



City Council Work Session Agenda

July 22, 2013

7:00 p.m.—Call to order in the Multipurpose Room, Central Services Complex

- I. Continued overview of Land Bank Legislation.
- II. Joint Discussions with Oak Ridge Housing Authority board members and Oak Ridge City Council on issues related to housing and opportunities for collaboration.
- III. Discussions on proposed ordinance designating the geographic area referred to as the Manhattan District Overlay as an additional residential rental inspection district.
- IV. City Manager's Report
 - a. Verbal Update on Transportation/Safety Improvements
 - b. Reader Board Ordinance Scheduled for August City Council Meeting

NOTE: Please bring your housing notebook as provided by Community Development several weeks ago



State of Tennessee
PUBLIC CHAPTER NO. 1096

SENATE BILL NO. 3223

By McNally, Yager

Substituted for: House Bill No. 3400

By Ragan, Hardaway, Parkinson

AN ACT to amend Tennessee Code Annotated, Title 13, to enact the "Tennessee Local Land Bank Pilot Program".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, is amended by adding the following language as a new Chapter 30:

13-30-101. This act shall be known and may be cited as the "Tennessee Local Land Bank Pilot Program".

13-30-102. The legislature finds and declares as follows:

(1) Tennessee's communities are important to the social and economic vitality of the state. Whether urban, suburban or rural, many communities are struggling to cope with vacant, abandoned and tax-delinquent properties.

(2) There exists a crisis in many cities and their metro areas caused by disinvestment in real property and resulting in a significant amount of vacant and abandoned property. This condition of vacant and abandoned property represents lost revenue to local governments and large costs associated with demolition, safety hazards and spreading deterioration of neighborhoods including resulting mortgage foreclosures.

(3) The need exists to strengthen and revitalize the economy of the state and its local units of government by solving the problems of vacant and abandoned property in a coordinated manner and to foster the development of such property and promote economic growth. Such problems may include multiple taxing jurisdictions lacking common policies, ineffective property inspection, code enforcement and property rehabilitation support, lengthy and/or inadequate foreclosure proceedings, and lack of coordination and resources to support economic revitalization.

(4) There is an overriding public need to confront the problems caused by vacant, abandoned and tax-delinquent properties through the creation of new tools to be available to communities throughout the state enabling them to turn vacant spaces into vibrant places.

(5) Land banks are one of the tools that can be utilized by communities to facilitate the return of vacant, abandoned and tax-delinquent properties to productive use.

(6) In the interest of self-governance on the part of Tennessee's cities, this pilot program will be used in specific areas as a testing model of a self-governing, self-sustaining land bank that can revitalize Tennessee cities and counties.

13-30-103. As used in this act, unless the context clearly indicates otherwise:

(1) "Board of directors" or "board" means the board of directors or other similar governing body of the corporation;

(2) "Corporation" means a corporation created pursuant to this chapter to operate a land bank;

(3) "Land bank" means real property, however obtained or acquired and held by a corporation, created pursuant to this chapter, with the intent of acquiring and holding onto the real property so acquired until such a time as the corporation is able to find a willing and able buyer to acquire the real property from the corporation;

(4) "Local government" means any municipality or county incorporated or existing under the laws of Tennessee, or any combination of any municipality or county incorporated or existing under the laws of Tennessee meeting the requirements of § 13-30-104;

(5) "Pilot program" means the Tennessee Local Land Bank Pilot Program meeting the requirements of § 13-30-104;

(6) "Real estate" means an identified parcel or tract of land, including improvements, if any; and

(7) "Real property" means one (1) or more defined parcels or tracts of land or interests, benefits and rights inherent in the ownership of real estate.

13-30-104.

(a)(1) Any municipality or county incorporated or existing under the laws of Tennessee, or any combination of any municipality or county incorporated or existing under the laws of Tennessee, to which all of the following elements applies, has the authority to establish a pilot program by creating a corporation which is authorized to operate a land bank for the creating local government or local governments, hereafter referred to as "corporation", within the jurisdictional boundaries of the local government or local governments establishing the corporation:

(A) The local government was chosen as a site for a nuclear research facility for the U.S. Government during the World War II era;

(B) Prefabricated modular homes, apartments and dormitories, many made from cemesto panels, were quickly erected for those employed at the nuclear research facility; and

(C) Many units of such housing, while intended to be only temporary structures, are in extremely deteriorated conditions and still serve as residential homes for municipal residents seventy (70) years after originally constructed.

(2) The corporation is hereby declared to be performing a public function on behalf of the local government with respect to which the corporation is created and organized and to be a public instrumentality of such local government. Accordingly, the corporation and all properties of the corporation, including all properties held in the name of the corporation in the land bank, at any time owned by it, and the income and revenues from the properties shall be exempt from all taxation in the State of Tennessee.

(b)(1) A corporation shall come into existence under the terms of this chapter when any local government to which subsection (a) applies either on its own initiative or through inter-local agreements entered into by and between one (1) or more creating local governments vote by majority vote of its legislative body to establish the corporation. Evidence of such authorization shall be proclaimed and countersigned by the presiding officer of each participating county or municipality and certified by such officer to the secretary of state.

(2) The governing bodies of the creating local governments shall indicate their willingness to appropriate sufficient funds to provide for the initial administration of the corporation as a part of the authorization process and for such purposes are authorized to provide funding or grants and appropriate money to the corporation in such manner as directed by the legislative bodies.

13-30-105.

(a) The corporation shall have a board of directors in which all powers of the corporation shall be vested. Such board shall consist of any number of directors, no fewer than five (5), all of whom shall be duly qualified electors of and taxpayers in the creating local government or local governments.

(b) The creating local government or local governments, if more than one (1) has jointly created a corporation, shall determine the qualifications, manner of selection or appointment, terms of office of members of the board, the number of directors, whether and to what extent the members of the local legislative bodies shall be appointed or elected to serve on the board of the corporation and the manner of filling vacancies.

(c) The term of each director on the corporation shall be as set by the creating local government or local governments, provided that any director shall continue to serve beyond the end of the director's term until the director's successor has been appointed. At the first organizational meeting of the corporation, the creating local government or local governments shall establish the terms of the initial directors so that the directors serve staggered terms and an approximately equal number of directors have terms that expire in each year.

13-30-106.

(a) A majority of the board of the corporation shall constitute a quorum for the transaction of any business. Unless a greater number or percentage is required by state law, the vote of a simple majority of the directors present at any meeting at which a quorum is present shall be the action of the corporation. To the extent permitted by applicable law, the corporation may permit any or all directors to participate in an annual, regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

(b) The members of the board of directors shall select annually from among themselves a chairman, a vice chairman, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

(c) The board shall establish rules and requirements relative to the attendance and participation of members in its meetings, regular or special. Such rules and regulations may prescribe a procedure whereby, should any member fail to comply with such rules and regulations, such member may be disqualified and removed automatically from office by no less than a majority vote of the remaining members of the board, and that member's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this subsection shall be ineligible for reappointment to the board, unless such reappointment is confirmed unanimously by the board.

(d) Any citizen or group of citizens upon collection of a petition having a clearly worded purpose, of at least twenty (20) verified signatures of qualified voters registered in the jurisdiction in which the board operates may present to the local government legislative body a resolution calling for the removal of any board member. The local government legislative body shall have the power, upon timely and due consideration of the citizen petition and a response from the board, to remove or retain the cited board member by simple majority vote. Removal from the board of directors of any public official shall not, in, and of itself, impair the public official or municipal or county employee in his or her other duties.

