

# Code Enforcement: Non-Residential Building Code Update

City Council Action Review

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## Briefing Objectives

Review:

- Committee Referral and Actions
- Non-Residential Building Code
- Stakeholder and Community Engagement Process
- Recommendations

Next steps

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## Committee Referral & Actions

### Committee Referral

- Nuisance Abatement was referred to the Great Neighborhoods Committee in 2020
- Committee focused on nuisance conditions and activities at commercial properties, with particular emphasis on the impact of nuisance properties in the opportunity corridors

### Committee Action

- **Reviewed the Non-Residential Building Code and recommended the proposed revisions for full Council consideration**

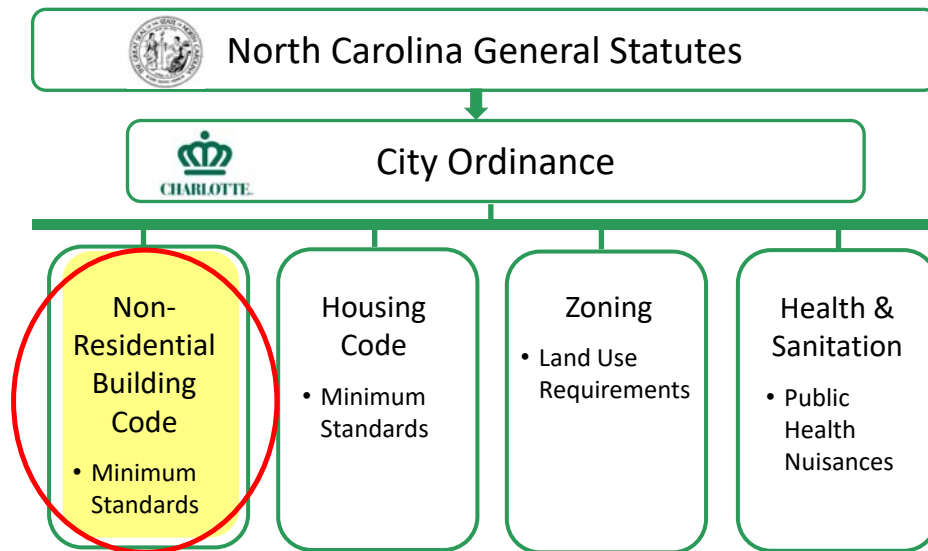
The Great Neighborhoods Committee will continue to discuss abatement of *criminal nuisance activities* at commercial properties

## Non-Residential Property Enforcement

Routine collaboration currently occurs and will continue between Code Enforcement and CMPD

Code Enforcement	CMPD
<p><u><b>CONDITION / USE OF PROPERTY</b></u></p> <ul style="list-style-type: none"> <li>• Non-Residential Building Code               <ul style="list-style-type: none"> <li>◦ Building structure must meet minimum standards</li> </ul> </li> <li>• Health &amp; Sanitation Ordinance               <ul style="list-style-type: none"> <li>◦ Cleanliness of property (litter, bulky items, weeds &amp; grass)</li> </ul> </li> <li>• Zoning Ordinance               <ul style="list-style-type: none"> <li>◦ Use of property</li> <li>◦ Dumpster screening</li> <li>◦ Signs</li> </ul> </li> <li>• Boarded-up Structures</li> </ul>	<p><u><b>PEOPLE/ACTIVITIES ON PROPERTY</b></u></p> <ul style="list-style-type: none"> <li>• Loitering, criminal trespass (squatters)</li> <li>• Other crimes such as drugs, prostitution, etc.</li> <li>• Persistent activities may elevate to Nuisance Enforcement Strategy Team (NEST) designation               <ul style="list-style-type: none"> <li>◦ Heightened monitoring and enforcement</li> <li>◦ Collaboration across City departments</li> </ul> </li> </ul>

## Statutory Authority



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## Non-Residential Building Code

Adopted by Council in 2009; **implemented in 2010**

Enforces minimum standards for **commercial buildings**

Ensures safe and sanitary **commercial structures**; provides for a "secure shell"

Inspections occur as a result of a citizen complaint, public agency referral or field observation

Enforcement mirrors Minimum Housing Code

City Council has the authority to order an In-Rem Action to repair or demolish the structure

