



VACANT PROPERTY REGISTRATION FACT SHEET

PURPOSE

The City of Falls City is given the power and authority pursuant to Nebraska Revised Statute §18-1720 to define, regulate, suppress and prevent such nuisances. Vacant properties shall constitute a public nuisance. A vacant property registration ordinance places a duty on the owner of vacant properties to assist the City in preventing public nuisance.

Recognizing that vacant commercial and residential buildings contribute to blight, discourage economic development, hinder appreciation of property values, endanger public health and safety, attract criminal activity, and create fire hazards, it is the responsibility of property owners to prevent vacant properties from becoming a burden to the neighborhood and community and a threat to the public health, safety and welfare. Maintenance of the public health, safety, and welfare thus requires the City to maintain an accurate registration of all vacant properties.

DEFINITION OF VACANT PROPERTY

Evidence of vacancy means any condition or circumstance that on its own or in combination with other conditions or circumstances would lead a reasonable person to believe that a residential building or commercial building is vacant.

Vacant means the property has been vacant for 180 days or longer and during such time, has continuously exhibited evidence of vacancy.

Such conditions or circumstances may include, but are not limited to, the following:

- Overgrown or dead vegetation, including grass, shrubbery, and other plantings;
- An accumulation of abandoned personal property, trash or other waste;
- Visible deterioration or lack of maintenance of any building or structure on the property;
- Graffiti or other defacement of any building or structure on the property; or
- Any other condition or circumstance reasonably indicating that the property is not occupied for residential purposes or being used for the operation of a lawful business.

Vacant property shall not be used for storage unless specifically allowed pursuant to the City of Falls City Zoning Ordinance.

REGISTRATION OF VACANT PROPERTY

The owner of a vacant property must register said property with the City Clerk within thirty (30) calendar days of written notice provided to the owner or the owner's resident agent of the existence of the vacant property.

There is no fee for initial registration of vacant property. However, if the owner fails to remedy

the vacant property and successfully have it removed from the vacant property registration list within 180 days from the initial registration date, or within 180 days from the initial registration date deadline if the owner fails to register the property, then the owner of a vacant property shall be assessed a fee.

In addition, a supplemental fee will be assessed to the owner of the vacant property for every 180-day period thereafter, until the vacant property is removed from the registration list.

REGISTRATION & SUPPLEMENTAL FEES

Property Type	Initial Registration	Supplemental Fee: 180 days from initial registration	Supplemental Fee: Every 180 day period thereafter
Residential	Zero	\$250.00	\$500.00
Commercial	Zero	\$500.00	\$1,000.00

EXEMPTIONS FROM REGISTRATION

The vacant property registration ordinance provides the following exemptions to the vacant property registration and fee requirements, including, but not limited to, the following:

- Property only considered to be a seasonal residence; and the property is in compliance with current building code/property maintenance code
- Property of an owner who is temporarily absent, but who has demonstrated his or her intent to return; and the property is in compliance with current building code/property maintenance code
- Property that is scheduled for demolition and has a valid demo permit issued by the City of Falls City;
- Property under construction or renovation pursuant to a valid building permit issued by the City of Falls City;
- Property subject to divorce, probate or estate proceedings; and the property is in compliance with current building code/property maintenance code
- Property that is "for sale," "for rent," or "for lease" and where the owner can produce sufficient good faith evidence of active marketing of sale, rent or lease; and the property is in compliance with current building code/property maintenance code;
- Property owned by the federal government, the State of Nebraska, the City of Falls City or any other political subdivision.

REMOVAL FROM REGISTRATION

An owner may have his or her vacant property removed from the vacant property registration by providing sufficient notification and evidence, that the property no longer meets the definition of a vacant property. The City of Falls City will then evaluate or inspect the property to determine whether the property should be removed from the registration list.