City Council Agenda Item Request

Submit to Clerk's Office
No later than 30 days before proposed Council meeting

1. **Date submitted to Clerk's Office:** March 6th, 2026

2. **Primary contact person and Department requesting agenda item:**
   Development Services Department
   Mark Matheny
   Chris O'Brien

3. **Requested Council meeting date:** April 14th, 2026

4. **Subject:** Abandoned Building Ordinance

5. **Action Requested:** Ordinance amending Chapter 4 of the Code of Ordinances of the City of Asheville to provide for repair, closing, or demolition of abandoned structures.

6. **Note if time sensitive, and why:** No

7. **Potential fiscal impact(s) - if known by staff at time of request:** Adopting this ordinance will not immediately create a fiscal impact. This ordinance will provide enforcement staff an additional tool to initiate and pursue cases within our current compliance path. Any fiscal resources that could potentially be needed, would need separate council action and approval in the same way as our current methods.

   Staff has discussed a future Proactive Abandoned Building Demolition Program that would create a much larger fiscal impact and is not a part of this ordinance update request. This would include a substantial remediation budget and the addition of two full-time employee positions. Additional resources will be considered during a subsequent budget development process.

8. **Identify all vendor outreach for Minority & Women Owned Business Enterprises (MWBE).**
   N/A

9. **Identify all Boards, Commissions and Council Committees with tentative dates - add in the vote and recommendation from each Board:**
   Public Safety Committee - January 29th, 2026, No recommendation
   Public Safety Committee - March 26th, 2026 - Voted 2-0 to move forward to City Council

10. **Identify key issues:**
    - Our existing ordinances, the Minimum Housing Code and Unsafe Structures, enable us to address properties (both residential and commercial) that are either structurally unsound or have deteriorated significantly.
    - However, a gap exists in our enforcement capabilities: we currently lack the legal authority to act on buildings that are structurally safe but are clearly abandoned and

have become a community nuisance due to the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities .

- The proposed Abandoned Building Ordinance is intended to bridge this gap, providing staff with the necessary legal tool to effectively address these problematic properties.