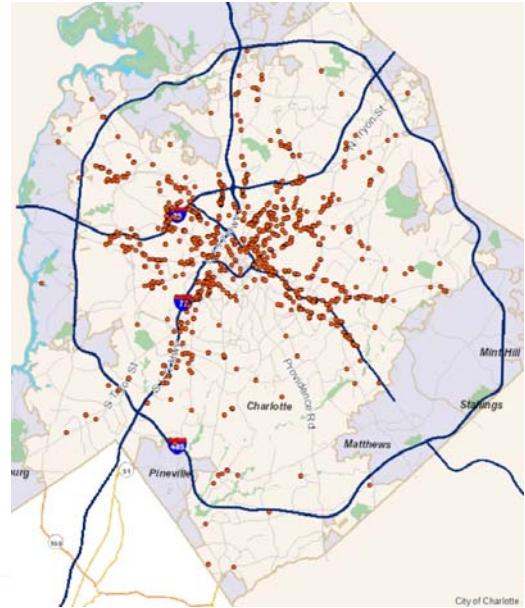
Fiscal Year	New Cases
2020	56
2019	84
2018	74



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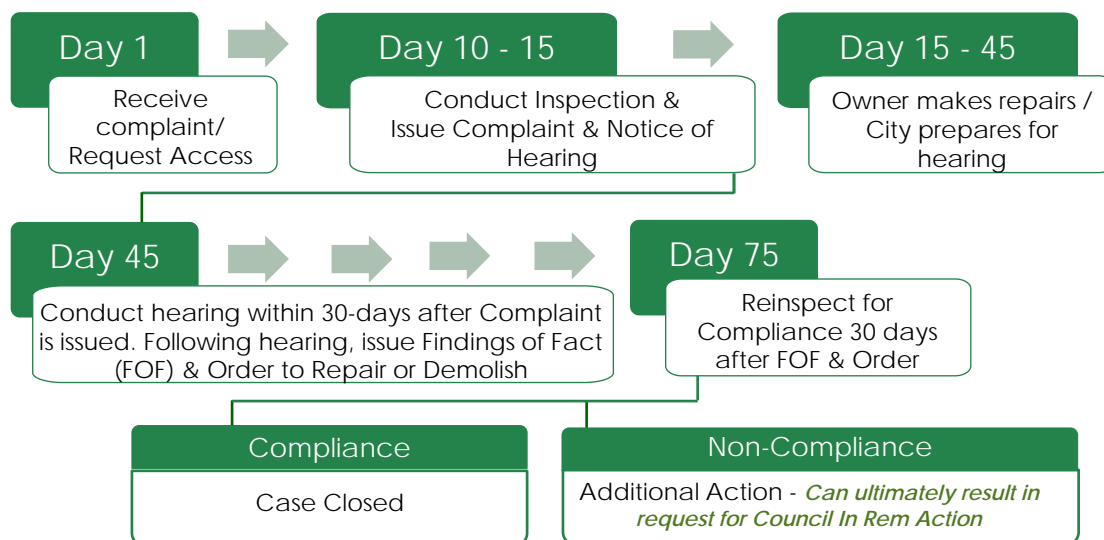
## Non-Residential Building Code

- Code Enforcement has worked with property owners to bring 1,375 structures into compliance. Most of these occurred in 2011, following the initial implementation of the NRBC
- Since 2011, 22 structures have been demolished
- Since 2012, 70 compliances per year on average



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## Non-Residential Building Code (NRBC) Process



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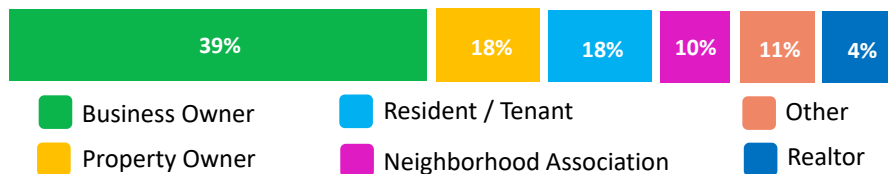
## Community Engagement

Stakeholders	Public Meetings
<ul style="list-style-type: none"> <li>• Seven meetings</li> <li>• Stakeholders included: <ul style="list-style-type: none"> <li>• CMPD</li> <li>• Charlotte Fire Department</li> <li>• City Attorney's Office</li> <li>• HNS Code Enforcement</li> <li>• Mecklenburg County Health Department</li> <li>• Mecklenburg County LUESA</li> <li>• Charlotte Real Estate &amp; Building Industry Coalition (REBIC)</li> <li>• Business Advocates</li> <li>• Charlotte Area Hotel Association (CAHA)</li> <li>• Commercial Real Estate Broker</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Four virtual sessions</li> <li>• Website Survey</li> <li>• Target Audience: <ul style="list-style-type: none"> <li>• Business owners</li> <li>• Residents</li> <li>• Realtors</li> </ul> </li> </ul>

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## Community Engagement - Survey Snapshot

Total Survey Responses: 113



How familiar are you with the Non-Residential Building Code (NRBC)?