(e) Board members shall serve without compensation, shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the corporation and to fix the duties, powers and compensation of all employees, agents and consultants of the corporation. The board may reimburse any member for expenses actually incurred in the performance of duties on behalf of the corporation.

(f) The board shall meet in regular session according to a schedule adopted by the board, and also shall meet in special session as convened by the chairman or upon written notice signed by a majority of the members. The presence of a majority of the total membership of the board shall constitute a quorum.

(g) All actions of the board shall be approved by the affirmative vote of a majority of the members of that board present and voting. However, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the business of the corporation;

(2) Hiring or firing of any employee or contractor of the corporation. This function may, by majority vote, be delegated by the board to a specified officer or committee of the corporation, under such terms and conditions, and to the extent, that the board may specify;

(3) The incurring of debt;

(4) Adoption or amendment of the annual budget; and

(5) Sale, lease, encumbrance, or alienation of real property, improvements or personal property with a value of more than fifty thousand dollars (\$50,000).

(h) Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the board.

13-30-107.

(a) The corporation, once created, shall have the authority to create a land bank for real property located within the boundaries of the creating local government or local governments.

(b) No rules or bylaws created by the corporation, may contravene state law.

(c) All board members, appointees, employees and/or paid advisors of the corporation created, appointed or employed, with or without pay, pursuant to this act are subject to the provisions of Tennessee Code Annotated, Title 8, Chapter 17, and may not be exempted on the basis of any corporate board governance rules or bylaws.

(d) All meetings of the board of directors of the corporation and/or its employees are subject to Tennessee Code Annotated, Title 8, Chapter 44, and may not be exempted on the basis of the corporate board governance rules or bylaws.

(e) All corporate records are subject to the provisions of Tennessee Code Annotated, §§ 10-7-503 through 10-7-505, and may not be exempted on the basis of any corporate board governance rules or bylaws.

13-30-108. The corporation may enter into contracts and agreements with the creating local government or local governments for staffing services to be provided to the corporation by such local governments or agencies or departments thereof.

13-30-109. The corporation shall have the power, as limited by the legislative body of the creating local government or local governments, to:

(1) Adopt, amend and repeal bylaws for the regulation of its affairs and the conduct of its business;

(2) Sue and be sued in its own name and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to the real property held in the land bank;

(3) Adopt a seal and to alter the same at pleasure;

(4) Borrow funds as may be necessary, for the operation and work of the corporation with the concurrence of the legislative body of the creating local government or local governments;

(5) Enter into contracts and other instruments necessary, incidental or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, intergovernmental agreements under the existing Tennessee Code for the joint exercise of powers under this act;

(6) Make and execute contracts and other instruments necessary or convenient to the exercise of the powers to acquire, hold and dispose of real property held in the land bank;

(7) Procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the corporation in the performance of the duties of such person's office or employment or any other insurable risk, as the board of directors, in its discretion, may deem necessary;

(8) Accept donations, contributions, revenues, capital grants or gifts from any individual, association, public or private corporation, municipality or county of the State of Tennessee, the State of Tennessee or the United States government, or any agency or instrumentality of the State of Tennessee or the United States, for or in aid of any of the purposes of this act and enter into agreements in connection with the donations, contributions, revenues, capital grants or gifts;

(9) Invest money of the corporation in investments that would be eligible investments for a municipality or county in the state and name and use depositories for its money with a bank or trust company which is a member of the Federal Deposit Insurance Corporation;

(10) Identify, investigate, document and nominate properties meeting established criteria to the creating local government or local governments for initiation and exercise of eminent domain procedures in accordance with state law; provided that any real property taken by eminent domain, if transferred to or acquired by the corporation shall only be disposed of by the corporation in a manner which does not violate § 29-17-102;

(11) Enter into contracts which do not violate § 29-17-102, for the management of or the sale of real property in the land bank; such power shall include the power to preserve the value or prevent diminution of the value of any such property until disposed of by the corporation, including the following actions:

(A) Design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, and otherwise improve real property or rights or interests in real property;

(B) Fix, charge and collect rents, fees and charges for the use of real property of the land bank and for services provided by the corporation;

(C) Grant or acquire a license, easement, lease, as lessor and as lessee, or option with respect to real property in the land bank; and

(D) Enter into limited partnerships, limited joint ventures and other limited collaborative relationships with local governments and other public and private entities within the designated boundary for the ownership, management, development, and disposition of real property; and

(12) Do all other things necessary or convenient to achieve the objectives and purposes of the corporation related to the real property held in the land bank.

13-30-110.

(a) The corporation may acquire real property or interests in real property for the land bank by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise on terms and conditions and in a manner the corporation considers proper.

(b) The corporation may acquire real property by purchase contracts, lease purchase agreements, installment sales contracts or land contracts, and may accept transfers from municipalities or counties upon such terms and conditions as agreed to by the corporation and the local government.

(c) The corporation shall maintain all of its real property and real property held in the land bank in accordance with state law and the laws and ordinances of the jurisdiction in which the real property is located.

(d) The corporation shall not own or hold real property located outside the jurisdictional boundaries of the local governmental entity or entities that created the corporation; provided, however, that the corporation may be granted authority pursuant to an intergovernmental cooperation agreement with another municipality or county to manage and maintain real property located within the jurisdiction of such other municipality or county.

(e) Notwithstanding any other provision of law to the contrary, any municipality or county may convey to the corporation real property and interests in real property on such terms and conditions, and according to such procedures, as determined by the legislative body of the local government conveying the real property to the corporation.

13-30-111.

(a) The corporation shall hold in its own name all real property acquired by the corporation for the land bank irrespective of the identity of the transferor of such property.

(b) The corporation shall maintain and make available for public review and inspection an inventory of all real property held for the land bank. In addition to referrals to public access, routine, printed, real property records or those on municipal and county electronic database files, the corporation is authorized to maintain an independent, publically available, electronic inventory via the creating local government or local government's Web site with any combination of pictures, informal descriptions, legal descriptions and addresses as the board may deem appropriate to its purposes related to real property in the land bank. The corporation is obligated to make reasonable efforts to ensure that information contained in any independent, electronic inventory is practically accurate or to ensure that a prominent disclaimer of accuracy is prominently displayed to any potential viewer.

(c) The corporation shall determine and set forth in policies and procedures of the board of directors, the general terms and conditions for consideration to be received for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board of directors to be in the best interest of the corporation related to real property in and for the land bank.

(d) The corporation may convey, exchange, sell, transfer, lease as lessee, grant, release and demise, pledge and hypothecate any and all interests in, upon or to real property of the land bank, to the extent authorized by the legislative body of the creating local government or local governments and in a manner which does not violate § 29-17-102.

(e) The legislative body of the local government or local governments creating the corporation, are authorized to establish a hierarchical ranking of priorities for the use of real property conveyed to the corporation for the land bank including, but not limited to:

- (1) Use for purely public spaces and places;
- (2) Use for affordable housing;
- (3) Use for retail, commercial and industrial activities; or
- (4) Use as wildlife conservation areas, and such other uses and in such hierarchical order as determined.

