

BOROUGH OF BOGOTA

ORDINANCE #1489

**AN ORDINANCE AMENDING THE BOROUGHS VACANT/ABANDONED
PROPERTIES REGISTRATION ORDINANCE**

WHEREAS, the Borough of Bogota established a registration requirement for abandoned and vacant properties; and

WHEREAS, as part of the registration requirement the Borough required the bank/registrant to post an escrow to reimburse the Borough for costs associated with property maintenance of such abandoned properties; and

WHEREAS, the Division of Local Government Services has determined that the Borough is not entitled to collect such escrows in advance and instead must subsequently bill and collect for such costs associated with the property maintenance of the abandoned properties.

THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Bogota that Chapter 9 Section 11 be amended as follows:

**9-11. REGISTRATION AND MAINTENANCE OF VACANT/ABANDONED
PROPERTIES**

9-11.1 remains unchanged

9-11.2 Registration Requirements.

- a. remains unchanged
- b. remains unchanged
- c. remains unchanged
- d. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date, ~~but not the escrow fee.~~
- e. remains unchanged
- f. remains unchanged

9-11.3 remains unchanged

9-11.4 remains unchanged

9-11.5 Fee Schedule.

~~The initial registration fee for each building shall be one hundred dollars (\$100.00). The fee for each subsequent year renewal shall be one hundred dollars~~

~~(\$100.00). In addition to such registration fee, the Owner shall post an escrow for each and every property according to the annual fee schedule below. Said escrow shall be used for any costs expended by the Borough in maintaining, abating, correcting any nuisance, property maintenance violation, or securing the premises from unauthorized entry and any other item that the Borough deems appropriate for the public's health, safety and welfare.~~

The initial registration of the property shall be two hundred and fifty (\$250.00) dollars. Upon renewal of the registration for the 2nd year, the registration fee shall be five hundred (\$500.00) dollars, renewal for the third year shall be one thousand (\$1000.00) dollars, renewal for the fourth year shall be two thousand five hundred (\$2,500.00) dollars, and for every year thereafter said registration fee shall be five thousand (\$5,000) dollars.

9-11.6 deleted in its entirety

9-11.7 remains unchanged

9-11.8 Rights of the Borough

a. remains unchanged

b. In addition to such summons, the Borough shall have the right to expend public funds in order to abate the nuisance, correct or remedy the violation, or secure the premises against unauthorized entry, and such costs shall be paid *by the property owner and/or registered agent. from the escrow established pursuant to Section 54-6.5.*

c. deleted in its entirety

d. remains unchanged

9-11.9 remains unchanged

BE IT FURTHER ORDAINED, that each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after final approval and publication according to law.