Title XV, "Code Compliance and Hearings," of the Cincinnati Municipal Code are hereby amended as follows:

Sec. 1501-3. - Class A Civil Offenses.

A person who violates a standard of conduct set forth in a section or chapter of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class A Civil Offense. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in § 1501-99 for the first violation of a Class B Civil Offense.

a.	§ 511-1	Advertising on Vehicles.
b.	§ 511-33	Front Yard Parking.
c.	§ 514-11	Parking Restrictions.
d.	§ 604-17	Unapproved Bird, Fowl or Animal Feeding.
e.	§ 701-19	Order to Muzzle Dogs.
f.	§ 701-27	Loud Dog.
g.	§ 701-30	Dog Excrement Removal.

h.	§ 721-63	Gutter Crossings.
i.	§ 721-65	Obstructing Gutters.
j.	§ 721-93	Temporary Driveway Permits.
k.	§ 723-5	Encumbering Sidewalks.
l.	§ 723-9	Regulations for Wholesale Produce Areas.
m.	§ 723-11	Retail Sidewalk Display.
n.	§ 723-12	Free Standing Business or Identification Signs (Sandwich Boards) on Sidewalk.
o.	§ 723-13	Temporary Encumbrances.
p.	§ 723-17	U.S. Mail Boxes.
q.	§ 723-23	Ground and Debris on Street or Sidewalk.
r.	§ 723-29	Sprinkling Roadways in Congested District.
s.	§ 723-31	Sprinkling Before Sweeping.
t.	§ 723-37	Unloading Heavy Material on Streets or Sidewalks.
u.	§ 723-39	Inscribing Names or Advertising Matter on Sidewalks Unlawful.
v.	§ 723-57	Removal of Snow.
w.	§ 723-59	Ice on Sidewalks.
x.	§ 723-65	Displaying House Numbers.
y.	§ 723-69	Removing House Numbers.
z.	§ 723-79	Fire Kettle Permit.
aa.	§ 729-7	Setting Out Containers.
bb.	§ 729-15	Containers to be Removed from Collection Points.
cc.	§ 729-37	Street Waste Receptacles.
dd.	§ 729-87(a)	Recyclable Materials - Taking Recyclables.
ee.	§ 729-87(b)	Recyclable Materials - Destruction of Container.
ff.	§ 729-87(c)	Recyclable Materials - Relocation of Container.
gg.	§ 729-87(d)	Recyclable Materials - Failure to Remove Container from Collection Point.
hh.	§ 729-88	Yard Waste Materials.
ii.	§ 729-89(c)	Disposal of Unacceptable Waste.
jj.	§ 911-17	Posting Bills on Streets.
kk.	§ 1123-11(b)	Vacant Foreclosed Property Registration - Failure to maintain accurate information.

ll.	§ 1123-11(c)	Vacant Foreclosed Property Registration - Failure to maintain the property in accordance with the maintenance provisions.
mm.	§ 701-2(B)(1)	Leash Required; Responsibility for Injury (<i>Leash</i>).
nn.	§ 856-25(d)	Failure to Provide Registration Number on a Listing Advertising a Short Term Rental.
oo.	§ 1601-57	Enforcement of Emergency Orders.
pp.	§ 1601-59	Enforcement of Health Orders.
qq.	§ 723-34	Skateboard and Other Coasting Devices, Regulation.
rr.	<u>§ 1125-17(2)</u>	<u>Failure to Maintain Accurate Information Once Having Registered a Vacant Building</u>

Sec. 1501-9. - Class D Civil Offenses.

A person who violates a standard of conduct set forth in a provision of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class D Civil Offense. If the provision is listed under paragraph (a) below, the otherwise applicable civil fine is reduced by 50% fifty percent if the person charged shows in accordance with § 1501-15 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, which fine is specified in § 1501-99 and is not subject to reduction for correction of the violation.

(a) Class D Civil Offenses With Civil Fines Subject to 50% fifty percent Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 720-13	Private Facilities	Class E
(2)	§ 720-45	Notice of Violations	Class E
(3)	§ 720-69	Notice to Correct Drainage	Class E
(4)	Chapter 855	Rooming Houses	Class D
(5)	Chapter 895	Outdoor Advertising Signs	Class D
(6)	Chapter 1101	Administration, Cincinnati Building Code	Class E
(7)	Chapter 1106	General and Specialty Contractors	Class E
(8)	Chapter 1107	Elevator and Conveyer Equipment	Class E

(9)	Chapter 1117	Housing Code	Class E
(10)	Chapter 1119	Building Hazard Abatement Code	Class E
(11)	Chapter 1127	General Inspection Programs Code	Class E
(12)	Title XIV	Zoning Code	Class E
(13)	§ 1201-21	Maintenance	Class D
(14)	§ 1201-33	Evacuation	Class D
(15)	§ 1201-35	Spills and Leaks	Class D
(16)	Chapter 1235	Detectors, Early Fire Warning Systems	Class D
(17)	§ 1123-11(a)	Vacant Foreclosed Property Registration - Failure to register a vacant, foreclosed property.	Class E

(b) Class D Civil Offenses With Civil Fines Not Subject to ~~50%~~ fifty percent Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 718-25	Secret Street Uses	Class E
(2)	§ 721-59	Taking Material from Streets	Class E
(3)	§ 729-71(c)(2)	Personal Property Left Abandoned on Streets and Sidewalks - 4 or more items	Class D
(4)	§ 761-14	Eviction or Retaliation by Landlord	Class E
(5)	Chapter 891	Home Improvement	Class E
(6)	§ 1201-47	Failure to Comply with Orders	Class D
(7)	§ 1219-21	Causing Fire Through Negligence	Class D
(8)	Chapter 1251	Fire Starting Apparatus	Class D
(9)	§ 759-4	Use of a Motor Vehicle to Facilitate a Drug Related Crime	Class D
(10)	Chapter 722	Management and Control of the Use of the City Right-of-Way	Class E
(11)	Chapter 730	Commercial Waste Franchises	
(12)	§ 856-25(c)	Violation of Limitations on Operators or Operation of Short Term Rentals	Class D
(13)	§ 1125-17(1)	Failure to Register a Vacant Building	Class E
(14) (13)	§ 1601-57	Enforcement of Emergency Orders	Class D

(15) <u>(14)</u>	§ 1601-59	Enforcement of Health Orders	Class D
(16) <u>(15)</u>	§ 723-79	Failure to Obtain Streetcar Power-Down or Shutdown Work Permit	Class D
(17) <u>(16)</u>	Chapter 811	e-Scooter Rental Franchises	Class D
(18) <u>(17)</u>	§ 915-7	Mandatory Reporting of Loss or Theft of Firearm or Dangerous Ordnance	Class D
<u>(18)</u>	<u>§ 1125-17(1)</u>	<u>Failure to Register a Vacant Building</u>	<u>Class E</u>

Section 3. That existing Sections 1501-3, “Class A Civil Offenses,” and 1501-9, “Class D Civil Offenses,” of Title XV, “Code Compliance and Hearings,” of the Cincinnati Municipal Code are hereby repealed.

Section 4. That the proper City officials are authorized to do all things necessary and proper to comply with the provisions of Sections 1 and 2.

Section 6. That this ordinance shall take effect February 16, 2026.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.