(f) The creating local government or local governments are authorized to require that any particular form of disposition of real property, or any disposition of real property located within specified jurisdictions which is held by the corporation in the land bank, be subject to specified voting and approval requirements of the board of directors. Except and unless restricted or constrained in this manner, the board of directors may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all other related documents pertaining to the conveyance of real property held by the corporation as real property for the land bank.

13-30-112.

(a) The board shall cause minutes and a record to be kept of all its proceedings and such records shall be available for timely public inspection. All meetings shall be open to the public with appropriate notice published in accordance with Section 13-30-107(d).

(b) The board shall publish a report on an annual basis to its creating local government or local governments. This annual report must contain a detailed financial accounting of the corporation's debt obligations, income (sources and amounts), properties, dispositions, expenditures, acquisitions, contracts (executed and pending within the next ninety (90) days), significant activities and other data as required by organizational bylaws and governance documents. This report shall be maintained on file for audit purposes and immediately available to the Department of Audit in the office of the comptroller of the treasury upon request. Additionally, all such reports shall be available for public inspection.

(c) The board of directors of the corporation shall cause an annual audit to be made of the books and records of the corporation. With prior approval of the comptroller of the treasury, the audit may be performed by a licensed certified public accountant selected by the corporation. If a licensed certified public accountant is employed, the audit contract between the corporation and the licensed certified public accountant shall be on contract forms prescribed by the comptroller of the treasury. The cost of any audit shall be paid by the corporation. The comptroller of the treasury, through the department of audit, shall be responsible for determining that the audits are prepared in accordance with generally accepted government auditing standards and that the audits meet the minimum standards prescribed by the comptroller of the treasury.

(d) In the event the governing body of the corporation fails or refuses to have the audit prepared, then the comptroller of the treasury may appoint a licensed certified public accountant, or direct the Department of Audit, to prepare the audit, the cost of the audit to be paid by the corporation.

(e) A copy of the annual audit referenced in subsection (c) shall be filed annually with the creating local government or local governments.

13-30-113. A corporation created pursuant to this chapter may be dissolved in the manner established by the creating local government or local governments or otherwise in accordance with general law for the dissolution of a public corporation.

13-30-114. No member of the board or employee of a corporation shall acquire any interest, direct or indirect, in real property acquired or held by the corporation. No member of the board or employee of the corporation shall have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by the corporation. The board may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and employees of the board or corporation.

13-30-115. This act shall be construed liberally to effectuate the legislative intent and the purposes as complete and independent authorization for the performance of each and every act and thing authorized by this act, and all powers granted shall be broadly interpreted to effectuate the intent and purposes and not as a limitation of powers. Except as otherwise expressly set forth in this act, in the exercise of its powers and duties under this act and its powers relating to property held in the land bank, the corporation shall have complete control as fully and completely as if it represented a private property owner and shall not be subject to restrictions imposed by the charter, ordinances or resolutions of a local unit of government.

13-30-116.

(a) In accordance with existing provisions of Tennessee Code Annotated, §§ 67-5-2505, 67-5-2507, 67-5-2508, 67-5-2509, and 67-5-2514, the corporation is exempt from any state taxation.

(b) Additionally, the corporation has the power to pay any unpaid taxes due and owing by the owner of record of the real property, or make any government mandated improvements to the property, in exchange for the deed of real property to the corporation.

(c) All proceeds from the sale of real property held in the land bank shall be returned to the corporation.

(d) All corporate revenue shall be held by the board of directors, and proceeds shall only go to furthering the aims of the acquisition and/or resale of real property by the corporation for the land bank.

13-30-117.

(a) A corporation shall be authorized to file an action to quiet title as to any real property in which the corporation has an interest. For purposes of any and all such actions, the corporation shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the corporation as adequate complainant in such action.

(b) Prior to the filing of an action to quiet title, the corporation shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the complaint to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by registered or certified mail, addressed to "occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located;

(5) By electronically publishing notices with addresses and descriptions via the municipality's Web site; and

(6) Such other methods as the court may order.

(c) As part of the complaint to quiet title, the corporation shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

(d) The court shall schedule a hearing on the complaint within ninety (90) days following filing of the complaint, and as to all matters upon which an answer was not filed by an interested party, the court shall issue its final judgment within one hundred twenty (120) days of the filing of the complaint.

(e) A corporation shall be authorized to join in a single complaint to quiet title one (1) or more parcels of real property.

13-30-118.

(a) The creating local government or local governments shall establish an appeal procedure as described in this section for any person aggrieved by the decision of the corporation with respect to real property proposed for acquisition or acquired by, held and disposed of by the corporation for the land bank.

(b) The legislative body of the local government is authorized to create an appeals committee or a joint appeals committee if more than one (1) local government created the corporation. Any person aggrieved by the decision of the corporation concerning any aspect of this act may obtain review of the official's decision by requesting an appeal of the decision of the official in written form to the appeals committee within ten (10) days of the date of the official's decision.

(c) The appeals committee shall hear the appeal within thirty (30) days of the written request for appeal.

(d) The appeals committee shall consider the appeal and render a decision on all hearings within thirty (30) days of the hearing date, unless the hearing is continued from time to time by a majority vote of the committee for further information.

(e) The appeals committee shall act as a quasi-judicial body whose purpose is to determine whether the corporation followed proper and authorized procedures related to the acquisition or disposal of real property held in the land bank, its applicability to the appellant, and to rule upon the actions of the official. The appeals committee shall not be bound by formal rules of evidence applicable to the various courts of the state.

(f) Hearings before the appeals committee shall proceed as follows:

(1) The corporate official shall explain his decision and the reasons for his decision related to the real property at issue;

(2) The appellant shall explain his reasons for protesting the decision of the official;

(3) The appeals committee may request further information from any corporate official. The appeals committee shall not have the power of subpoena;

(4) The appeals committee shall deliberate and render a decision by a majority vote as to whether the official acted appropriately in making the decision. The decision shall also include a recommendation for appropriate legislative action to be taken by the local government, if any is required or recommended, to remedy the issue in accordance with the decision rendered by the appeals committee.

(5) Decisions will be reduced to writing and copies shall be sent to all parties, including the legislative body of the local government or local governments, as appropriate, and shall become a part of the minutes of the appeals committee and the appropriate legislative body.

(6) Decisions of the appeals committee shall be final.

13-30-119.

(a) The comptroller shall monitor the actions of the corporation for a period of three (3) years from the date the corporation is created.

(b) No later than March 1st following the end of the third year of the creation of the corporation, the comptroller shall file a report with the governor and the state and local government committees of each house with recommendations concerning whether the pilot project should be continued, expanded or discontinued, together with recommended legislative actions based on such decision.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

SENATE BILL NO. 3223

PASSED: April 26, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of May 2012



BILL HASLAM, GOVERNOR



Oak Ridge Land Bank Corporation

501(c)3 quasi-governmental organization authorized by
TCA §13-30-101 Tennessee Local Land Bank Pilot Program
effective July, 2012.