Have you ever been involved in a NRBC case?



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## Community Engagement - Themes

**Property Owner Accountability**

**Appearance**

**Resources to keep buildings in the community**  
(e.g. grant opportunities such as the City's Facade Improvement & Security Grant programs)

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**Proposed ordinance  
revisions**

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## Ordinance Revisions – Civil Penalties

Ordinance Section	Current	Recommendation*	Rationale
5-44 – Violations; penalty.	\$500 first day / \$50 each additional day (begins the day after non-compliance).	\$100 per day (begins the day after non-compliance).	Improves compliance and is more consistent with other ordinances.

\* Maximum per-day civil penalty is \$500 per N.C.G.S.

## Ordinance Revisions – Standards of Fitness

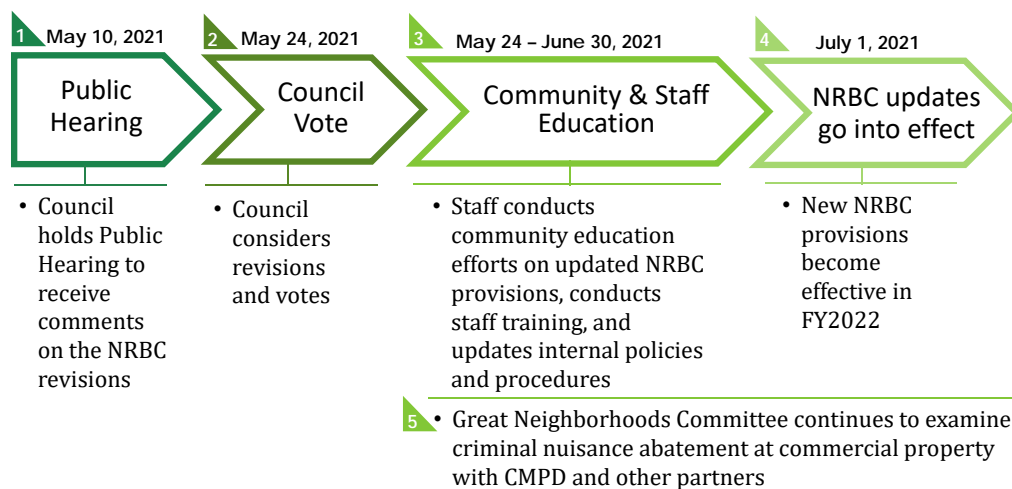
Ordinance Section	Current	Recommendations	Rationale
5-46 – General Maintenance Standards	Establishes (only) electrical, plumbing, devices or systems in use, intended for use, or required by law are subject to the code.	Add smoke, fire, and carbon monoxide detectors or alarms, to the general requirement.	Clarifies / spells out where primary life safety systems are required.
5-47 – External Maintenance Standards	New provision (b)(8).	Require electrical breaker boxes, dead front covers, junction boxes, busways, or other electrical enclosures be in good condition and safe.	Clarifies / spells out electrical safety requirements.
	New provision (c)(8).	Require all doors to be in operable condition.	Windows are currently addressed in the code. This update adds a requirement that doors must also be operable.
	Requires structural integrity, and maintenance in general (d)(1).	Add specific structural requirements for rafters and joists.	Clarifies / spells out requirements for commonly identified violations.

## Ordinance Revisions – Standards of Fitness

Ordinance Section	Current	Recommendations	Rationale
5-48 – Interior Maintenance Standards	Establishes general requirements for interior maintenance.	Add requirement for wall and ceiling coverings.	Adds specificity to address requirements for commonly identified violations.
	Requires all mechanical appliances and systems be properly installed and be in safe, working condition.	Add requirement for ventilation and cooling systems.	In addition to heating systems, this adds a requirement that ventilation and cooling systems are properly installed and operate as intended.

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## Next Steps



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Questions?