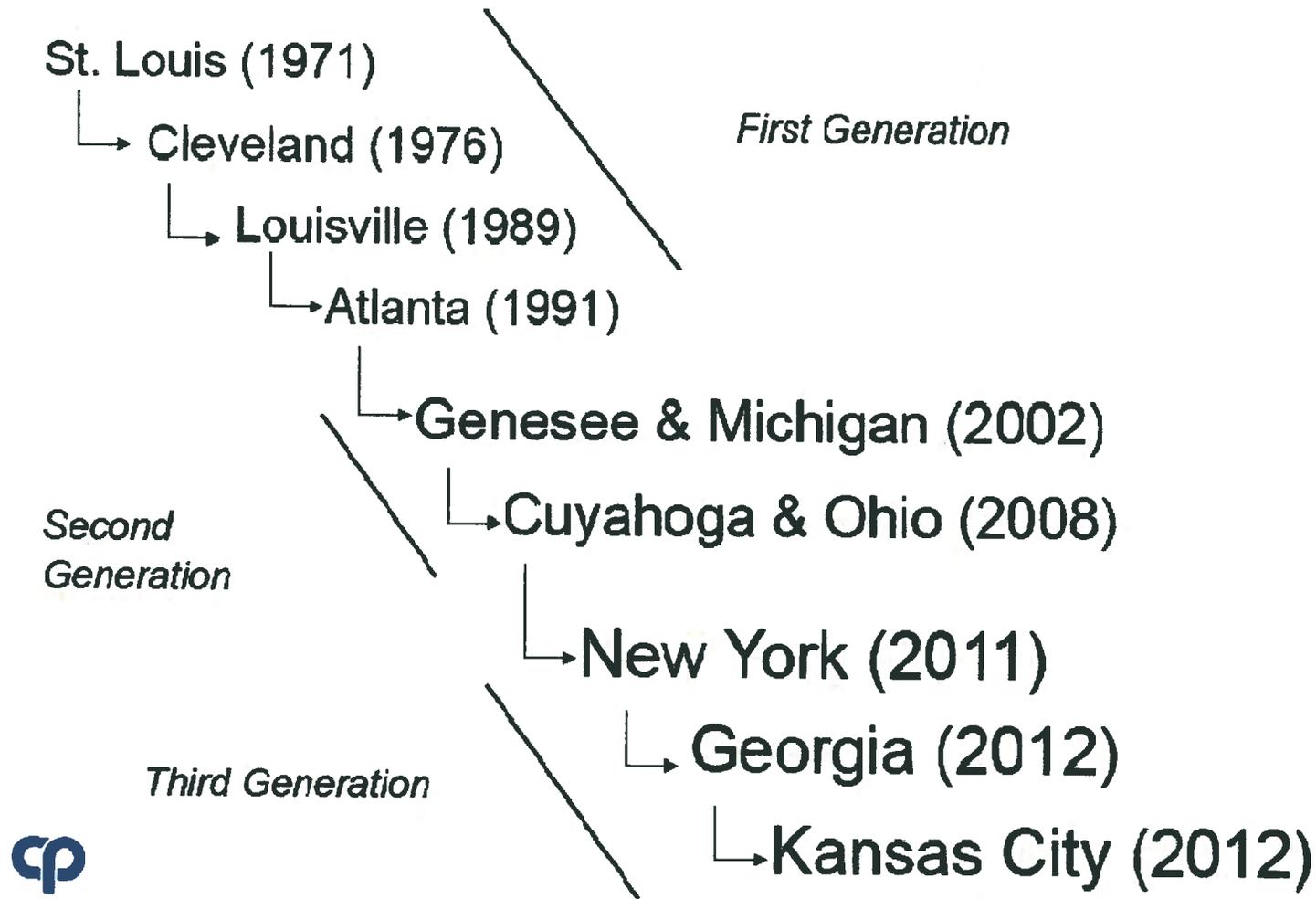


What is a Land Bank?

- A land bank is a public authority created to efficiently hold, manage and develop tax-foreclosed property.
- Land banks act as a legal and financial mechanism to transform vacant, abandoned and tax foreclosed property back to productive use. Generally, land banks are funded by local governments' budgets or the management and disposition of tax-foreclosed property.
- A land bank is a powerful locational incentive, which encourages redevelopment in older communities that generally have little available land and neighborhoods that have been blighted by an out-migration of residents and businesses.
- They also act as a tool for planning long-term community development. Successful land bank programs revitalize blighted neighborhoods and direct reinvestment back into these neighborhoods to support their long-term community vision.



Evolution of Land Banks



City of Oak Ridge Vacant Housing Estimates June, 2013

UTILITIES Estimated Data for Vacancy

- 14,000 total units including apartments
- 238 Units believed to be vacant based on no service
- 49 Units believed to be vacant based on minimal service usage
- = 287

External Listing Data for Vacancy

- 220 REO Properties
- 108 Pre Foreclosures
- 8 HUD Home Listings
- = 336
- Tax Delinquent - TBD
- **Estimated Vacancy Average = 311**

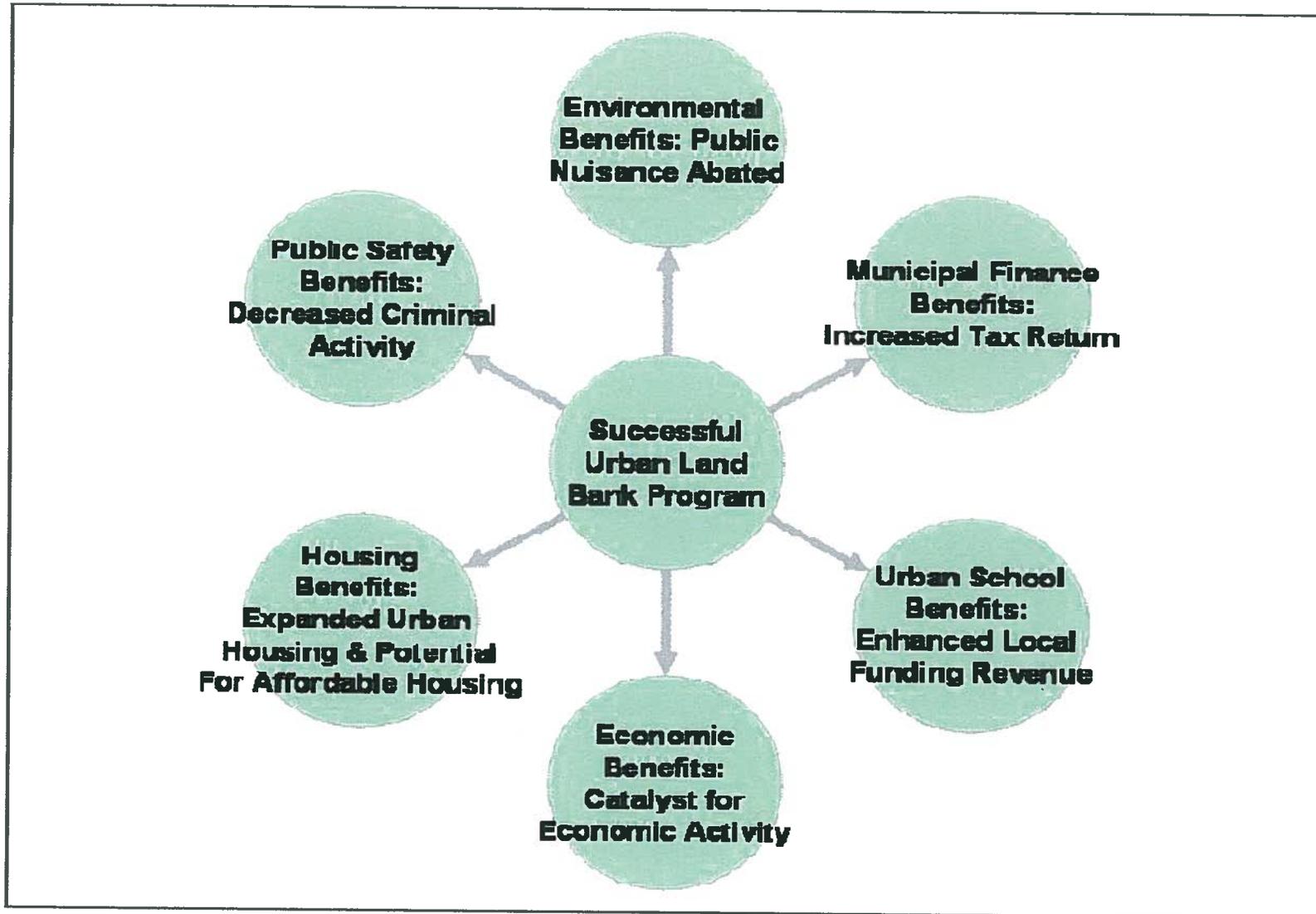
The Oak Ridge Land Bank can...

- Sell or convey property through locally developed policies that reflect the communities' priorities
- Sell through negotiated sales
- Eliminate the bureaucracy for public land sale
- Convey property for other than monetary consideration
- Lease properties as a interim use
- Maintain properties with predetermined maintenance standards
- Utilize financing tools
- Code enforcement and nuisance abatement
- Be a catalyst of change in state tax foreclosure laws

The Oak Ridge Land Bank Corporation Start - Up

- Establishment of a 501(c)3
- Council hierarchical ranking of priorities
- \$25-50K start up funds
- Transfer City of Oak Ridge Properties
- Establish a Board of Directors (start up -5)
- Staff Support
- Build strategic partnerships
- Define Goals of Land Bank
- Board established By-Laws, policies & procedures
- Establish an Appeals committee – such as BBHCA
- Adopt a Land Bank Seal
- Solicit Inter-local Agreement
- Transparency and annual reporting
- NLT 1 March of 3rd year from formation shall file a report with governor with recommendations

Measure of Success



Discussion & Questions



Land Bank Legislation

Strategies/Policies

1. Land Bank activities shall actively promote the development and redevelopment of Oak Ridge.
2. Land Bank shall utilize the principal components of preservation, rehabilitation, demolition, and acquisition that preserves neighborhoods and enhances economic value.
3. Land Bank shall serve as a development “tool” to encourage private investment and attraction of residential homeowners.
4. Land Bank, in conjunction with the City of Oak Ridge, will seek grant funding, private investment, and donations to address successful development of Land Bank potential.

ELECTRIC DEPARTMENT MEMORANDUM
BUSINESS OFFICE
13-17

RECEIVED

2013 JUL 16 AM 8:33

CITY MANAGER'S OFFICE

DATE: July 15, 2013
To: Mark S. Watson, City Manager
From: Marlene Witt, Business Office Manager
SUBJECT: SUMMARY OF VACANT HOUSING REPORTS

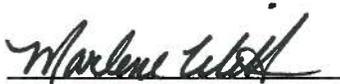
**FOR YOUR INFORMATION
FROM THE DESK OF
MARK S. WATSON
CITY MANAGER**

On June 17, 2013 in an effort to determine the number of vacant houses located within the City, two queries were requested from the IT Department. These queries were processed utilizing the utility billing database.

The criteria used for Report #1 looked at the last two digits of a utility account number, which represents the occupancy count. If an account was finalized, the system was then prompted to look for the consecutive occupancy number. If the occupancy count did not advance it was assumed this service address was vacant. For example, the first occupant at a residence may have an account number of 000-12345-00; the next occupant's number would be 000-12345-01. The field was narrowed a step further by searching the potential inactive accounts that did not have a water meter. If the account had an electric meter but no water meter, these accounts were deleted assuming the accounts were located in an apartment complex. The data from this report estimates 238 vacant properties.

Report #2 searched for accounts billed only for the minimum customer charge for electric and the minimum charge for water and wastewater. The accounts in Report #2 reflected no consumption in the month of May 2013, only base charges. Using these criteria, 49 units are estimated to be vacant.

I hope you find this information useful and if further clarification is needed, please let me know.



Marlene Witt
Business Office Manager

REPORT #1

Account#	House#	Direction	Street Name	Apt#	Electric Meter	Water Meter#
02005000	101		GOLFCREST LN		D022715912	39585
02009500	175		GOLFCREST LN		W067003238	39732
04016900	109		GREYSTONE DR		S039447161	38685
04039900	242		GUM HOLLOW RD		L034114523	39689
04066400	162		NEWPORT DR		S023811717	38562
05071100	1107 W		OUTER DR		L096413242	35335
08040700	140		WINDHAM RD		S027892001	35242
09002300	207		BUTLER RD		D019621880	35275
09026900	140		BEVERLY CIR		L110247988	32837
09034400	203		BYRON LN		L096413458	54225
09042500	136 W		BRYN MAWR CIR		L076060201	32819
09049100	142 W		BRYN MAWR CIR		W087627758	38641
12016000	114 W		LINCOLN RD		D024649746	39780
12025000	113		SHERIDAN CIR		S029433623	39495
12057900	160		LOUISIANA AVE		S032675041	32550
12058800	166		LOUISIANA AVE		G046918902	53064
13008800	329		LOUISIANA AVE		W062801212	37463
14006400	144		LANCASTER RD		D019089575	39163
14007300	138		LANCASTER RD		D014144893	50253
14009700	118		LANCASTER RD		D026639983	39317
14012100	117		LAWTON RD		D021489378	53026
14019600	124		LAWTON RD		G046881430	50318
14019900	122		LAWTON RD		G046965454	39356
14029000	122		REGENT CIR		S023679275	32533
14033400	140		REVERE CIR		W062042160	32804
14044500	422		ROBERTSVILLE RD		S032647289	53516
14053600	105		LANCASTER RD		L103045548	32725
14053800	107		LANCASTER RD		S046834154	50185
15014600	357		JEFFERSON AVE		L096413481	38997
15016825	375		JEFFERSON AVE		D021489091	50190
15029400	114		JONATHAN LN		L111024222	54583
15033600	360		JEFFERSON AVE		L096413403	32754
15047400	323		JEFFERSON AVE		S030224415	39244

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16011100	752 W	OUTER DR	S029263426	32103
16022900	678 W	OUTER DR	L094210090	53616
16024500	656 W	OUTER DR	S038343654	50394
16032700	737 W	OUTER DR	S036589510	38963
17002100	252	JEFFERSON AVE	W067003182	32474
17007300	231	JEFFERSON AVE	S034186457	39273
17008700	245	JEFFERSON AVE	S031253979	39275
17014300	133	JOHNSON RD	S040284394	32931
17018100	155	JOHNSON RD	L115623553	53639
17024600	118	JERSEY LN	W087525619	32402
17029700	109	JELICO LN	S029823255	32503
17029900	111	JELICO LN	G053013534	32502
17033500	102	JELICO LN	L097879226	32423
17042700	124	JARRETT LN	D019731473	32487
17042900	122	JARRETT LN	W040046106	32413
18003300	382	ROBERTSVILLE RD	D014287442	32947
18007900	361	ROBERTSVILLE RD	G053016953	50202
18009600	112	LATIMER RD	D014144884	53574
18022700	175	LATIMER RD	S096397136	39262
18023100	171	LATIMER RD	S096397135	39263
19002300	100	ITHACA LN	L096413286	39039
19008900	266	ROBERTSVILLE RD	S038343586	53539
20050156	108	FORESTBERRY ST	R025940349	54604
21000578	138 E	GROVES PARK BLVD	L115623474	53521
22005900	115	TRENTON DR	S027567883	50427
22010400	234	TUSCULUM DR	S034186433	50382
22010800	102	TEMPURA DR	S071003556	53810
22022320	114	TAMARA LN	G092778271	54030
22060041	111	TERRI LN	W062041923	32889
22081200	213	TUSCULUM DR	D021489473	50543
23050000	201	TELLER VLG LN	S023811555	35508
24016400	201 S	BENEDICT AVE	S040284278	54182
24018200	112	BENNETT LN	W068203174	54296
24022200	105	BETTIS LN	D021489220	34013

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24023000	113	BETTIS LN		S030158865	33980
24023200	115	BETTIS LN		G053007881	33981
24024200	112	BETTIS LN		S041368539	50442
24025600	241 S	BENEDICT AVE		D016472052	34016
24026000	243 S	BENEDICT AVE		S025583723	34017
24035200	102	BETHUNE CIR		S071003665	54801
24035400	104	BETHUNE CIR	@@@@	G048136803	34037
24039000	262 S	BENEDICT AVE		S038343649	34070
24041200	240 S	BENEDICT AVE		G046933225	33985
24041400	238 S	BENEDICT AVE		G046907566	33986
24043800	216 S	BENEDICT AVE		W062801515	34077
25010800	299 S	BENEDICT AVE	@@@@	L110247984	54185
25011800	309 S	BENEDICT AVE		L110247975	34041
25015200	264 S	DILLARD AVE		G044362903	39166
25019000	224 S	FISK AVE		S030224816	51089
25019200	222 S	FISK AVE		S031353138	34856
25032600	134	HOUSTON AVE@@@@	@@@@	L076060233	39167
25033100	129	HOUSTON AVE		L111024198	33226
25034000	117	HOUSTON AVE		W042151292	54200
25034400	113	HOUSTON AVE		W052611094	50474
25035200	103	HOUSTON AVE		L115623528	33152
25038200	213 S	DILLARD AVE		D014287652	54448
25038400	215 S	DILLARD AVE		D026640003	54198
25039000	223 S	DILLARD AVE		G043183082	33251
25040100	231 S	DILLARD AVE		D022715555	33198
25042400	288 S	BENEDICT AVE		S071003703	33239
26042400	54	VALLEY FORGE DR		S040093850	33235
26044400	74	VALLEY FORGE DR		D010487748	54380
26044800	78	VALLEY FORGE DR		W040045578	50414
29008100	117	INCA CIR	@@@@	D018252289	39182
29021700	210	ILLINOIS AVE		W053671415	50496
29031300	225	HILLSIDE RD		S023811708	50522
30009100	121	WARRIOR LN		S032647342	37828
30010500	176	WARRIOR CIR		S039449223	50554

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30028500	200	WALTHAM PL		S026869646	54083
30028700	202	WALTHAM PL		S026869645	54342
30028900	204	WALTHAM PL		S095606006	33162
31006500	228	WADSWORTH PL		L035834853	30056
31007300	220	WADSWORTH PL		L115039115	39357
31020000	161 W	WADSWORTH CIR		D018252272	38911
31021900	540 W	OUTER DR		W040156848	54246
31023700	103	WALPOLE LN		S023811604	50926
31027500	532 W	OUTER DR		S025581050	50955
31031700	121 N	WALKER LN		S032481317	54452
31039100	122 E	WADSWORTH CIR		L115623477	50010
31044400	174 W	WADSWORTH CIR		G048947081	37989
32012700	124 W	HOLSTON LN		L094210056	38879
32013400	117 W	HOLSTON LN		L076060255	54157
32013700	115 W	HOLSTON LN		S027588815	39477
32037500	150	HIGHLAND AVE		W040156866	39484
33002400	246	HIGHLAND AVE	HMTR	D022715797	54593
33004900	260	HIGHLAND AVE	@@@@	W040156938	33568
33006700	118	HOYT LN		D024649485	38851
33010900	442 W	OUTER DR		S025585956	37984
33011100	444 W	OUTER DR		D010487911	50908
33016700	493 W	OUTER DR		S095606043	50961
33026700	116	WAINWRIGHT RD		L111024092	54576
33027300	110	WAINWRIGHT RD		S025401760	33443
34023200	106	WADDELL PL		L115623284	32039
34030600	163	WADE LN		W087525606	33713
34030800	161	WADE LN		W087525608	33714
34031000	159	WADE LN		S027891879	33712
34031200	157	WADE LN		W087525572	33709
34032900	143	WADE LN		G096219320	33536
35001700	163	HAMILTON CIR	@	W042151669	39463
35001900	161	HAMILTON CIR	@	G048129469	39464
35005700	125	HAMILTON CIR		G053008933	39541
35011500	130	HAMILTON CIR		L094210017	53827

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35011700	132	HAMILTON CIR	L109050366	50976
35013100	138	HAMILTON CIR	L096413463	50387
35014500	170	HAMILTON CIR	W059239017	50863
35019100	157	HILLSIDE RD	G048134901	53837
35019300	155	HILLSIDE RD	G047856905	53830
35022500	101	HUBBELL PL	D019622127	39548
35029900	110	HILLSIDE RD	L053868149	33467
35036300	130	HILLSIDE RD	S036500184	38042
35036500	132	HILLSIDE RD	D013853936	51815
35036900	136	HILLSIDE RD	S028782815	50800
35039100	158	HILLSIDE RD	G095227855	53948
36008300	113	HUNTER PL	D031370384	39509
36008700	109	HUNTER PL	L094210134	39946
36008900	107	HUNTER PL	S027891938	39664
36047300	111	PLEASANT RD	L103045574	53952
36047500	113	PLEASANT RD	S025414377	39465
36060700	102	PLYMOUTH CIR	D022715718	53841
37001700	393 W	OUTER DR	G095227835	39468
37002300	387 W	OUTER DR	D021489133	50803
37049000	352 W	OUTER DR	G048141531	54602
37049100	354 W	OUTER DR	D021489068	54309
40020300	114	HAZLETON LN	D026639858	54272
40021800	115	HAZLETON LN	D024649409	53850
40032200	104	HAMPSHIRE CIR	D024649585	53745
40075505	151	HIGH POINT LN	D026640027	53776
40076400	133	HIGH POINT LN	D021489224	53779
40078400	113	HIGH POINT LN	D026640048	53562
40078500	115	HIGH POINT LN	W053674689	53563
43035400	104	NEVADA CIR	D019734620	51692
44001700	203 N	PURDUE AVE	S039449224	39427
44002300	201 N	PURDUE AVE	D019729856	53702
44031300	136	MARSHALL CIR	W040149653	34290
44041400	171	NORTHWESTERN AVE	G095227857	51651
45003600	104	GOUCHER CIR	L035834787	34333

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45006800	123 W	GETTYSBURG AVE	W062801312	53866
45011200	117	MARIETTA CIR	S040284252	34372
45019200	113 S	PURDUE AVE	W053674676	39079
45028800	191	MANHATTAN AVE	S025609167	51462
46009400	211	MANHATTAN AVE	W057854870	34851
46017800	235 S	PURDUE AVE	W062037134	51571
46020200	111	POTOMAC CIR	S046834204	51516
46043400	221 S	PURDUE AVE	S071003858	54517
46051000	108	PHILLIPS LN	S026869694	35112
47004700	136	PEMBROKE RD	S029433576	54591
47037500	145 S	PURDUE AVE	S040741208	34183
48003700	604	PENNSYLVANIA AVE	D010488124	34239
48038300	110	PORTER RD	S048893677	34214
48055500	618	PENNSYLVANIA AVE	W062041936	34126
49022300	232	OUTER DR	S094662577	34957
49050500	106	NOLAN RD	G092778188	34972
49052700	421	NEW YORK AVE	S048893611	34676
50008300	102	PALLAS RD	S041791378	34651
51042000	103	PACKER RD	S037815093	31774
51043800	107	PACIFIC RD	W040149608	34777
52005400	232 W	TENNESSEE AVE	L096413296	50608
52007800	103	NEW YORK AVE	L035834739	30980
52013600	107 W	NEWCOMB RD	S040284274	34935
53027800	102 W	MALTA RD	W058710596	31078
53045400	110	MAPLE LN	D019729819	35097
54002400	113	KENTUCKY AVE	D019166642	31116
54018000	508	MICHIGAN AVE	G090596528	35840
54047400	102	KENWYN RD	W062036980	35678
55002800	175	OUTER DR	S094662502	35708
55016000	115	ORCHARD LN	G091199939	36235
61009200	103	TURNER RD	W062801530	31277
61021000	100	GEORGIA AVE	W062037090	31654
61022600	116	GEORGIA AVE	S037817226	51419
61023800	128	GEORGIA AVE	W058710610	35550

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61035000	155	GEORGIA AVE		W062801554	54690
62042400	211 E	TENNESSEE AVE		W040110107	35461
63030800	305 E	FERNHILL LN		G044366244	36679
63042400	104	FULTON LN		S031420866	36202
63043400	113	FULTON LN	*	S035828541	36217
64016200	84	CALIFORNIA AVE	@@@@	G044250323	35657
64016800	90	CALIFORNIA AVE	@@@@	D024649719	35660
64036400	119	TAYLOR RD		D022715667	36161
64051600	129	TABOR RD		D024649754	36584
64055000	106 S	TAMPA LN		G052031106	36486
64056800	132	TAYLOR RD		D021489202	51566
65015600	106 E	DAMASCUS RD		W062801331	36476
65023200	200	DELAWARE AVE		S026869678	36528
65042000	106	DELMAR CIR		L111024166	51736
66019800	115	OGONTZ LN		D010493768	36066
66027000	95	OUTER DR		W053671820	36086
66028800	88	OUTER DR		W062041710	36128
66032600	105	OGDEN LN		S035785677	36060
66044600	31	OUTER DR		S036500161	36277
67019800	112	CEDAR LN		D024649658	31284
67062000	100	OAK LN		S025585959	36436
68046800	384	EAST DR		S025616651	37010
70008200	292	EAST DR		S040284360	37005
70018300	214	EAST DR		S027891950	51327
70044100	104	ASHLAND LN		S043186041	36885
71022200	127 S	ALABAMA RD		S025586568	37699
71025200	165 N	ALABAMA RD		G095227915	37602
72013200	100	ANDOVER CIR		W062801186	51457
72017100	126	ANDOVER CIR		D024649631	37409
72068400	116	ALBANY RD		W062801137	38364
72079400	134	ARKANSAS AVE		W062801155	37377
75046700	123	BLUE RIDGE CT		S040284373	31245
75073937	103	DANBURY LN		S071003883	33658
76058800	109	DARTMOUTH CIR		D019622156	52453

REPORT #1

77045200

116

CHESTNUT HILL RD

L096413210

30699

REPORT #2

Account#	Customer Name	House#	Direction	Street Name	Apt#	Electric Meter	Water Meter#
0904400000	GEORGE R WILSON	123	W	BRYN MAWR CIR		W062042515	32823
1400110009	FRANKIE MONROE BARRETT	113	S	LANSING RD		S023679348	50218
1601590012	JOY MARIE GRUBB	696	W	OUTER DR		S046834186	53336
1601890000	JACOB B STINES	637	W	OUTER DR		S025608543	32762
1700230034	RAY H BUCHANAN	250		JEFFERSON AVE		S031254160	32475
1703520003	RICHARD E WOODWARD	138		JOHNSON RD		L076060175	39025
2202315203	ANGELA DARLENE RYAN	100		TELEMANN LN		L076060240	33053
2401720016	MARTHA RAYSHERRA DANSBY	105		BENNETT LN		W029700786	34053
2403140011	KAYODE/CINDY FAJEMIROKUN	147		BETHUNE CIR		S094662551	33994
2504150011	DOROTHY K LEWIS	296	S	BENEDICT AVE		L076060244	54199
2604500004	MAYBELLE P GOMEZ	80		VALLEY FORGE DR		L076060242	38113
2902070002	ANN MCKENZIE	196		ROBERTSVILLE RD		W062801514	33105
3101590025	MARY ELIZABETH MILLER	105		WAKEMAN LN		G053007672	33095
3101670024	CHARLET ANN OWENS	113		WAKEMAN LN		W087525632	54267
3300510019	CHARLES T HADDEN	262		HIGHLAND AVE	@@@	S025503387	33565
3301590005	RALPH M HUTCHISON	490	W	OUTER DR		S071003835	50957
3301810013	DOUGLAS WILLIAM BROOKS	507	W	OUTER DR		L110248100	50969
3403060029	BRIARCLIFF REALTY SERVICE	163		WADE LN		W087525606	33713
3403080039	BRIARCLIFF REALTY SERVICE	161		WADE LN		W087525608	33714
3403100032	BRIARCLIFF REALTY SERVICE	159		WADE LN		S027891879	33712
3403120017	BRIARCLIFF REALTY SERVICE	157		WADE LN		W087525572	33709
3603830014	FIRSTBANK	114		PROVIDENCE RD		D017333199	39531
3700210017	RONNIE BURCH MASHBURN	389	W	OUTER DR		L076060145	39470
3702830003	JANE M HOLT	302	W	OUTER DR		G095227807	50339
3705090004	H WAYNE LIBBY	366	W	OUTER DR		W062801505	50588
4303840001	JACK W SCHAEFER	113		NEVADA CIR		S040284371	51730
4401710007	WOODLAND RENTALS	124		MARQUETTE RD		S039539887	51804
4402150018	SHARI LEIGH WEST	142		MARYVILLE CIR		S025586700	34308
4500840022	TEAM INVESTMENT GROUP	154		MANHATTAN AVE		S023679392	51704
4502260004	BRUCE E WEBB	110	S	PURDUE AVE		W040157122	51442
4601260000	PHILLIP BARRY COX	139		PRINCETON AVE		S071003480	54632
4701970003	R & R ENTERPRISES	110		PARIS LN		W062801317	53843
4702210008	WILMA E BASLER	115		PARIS LN		S025586201	34251

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4803090005	JARRELL SEARCY	109	ULYSSES LN	W062036470	34140
5201580000	MARIE BAILEY	107 E	NEWCOMB RD	L035834756	31141
5301400011	FNMA	109 W	MAIDEN LN	L111024154	34843
5302920001	REGINALD R SISSON	110 E	MALTA RD	S029823463	39823
5404940001	BRADLEY PARISH	122	KENTUCKY AVE	S045862848	35836
5502680006	TERRY JONES	126	ORCHARD LN	G091199934	31099
5503680004	PHILLIP & NAOMI THOMPSON	98	ORANGE LN	G091199978	35734
6102680006	PATRICIA & LARRY THOMAS	108	GORGAS LN	L076060296	35895
6203340000	CLYDE H FOUST	100	THELMA RD	G044250685	35594
6503380001	JAMES RONALD COBB	102	DARWIN LN	W062050434	36534
6701180006	GARY LYNN RINER	161	CALIFORNIA AVE	S048893673	36368
6704960007	JOHN D RADER	172	CALIFORNIA AVE	D024649727	36301
6706300000	WILLIAM L MARSHALL	101	OAK LN	S031124390	36272
7001710003	BARRY W NELSON	222	EAST DR	W063601635	51366
7604340002	JAMES D YOUNG	117	COOPER CIR	G045795336	36834
7606340001	DAVID A WEBSTER	101	DANA DR	W029700481	37107

COMMUNITY DEVELOPMENT MEMORANDUM

13-21

DATE: July 16, 2013
TO: Mark S. Watson, City Manager 
FROM: Kathryn G. Baldwin, Community Development Director
SUBJECT: RESIDENTIAL RENTAL INSPECTION PROGRAM

Introduction

An item for City Council's future consideration is a substantial change to an existing ordinance (Title 13, Chapter 5 – Residential Rental Dwelling Unit Inspections) that focused solely on the Highland View Neighborhood. The proposed ordinance is intended to improve a growing problem of distressed residential rental housing by establishment of a residential rental program within the Manhattan District Overlay (MDO) with routine inspections and annual registration requirements.

Background/Analysis/Review/Consideration

Over the past year, the City has undergone significant changes in how we approach housing property maintenance. We have taken a more proactive role in Nuisance Abatement and Grant supported acquisition and demolition of the worst properties, both rental and owner occupied. To date, there are repeated cases of property neglect and substandard housing that could effectively be addressed by a Rental Registration Ordinance for the City of Oak Ridge. The decision to focus on rental property within the MDO was designed to address the ongoing deterioration of our rental housing stock and public calls for an effective measure designed to combat rental property blight that our current Ordinance doesn't accomplish.

Further background regarding the current Title 13 Chapter 5 Ordinance includes:

- There is no penalty for the failure of an owner or tenant of a residential rental dwelling unit to comply with the provisions of the code subsections.
- The current ordinance is reactive in nature and only addresses deteriorating units that have become a nuisance, which decreases the chances of timely maintenance response of the owner.
- There is no fee schedule to offset the cost of Ordinance implementation.
- It does not align with the goals of Not in Our City initiatives.

The goals of the proposed changes include:

- To increase the accountability of all business owners of rental property for the condition of the property, and to ensure that the rental property is positively contributing to the surrounding neighborhood,
- To improve community vitality and residential rental standards within our legacy neighborhoods,
- To aid landlords and property managers with leverage to evict destructive tenants,
- To provide an improved and decisive method to locate and account for rental property that exists in the Manhattan District Overlay,
- To establish a specific program designed to effectively address rental housing issues,
- To clearly identify and outline tenant responsibilities,
- To use utility service change requests as a means to gain compliance on code violations.

Key Changes to Title 13 Chapter 5 – Residential Rental Registration Program

Deletes current and enacts a new...

Rental Registration

- Each rental unit will be required to be registered annually, which will allow for an up to date inventory of all rental property that can be used in various ways to improve City services.
- Registration will include one regular inspection and one re-inspection per 3-year cycle assuming there are no property maintenance issues in the interim.
- Failure to register rental property will result in fines not to exceed \$50.00 per day per unit that the rental unit is not registered or inspected as required.
- Non – transferable between owners or property managers. New registrations are required.

Certificate of Compliance (required)

- Issued after completion of an approved housing inspection that shall be good for three (3) calendar years. Is also required to maintain a Rental Registration in good standing.
- Provides a proactive tool to ensure the rental property owners, property managers and tenants are maintaining the rental property on both the inside and outside.
- Provide aid as needed to the landlords or property managers to document their good faith efforts in maintaining properties despite the tenants neglect or vice versa.
- Failure to obtain and maintain a Certificate of Compliance will result in possible revocation of Rental Registration and/or fines not to exceed \$50.00 per day per unit that the rental unit is classified non-compliant.
- Transferable unless there are pending cases or open violations.

This proposed change is an effort to improve the rental housing stock and quality of life within the Manhattan District Overlay by ensuring continued compliance with housing codes and environmental standards.

Attachment(s)

DRAFT

ORDINANCE NO. _____

TITLE

AN ORDINANCE TO AMEND TITLE 13, TITLED "PROPERTY MAINTENANCE REGULATIONS," CHAPTER 5, TITLED "RESIDENTIAL RENTAL DWELLING UNIT INSPECTIONS," SECTION 13-504, TITLED "RESIDENTIAL RENTAL INSPECTION DISTRICTS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DESIGNATING A NEW RESIDENTIAL RENTAL INSPECTION DISTRICT IN SUBSECTION (2)(B) KNOWN AS THE MANHATTAN DISTRICT OVERLAY.

WHEREAS, pursuant to Tennessee Code Annotated §13-21-301 through §13-21-314 (created by Public Chapter 949 of the Public Acts of 2006), the City is authorized to enact a residential rental dwelling unit inspection ordinance to address properties within designated districts that are deteriorating or are in the process of deteriorating in order to promote the health, safety and welfare of the citizens; and

WHEREAS, the City has established such an ordinance in City Code Title 13, Chapter 5, and has designated one residential rental inspection district known as the Highland View Redevelopment Area; and

WHEREAS, the City desires to establish another residential rental inspection district known as the Manhattan District Overlay which is a zoning designation established by the Zoning Ordinance; and

WHEREAS, the Manhattan District Overlay meets the requirements set forth in state law and city ordinance regarding establishment of a residential rental inspection district, specifically the need to protect public health, safety and welfare of the occupants of the dwelling units inside the geographic area; the residential rental dwelling units within the geographic area are deteriorating or in the process of deteriorating and inspections are needed to prevent deterioration, taking into account the number, age and condition of the units inside the geographic area; and inspections are necessary to maintain health, safety and welfare of tenants and other residents living in the geographic area; and

WHEREAS, City Council hereby designates the geographic area referred to as the Manhattan District Overlay as a residential rental inspection district; and

WHEREAS, City Council hereby finds that the Manhattan District Overlay meets the requirements set forth in Tennessee Code Annotated §13-21-302(a)(2) for establishment as a residential rental inspection district.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 13, titled "Property Maintenance Regulations," Chapter 5, titled "Residential Rental Dwelling Unit Inspections," Section 13-504, titled "Residential Rental Inspection Districts," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by inserting a new residential rental inspection district in Subsection (2)(b) as follows:

Section 13-504. Residential Rental Inspection Districts.

(2) (b) Manhattan District Overlay

The geographic area of this district is established by zoning designation. The Manhattan District Overlay is a zoning overlay district contained in the Zoning Ordinance pertaining to the older core neighborhoods.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

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